



SAN FRANCISCO PLANNING DEPARTMENT

Community Plan Exemption Checklist

Case No.: **2014.0666E**
Project Address: **241 10th Street**
Zoning: RCD (Regional Commercial District) Use District
Western SoMa Special Use District
55-X Height and Bulk District
Block/Lot: 3518/020, 3518/038
Lot Size: 9,000 square feet
Project Sponsor: Nick Cramner, JS Sullivan Development, (415) 501-0931
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PROJECT DESCRIPTION

The project site consists of two adjacent lots located on the east side of 10th Street between Folsom and Howard streets in the South of Market neighborhood. Lot 20 is occupied by a 25-foot-tall, two-story, industrial building approximately 5,000 square feet in size with approximately 16 parking spaces located within the building. Lot 38 is occupied by a surface parking lot with eight spaces, an approximately 350-square-foot shed, and a billboard. The existing building was constructed in 1921, and the current use of the project site is a car-rental facility (“Hertz”). The proposed project involves the demolition of the existing structures, and construction of a 55-foot-tall (65-foot-tall with elevator penthouse), five-story, mixed-use building approximately 34,900 square feet in size. The proposed building would include 28 residential units and 1,900 square feet of ground-floor commercial use. The proposed mix of units would be 16 one-bedroom units and 12 two-bedroom units. The proposed building would include 17 parking spaces and 30 Class 1 bicycle spaces at the ground-floor level. Pedestrian, vehicular, and bicycle access would be from 10th Street. The proposed project would include 2,250 square feet of common open space at the 2nd floor podium and an additional 1,550 square feet of common open space on the roof deck. During the approximately 16-month construction period, the proposed project would require up to approximately five feet of excavation below ground surface for the proposed mat slab building foundation and 1,110 cubic yards of soil disturbance. The proposed project would remove the two existing curb cuts and create a new curb cut along 10th Street. The proposed project would also include five new street trees. The project site is located within the Western SoMa Light Industrial and Residential Historic District and within the Western SoMa Community Plan area.

PROJECT APPROVAL

The proposed project at 241 10th Street would require the following approvals:

Actions by the Planning Department

- The proposed project would require a Variance from the Zoning Administrator for bay window projections/obstructions per Planning Code Section 136.

Actions by other Departments

- Approval of a Site Mitigation Plan from the San Francisco Department of Public Health prior to the commencement of any excavation work.
- Approval of Building Permits from the San Francisco Department of Building Inspection for demolition and new construction.

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

EVALUATION OF ENVIRONMENTAL EFFECTS

This Community Plan Exemption (CPE) Checklist 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).¹ The CPE Checklist indicates 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 Mitigated Negative Declaration or Environmental Impact Report. If no such topics are identified, the proposed project is exempt from further environmental review in accordance with Public Resources Code 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 described in the Mitigation Monitoring and Reporting Plan (MMRP) that is attached to the Community Plan Exemption Certificate.

The Western SoMa PEIR identified significant impacts related to transportation and circulation, cultural and paleontological resources, wind and shadow, noise and vibration, air quality, biological resources, and hazards and hazardous materials. Additionally, the PEIR identified significant cumulative impacts related to shadow, transportation and circulation, cultural and paleontological resources, air quality, and noise. Aside from shadow, mitigation measures were identified for the above impacts and reduced said impacts to less-than-significant except for those related to transportation (program-level and cumulative traffic impacts at three intersections; and cumulative transit impacts on several Muni lines), cultural and paleontological resources (cumulative impacts from demolition of historic resources), noise (cumulative noise impacts), air quality (program-level TACs and PM_{2.5} pollutant impacts, program-level and cumulative criteria air pollutant impacts).

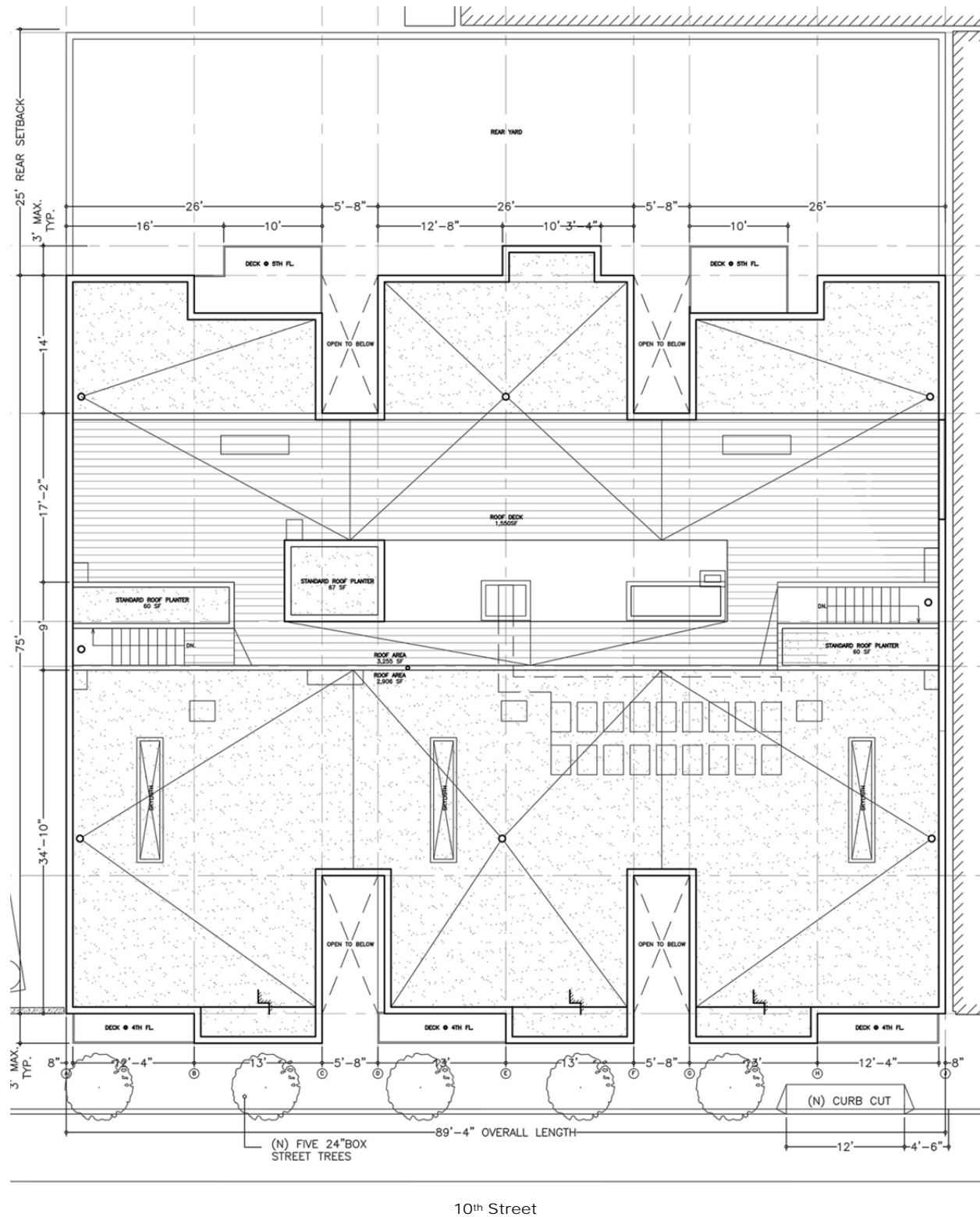
The proposed project would include construction of a five-story, mixed-use building containing 28 dwelling units, 1,900 square feet of retail space, and 17 off-street parking spaces at the ground-floor level. As discussed below in this checklist, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Western SoMa PEIR.

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.

Figure 1. Project Location

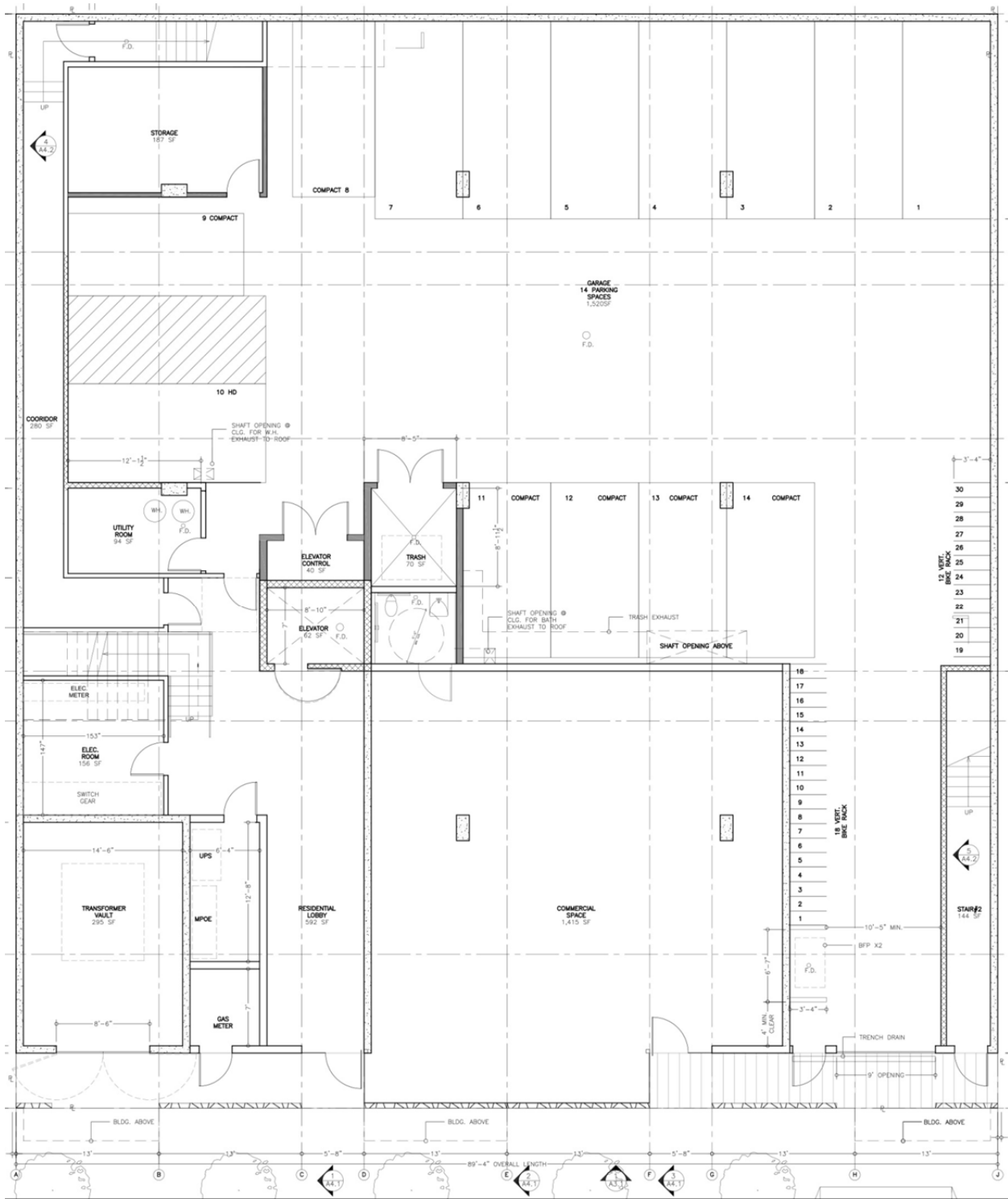


Figure 2: Proposed Site Plan



10th Street

Figure 3: Proposed Ground Plan



10th Street

Figure 4: Proposed Upper Floor Plan

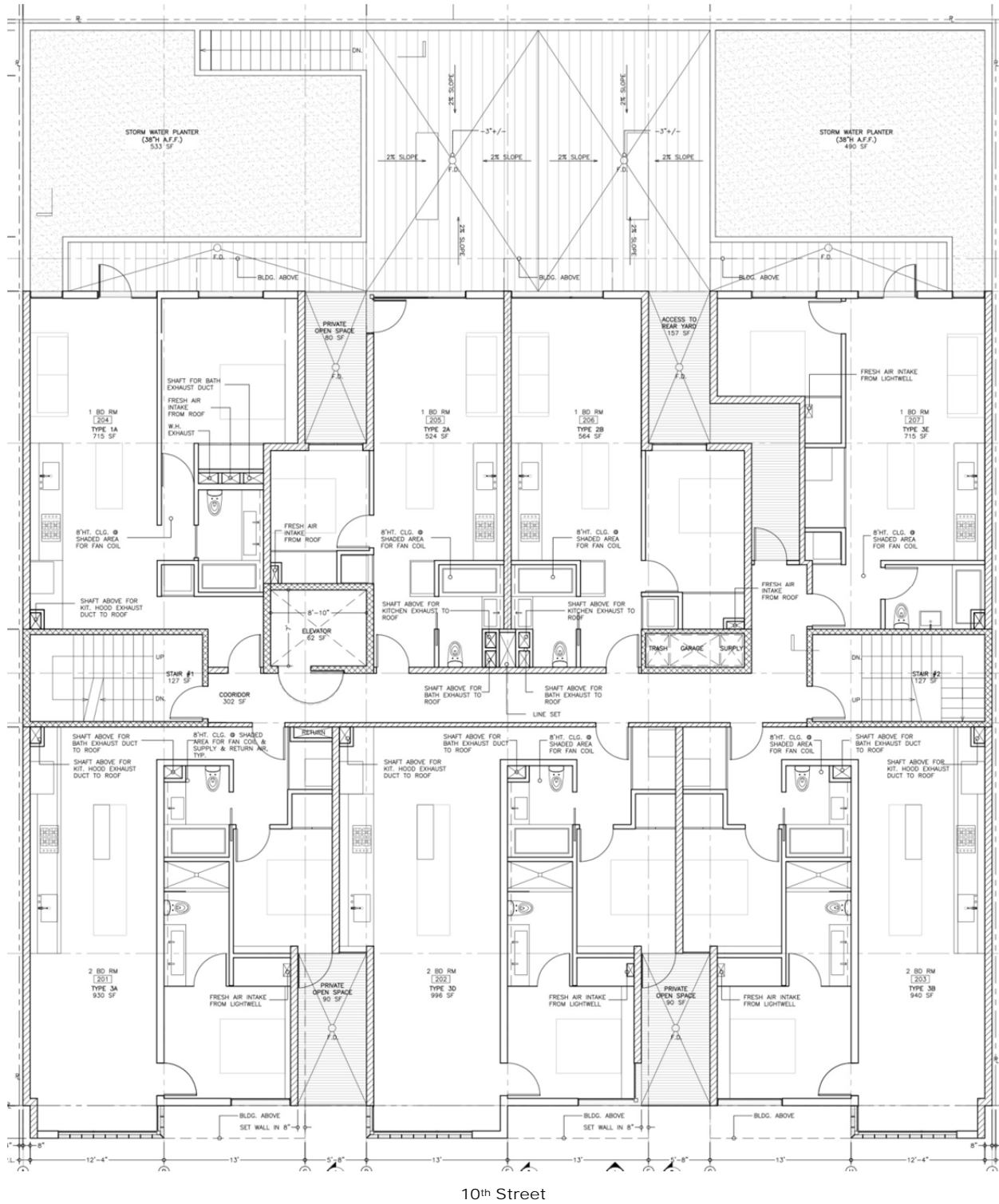
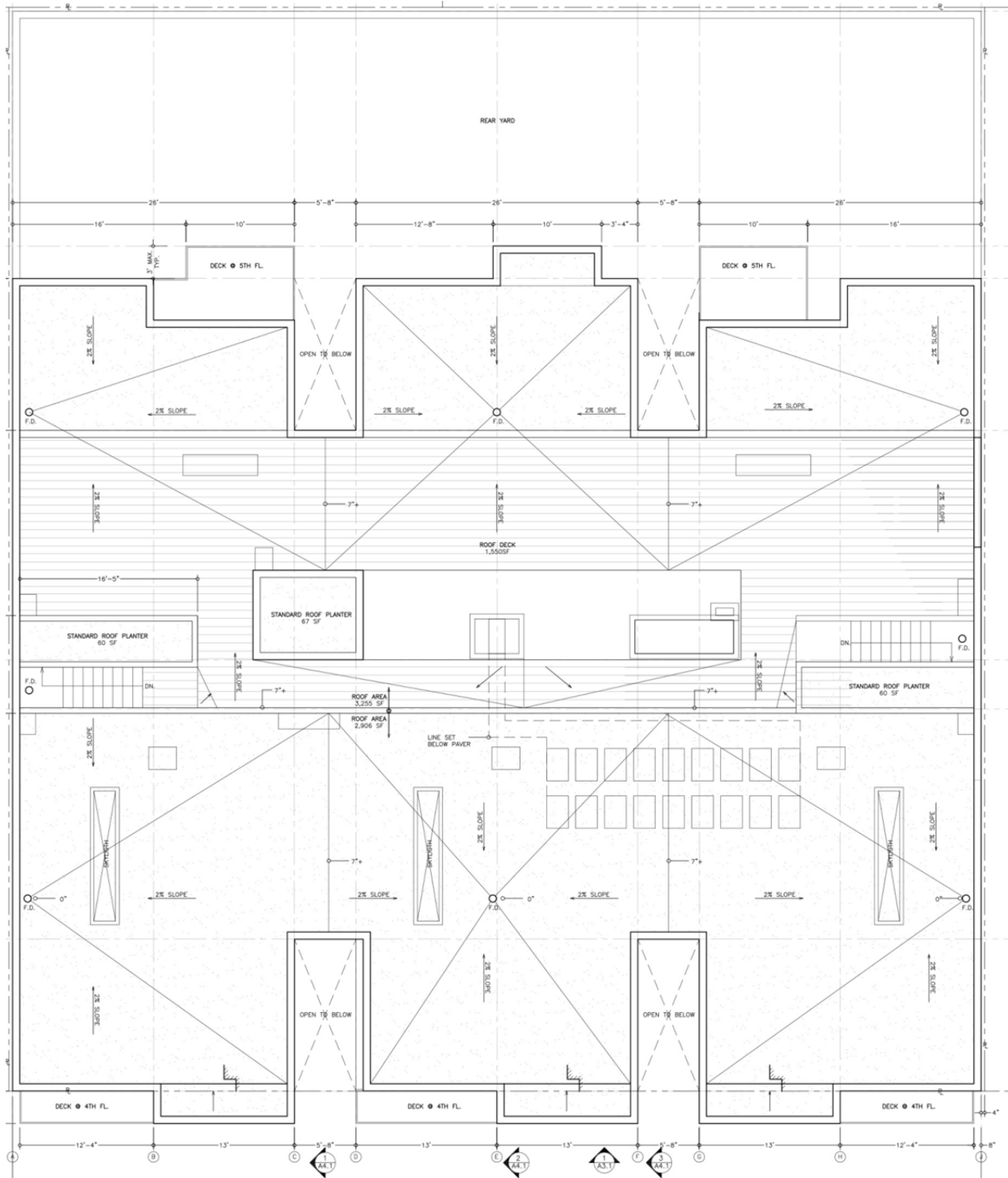
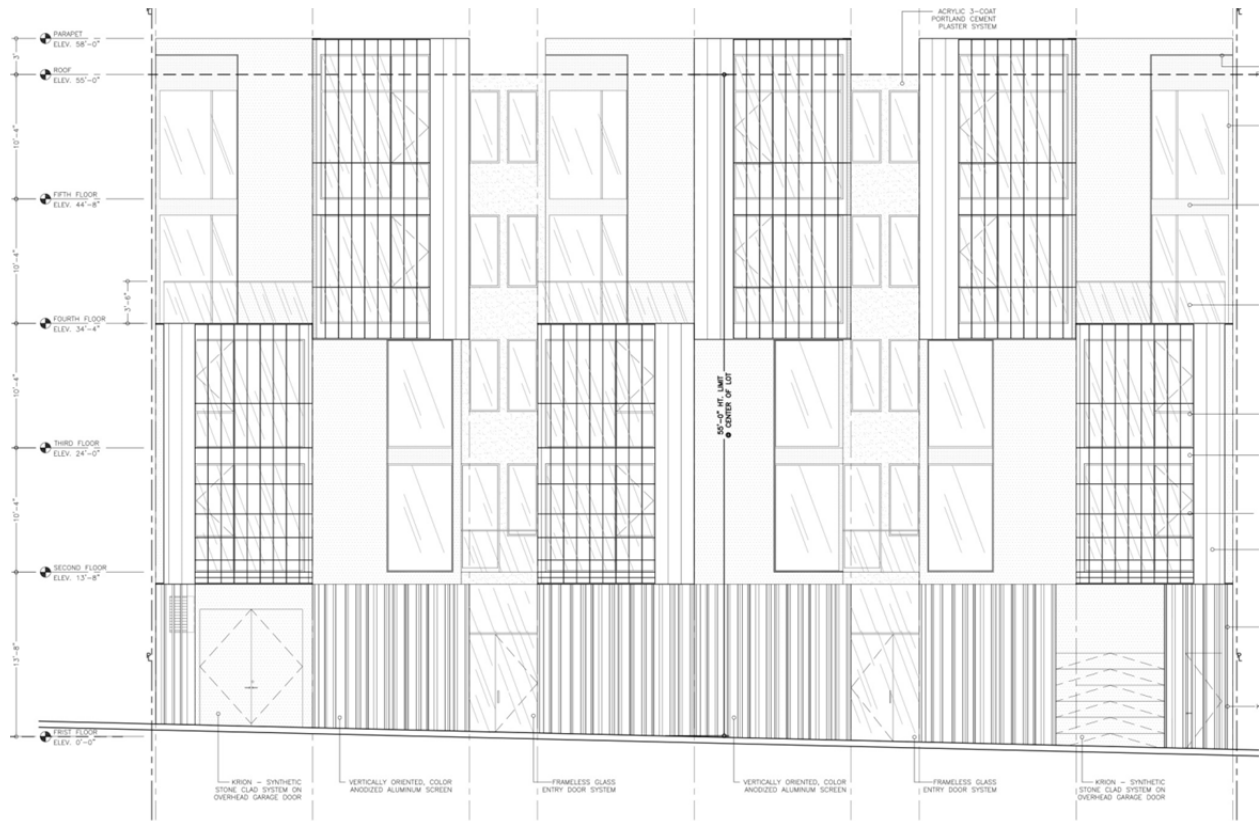


Figure 5: Proposed Roof Plan



10th Street

Figure 6: Proposed West Elevation



10th Street

AESTHETICS AND PARKING IMPACTS FOR TRANSIT PRIORITY INFILL DEVELOPMENT

Public Resources Code Section 21099(d), effective January 1, 2014, provides that, “aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment.” Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet 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.² The proposed west elevation is included in the project description, and an assessment of parking demand is included in the Transportation section for informational purposes.

<i>Topics:</i>	<u><i>Significant Impact Peculiar to Project or Project Site</i></u>	<u><i>Significant Impact not Identified in PEIR</i></u>	<u><i>Significant Impact due to Substantial New Information</i></u>	<u><i>No Significant Impact not Previously Identified in PEIR</i></u>
1. LAND USE AND LAND USE PLANNING— Would the project:				
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.

As a result of the Western SoMa Community Plan, the project site was rezoned from SLR (Service/Light Industrial/Residential District) to RCD (Regional Commercial District). The RCD permits residential dwelling units without specific density limitations, allowing physical controls such as height, bulk, and setbacks to control dwelling unit density. The RCD also permits non-residential uses up to 25,000 gross square feet per lot.

² San Francisco Planning Department. Transit-Oriented Infill Project Eligibility Checklist for 241 10th Street, March 27, 2015. 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. 2014.0666E.

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.

The Citywide Planning and Current Planning Divisions of the Planning Department have determined that the proposed project is permitted in the RCD, and is consistent with the bulk, density, and land uses envisioned in the Western SoMa Community Plan. The project falls within the Western SoMa RCD, which encourages a diverse commercial environment, with housing development encouraged at the second story and above (and permitted on the ground floor on smaller lots). As a mixed-use development with ground floor commercial uses and residential units above, the proposed project is consistent with this designation.^{3,4}

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

Topics:	<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>
2. POPULATION AND HOUSING— Would the project:				
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 itself, result in adverse physical effects, but would serve to advance key City policy objectives, such as providing housing in appropriate 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 in all of the Community Plan project 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.

³ Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning Analysis, 241 10th Street, April 2, 2015.

⁴ Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 241 10th Street, March 20, 2015.

Implementation of the proposed project would result in 28 new residential units and approximately 1,900 square feet of retail use which would increase the number of residents living and employees within the Western SoMa area. 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 evaluated in the Western SoMa PEIR.

For the above reasons, the proposed project would not result in significant project-level or cumulative impacts on population and housing growth that were not 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>
3. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:				
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 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 related to causing a substantial adverse change in the significance of a historic resource through demolition.

The subject building at 241 10th Street was constructed in 1921 and as part of the adopted South of Market Historic Resource Survey, the subject property was assigned a California Historic Resource Status Code (CHRSC) of “3D,” which designates this property as “appears eligible for the National Register of Historic Places (NRHP) as a contributor to a NRHP eligible district through survey evaluation.”^{5,6} In addition, the South of Market Historic Resource Survey found the adjacent parking lot at 239 10th Street to be ineligible as a contributor to a historic district.

⁵ The South of Market Area Historic Resource Survey is available online at: <http://www.sf-planning.org/index.aspx?page=2530>, accessed May 15, 2015.

⁶ Historic Resources Evaluation Response Memorandum from Richard Sucre, Preservation Planner, to Don Lewis, Planning Staff, March 18, 2015.

The Western SoMa Light Industrial and Residential Historic District is significant as a representation of a noteworthy trend in development patterns and the establishment of various ethnic groups in San Francisco, most notably the Greek community. Its significance is also rooted in the reconstruction of the South of Market area after the 1906 Earthquake and Fire. Reconstruction proceeded in several distinct periods, beginning with the initial flurry of building activity occurring between 1906 and 1913, with later waves occurring after the First World War between 1918 and 1920, and culminating with a major real estate boom in the mid-1920s. No other neighborhood in San Francisco contains such a concentration of small, light industrial buildings. The historic district's period of significance ranges from 1906 to 1936.

The 241 10th Street building is not individually eligible for listing in the California Register of Historic Places; however, the subject property is located within the boundaries of the eligible Western SoMa Light Industrial and Residential Historic District, which is a qualified historic resource for the purposes of CEQA. The historic district originally possessed 721 resources, of which 478 resources contribute to the district's historic character. These contributing resources include a wide variety of building types, including: large three- to six-story apartment buildings and residential hotels; multi-family wood-frame flats; small single-family dwellings; one- to three-story concrete commercial buildings; light industrial buildings; warehouses; civic buildings; and churches.

The 241 10th Street building is a small-scale, two-story commercial building that was originally designed as an automotive repair shop. In 1961, the subject building was altered with a large overhead roll-up door and the addition of stucco over the brick exterior. Subsequently in 1967, the overhead roll-up door was replaced by an aluminum-sash storefront. Factoring in the integrity and significance of this resource relative to the larger historic district, the Department finds that its demolition would not impact the integrity of the larger historic district due to the diminished integrity of the subject property, the size of the historic district with 476 contributing resources, and number of other resources that are similar in architectural character, history, and date of construction. The 241 10th Street building has had alterations that have removed original features on the exterior, which are paramount to their contribution to the district's significance, history, and character. Commercial properties within the historic district are often characterized by a ground-floor storefront with large plate glass windows and some type of architectural ornamentation, and the 241 10th Street building lacks many of these elements. The removal of a contributing resource out of the 476 contributing resources would not impact the integrity of the larger historic district, since the area as a whole would still convey its significance. Therefore, Department staff finds that the proposed project would not cause a significant adverse impact upon a historic resource such that the significance of the surrounding historic district would be materially impaired.

The Department finds that the proposed building is consistent with the historic massing and general character of the surrounding eligible historic district, as well as the new construction within the district boundaries. The proposed building features a regular pattern of fenestration and a strong concrete frame, which evokes the district's industrial aesthetic. Given the varied character of the district, the proposed building provides the appropriate references to the larger-scale industrial buildings, as evidenced by the overall design, massing, and scale. Overall, the proposed project is consistent with the district's mixed character and would not impact the district's character-defining features.

Based on the above, the removal of the 241 10th Street building would not result in a substantial adverse change in the significance of the eligible historic district. Therefore, PEIR Mitigation Measure M-CP-1a: Documentation of a Historical Resource does not apply. However, the project sponsor has agreed to

prepare Historic American Buildings Survey (HABS)-level digital photographs and an accompanying HABS historical report of the existing 241 10th Street building as an improvement measure. See full text of Improvement Measure M-CP-1a, as Project Improvement Measure 1, in the “Improvement Measures” section below. Planning Department staff has determined that Western SoMa PEIR Mitigation Measures M-CP-1b: Oral Histories and M-CP1c: Interpretive Program do not apply to the proposed project.

Immediately south of the project site is the 255 10th Street building which was constructed in 1932 and as part of the adopted South of Market Historic Resource Survey, the subject property was assigned a CHRSC of “3B,” which designates this property as “appears eligible for the NRHP both individually and as a contributor to a NRHP eligible district through survey evaluation.”⁷ Therefore, Western SoMa PEIR Mitigation Measures M-CP-7a: Protect Historical Resources from Adjacent Construction Activities and M-CP-7b: Construction Monitoring Program for Historical Resources would apply to the proposed project. The project sponsor has agreed to implement Mitigation Measures M-CP-7a and M-CP-7b as Project Mitigation Measures 1 and 2, respectively (full text provided in the “Mitigation Measures” section below). Compliance with these mitigation measures would result in less-than-significant impacts on off-site historical resources.

For these reasons, the proposed project would not result in significant project-level or cumulative impacts on historic architectural resources that were not identified in the Western SoMa PEIR.

Archeological Resources

The Western SoMa PEIR determined that implementation of the Community Plan could result in significant impacts on archeological resources and identified two mitigation measures that would reduce these potential impacts to a less than-significant-level. Western SoMa PEIR Mitigation Measure M-CP-4a: Project-Specific Preliminary Archeological Assessment and M-CP-4b: Procedures for Accidental Discovery of Archeological Resources apply to projects involving any soils-disturbing or soils-improving activities including excavation to a depth of five or more feet below grade. The proposed project at 241 10th Street would involve up to five feet of excavation below ground surface and approximately 1,110 cubic yards of soil disturbance. Therefore, Mitigation Measures M-CP-4a and M-CP-4b apply to the project.

As part of project implementation of Mitigation Measure M-CP-4a, the Planning Department’s archeologist conducted a Preliminary Archeology Review (PAR) for the proposed project.⁸ The PAR determined that the project would be subject to Mitigation Measure M-CP-4b to reduce potential impacts from accidental discovery of buried archeological resources during project construction to a less than significant level. The project sponsor has agreed to implement Mitigation Measures M-CP-4a and M-CP-4b as Project Mitigation Measures 3 and 4, respectively (full text provided in the “Mitigation Measures” section below). The project would not result in significant impacts related to archeological resources with implementation of these mitigation measures.

Paleontological Resources

The Western SoMa PEIR determined that implementation of the Community Plan would have low potential to uncover unique or significant fossils as geological materials that would be disturbed by

⁷ The South of Market Area Historic Resource Survey is available online at: <http://www.sf-planning.org/index.aspx?page=2530>, accessed May 15, 2015.

⁸ Randall Dean, San Francisco Planning Department, Archeological Log.

construction excavations in the Plan area would have little to no likelihood of containing unique or significant fossils. Therefore, the PEIR found less-than-significant impacts on paleontological resources. For the reasons above, the proposed project would not result in either project-level or cumulative significant impacts on cultural and paleontological resources that were not identified 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>
4. TRANSPORTATION AND CIRCULATION— Would the project:				
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"/>
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 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. As the proposed project is within the development projected under the Western SoMa Community Plan, there would be no additional impacts on pedestrians, bicyclists, emergency access, or construction beyond those analyzed in the Western SoMa PEIR. Transportation system improvements included as part of the Western SoMa Plan were identified to have significant impacts related to loading, but the impact was reduced to less-than-significant 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 four transportation mitigation measures. One mitigation measure reduced loading impacts to less-than-significant. Even with mitigation, however, it was anticipated that the significant adverse traffic impacts and the cumulative impacts on transit lines could not be fully mitigated. Thus, these impacts were found to be significant and unavoidable.

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

Trip Generation

The proposed project involves the construction of a 55-foot-tall, five-story, mixed-use building approximately 34,900 square feet in size. The proposed building would include 28 residential units and 1,900 square feet of ground-floor commercial use. The proposed mix of units would be 16 one-bedroom units and 12 two-bedroom units. The proposed building would include 17 parking spaces and 30 Class 1 bicycle spaces at the ground-floor level. Pedestrian, vehicular, and bicycle access would be from 10th Street.

Trip generation of the proposed project was calculated using information in the *2002 Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department. The proposed project would generate an estimated 555 person trips (inbound and outbound) on a weekday daily basis, consisting of 188 person trips by auto, 119 transit trips, 185 walking trips and 62 trips by other modes. The project would generate 120 vehicle trips (accounting for vehicle occupancy data for this Census Tract), of which 17 trips would occur during the p.m. peak hour.

Traffic

The proposed project's vehicle trips would travel through the intersections surrounding the project block. Intersection operating conditions are characterized by the concept of Level of Service (LOS), which ranges from A to F and provides a description of an intersection's performance based on traffic volumes, intersection capacity, and vehicle delays. LOS A represents free flow conditions, with little or no delay, while LOS F represents congested conditions, with extremely long delays; LOS D (moderately high delays) is considered the lowest acceptable level in San Francisco. Intersections within approximately 1,000 feet from the project site that were analyzed in the Western SoMa PEIR include the following: Eight/Howard Streets; Eight/Folsom Streets; Ninth/Mission Streets; Ninth/Folsom Streets; Ninth/Harrison Streets; Tenth/Howard Streets; Tenth/Harrison Streets; and Eleventh/Howard Streets. Based on the PEIR, all of these intersections are currently operating and would continue to operate acceptably (at LOS D or better) during the p.m. peak hour (see Table 1 – Intersection Level of Service).

Table 1 – Intersection Level of Service

#1	Study Intersection	Existing P.M. Peak Hour	Cumulative (2030) P.M. Peak Hour
		LOS ²	LOS
8	Eight Street/ Howard Street	B	C
9	Eight Street/ Folsom Street	B	D
12	Ninth Street/ Mission Street	C	D
13	Ninth Street/ Folsom Street	B	D
14	Ninth Street/ Harrison Street	B	B
16	Tenth Street/ Howard Street	C	C
17	Tenth Street/ Harrison Street	C	C
18	Eleventh Street/ Howard Street	B	C

Source: *Western SoMa PEIR, 2013, Table 4.E-1.*

Notes: (1) Intersection number refers to numbering in PEIR. (2) LOS/delay for signalized intersection represents conditions for the overall intersection.

The proposed project would generate an estimated 17 new p.m. peak hour vehicle trips that could travel through surrounding intersections. This amount of new p.m. peak hour vehicle trips would not substantially increase traffic volumes at these or other nearby intersections, would not substantially increase average delay that would cause intersections that currently operate at acceptable LOS to deteriorate to unacceptable LOS, and would not substantially increase average delay at intersections that currently operate at unacceptable LOS.

The proposed project would not contribute considerably to LOS delay conditions as its contribution of an estimated 17 new p.m. peak-hour vehicle trips would not be a substantial proportion of the overall traffic volume or the new vehicle trips generated by Western SoMa Community Plan projects. The proposed project would also not contribute considerably to 2030 cumulative conditions and thus, the proposed project would not have any significant cumulative traffic impacts.

For the above reasons, the proposed project would not result in significant project-level or cumulative impacts on traffic that were not identified in the Western SoMa PEIR.

Transit

The project site is located within a quarter mile of several local transit lines including Muni lines 12-Folsom, 90-Owl, 9-San Bruno, 47-Van Ness, 14-Mission, and 14L-Mission Limited. The proposed project would be expected to generate 119 daily transit trips, including 16 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 16 p.m. peak hour transit trips would be accommodated by existing capacity. As such, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service could result.

The Western SoMa Community Plan PEIR identified less than significant impacts relating to exceedance of the capacity utilization standards for Muni lines or regional transit providers, or a substantial increase in delays or operating costs.

The proposed project's minor contribution of 16 p.m. peak hour transit trips would not be a substantial proportion of the overall transit volume generated by Western SoMa Community Plan area projects. The proposed project would not contribute considerably to cumulative transit conditions and thus, the proposed project would not result in any significant project-level or cumulative transit impacts that were not identified in the PEIR.

For the above reasons, the proposed project would not result in significant impacts that were not identified in the Western SoMa Community Plan PEIR related to transit.

Pedestrians

The PEIR acknowledged that the Western SoMa is 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 PEIR identified a number of transportation system improvements that are near the vicinity of the project site which include the following: Posting of "truck route" signs on Ninth, Tenth, Harrison, and Bryant Streets; installation of new signalized mid-block pedestrian crossings at Eighth 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 Fourth Street and 13th Street; and installation of gateway treatments at and in the vicinity of freeway off-ramps.

The PEIR states that new pedestrian trips generated by the Community Plan would be accommodated on the existing sidewalks and would not substantially affect pedestrian operation on nearby sidewalks and crosswalks. While the frequency of conflict between pedestrians and vehicles could likely increase as traffic volumes increase along with increases in pedestrian exposure associated with residential and non-residential development, implementation of the Plan would not be expected to have a significant impact on existing pedestrian conditions because neither vehicle traffic volumes nor pedestrian activity would increase to such a degree that a substantial increase in conflicts would be anticipated. Therefore, the PEIR found impacts on pedestrians to be less than significant.

The proposed project would generate approximately 39 pedestrian trips (23 walking trips and 16 trips to/from nearby transit stops) during the typical p.m. peak hour. The new pedestrian trips could be accommodated on existing sidewalks and crosswalks adjacent to the project site and would not substantially overcrowd the sidewalk along 10th Street, which is approximately 10 feet wide. Implementation of the proposed project would improve pedestrian circulation by reducing the number of curb cuts and parking spaces at the project site.^{9,10} Although the proposed project would result in an increase in the number of vehicles in the vicinity of the project site, this increase would not be substantial enough to create potentially hazardous conditions for pedestrian or otherwise substantially interfere with pedestrian accessibility to the site and adjacent areas. In addition, the project site was not identified as being in a high-injury corridor as defined by Vision Zero, which is the City's adopted road safety policy that aims for zero traffic deaths in San Francisco by 2024.¹¹

For the above reasons, the proposed project would not result in significant project-level or cumulative pedestrian impacts that were not identified in the Western SoMa PEIR.

Parking

Public Resources Code Section 21099(d), effective January 1, 2014, provides that, "aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment." Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet 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 determination does not consider the adequacy of parking in determining the significance of project impacts under CEQA.¹² The Planning Department acknowledges that parking conditions may be of interest to the public and the

⁹ The two existing curb cuts located along 10th Street that would be removed are 17 feet and 13 feet wide. The proposed curb cut would be 12 feet wide.

¹⁰ There are approximately 24 existing off-street parking spaces on the project site and the proposed project would include 17 off-street parking spaces.

¹¹ Vision Zero High Injury Network map, accessed on June 5, 2015, is available online at:

<http://sfgov.maps.arcgis.com/apps/OnePane/basicviewer/index.html?appid=335c508503374f5d94c95cb2a1f3f4f4>.

¹² San Francisco Planning Department, Transit-Oriented Infill Project Eligibility Checklist for 241 10th Street, March 27, 2015.

decision makers. Therefore, the following parking demand analysis is provided for informational purposes only.

Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel. While parking conditions change over time, a substantial shortfall in parking caused by a project that creates hazardous conditions or significant delays to traffic, transit, bicycles or pedestrians could adversely affect the physical environment. Whether a shortfall in parking creates such conditions will depend on the magnitude of the shortfall and the ability of drivers to change travel patterns or switch to other travel modes. If a substantial shortfall in parking caused by a project creates hazardous conditions or significant delays in travel, such a condition could also result in secondary physical environmental impacts (e.g., air quality or noise impacts caused by congestion), depending on the project and its setting.

The absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service or other modes (walking and biking), would be in keeping with the City's "Transit First" policy and numerous San Francisco General Plan Policies, including those in the Transportation Element. The City's Transit First Policy, established in the City's Charter Article 8A, Section 8A.115, provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation."

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. The secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area, and thus choose to reach their destination by other modes (i.e. walking, biking, transit, taxi). If this occurs, any secondary environmental impacts that may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise and pedestrian safety analyses, would reasonably address potential secondary effects.

The parking demand for the new residential and commercial uses associated with the proposed project was determined based on the methodology presented in the Transportation Guidelines. On an average weekday, the demand for parking would be for an estimated 120 spaces. The proposed project would provide 17 off-street spaces. Thus, as proposed, the project would have an unmet parking demand of an estimated 103 spaces. At this location, some of the unmet parking demand could be accommodated within existing on-street and off-street¹³ parking spaces within a reasonable distance of the project vicinity. Additionally, the project site is well served by public transit and bicycle facilities such as transit lines 12-Folsom, 90-Owl, 9-San Bruno, 47-Van Ness, 14-Mission, and 14L-Mission Limited, and bicycle routes 23, 25, and 30. Therefore, any unmet parking demand associated with the project would not

¹³ The City Park SoMa Hub parking lot at 255 12th Street contains approximately 875 spaces and is approximately two blocks to the west of the project site.

materially affect the overall parking conditions in the project vicinity such that hazardous conditions or significant delays would be created.

Further, the project site is located in the RCD zoning district where under Section 151.1 of the Planning Code, one parking space for each two dwelling units (28/2 = 16 parking spaces) and one parking space per 500 square feet of retail (1,900sf/500 = 4 parking spaces) would be principally permitted. Since the proposed project includes 17 parking spaces, the amount of parking is principally permitted. It should be noted that the Planning Commission has the discretion to adjust the number of on-site parking spaces included in the proposed project, typically at the time that the project entitlements are sought. The Planning Commission may not support the parking ratio proposed. In some cases, particularly when the proposed project is in a transit rich area, the Planning Commission may not support the provision of any off-street parking spaces. This is, in part, owing to the fact that the parking spaces are not 'bundled' with the residential units. In other words, residents would have the option to rent or purchase a parking space, but one would not be automatically provided with the residential unit.

If the project were ultimately approved with no off-street parking spaces, the proposed project would have an unmet demand of an estimated 120 spaces. As mentioned above, the unmet parking demand could be accommodated within existing on-street and off-street parking spaces nearby and through alternative modes such as public transit and bicycle facilities. Given that the unmet demand could be met by existing facilities and given that the proposed project site is well-served by transit and bicycle facilities, a reduction in the number of off-street parking spaces associated with the proposed project, even if no off-street spaces are provided, would not result in significant delays or hazardous conditions.

In summary, the proposed project would not result in a substantial parking shortfall that would create hazardous conditions or significant delays affecting traffic, transit, bicycles, or pedestrians. Therefore, impacts related to parking would be less than significant.

<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>
5. NOISE—Would the project:				
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"/>

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
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 uses, and office uses. In addition, the Western SoMa PEIR noted that implementation of the 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 therefore identified six noise mitigation measures that would reduce noise impacts to less-than-significant levels.

Mitigation Measure M-NO-1a: Interior Noise Levels for Residential Uses requires a detailed analysis of noise reduction requirements for new development including noise-sensitive uses located along streets with noise levels above 60 dBA¹⁴ (L_{dn} ¹⁵). Mitigation Measure M-NO-1b: Siting of Noise-Sensitive Uses requires a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site in order to reduce potential conflicts between existing noise-generating uses and new sensitive receptors. The proposed project would construct a new five-story, mixed-use building with 28 dwelling units—a noise sensitive use—in an area where traffic-related noise exceeds 60 dBA (L_{dn}). Therefore, Mitigation Measures M-NO-1a and M-NO-1b apply to the proposed project, and has been implemented by the project sponsor as Project Mitigation Measures 5 and 6, respectively (full text provided in the “Mitigation Measures” section below). Accordingly, the project sponsor has provided an environmental noise study that demonstrates that the proposed project can feasibly attain acceptable interior noise levels consistent with Title 24 of the California Code of Regulations with the following recommendations: windows located along 10th Street at the 2nd and 3rd floors should have an Outside-Inside Transmission Class (OTIC) rating of 34; windows located along 10th Street at the 4th and 5th floors should have an OTIC rating of 31; and all residential units should have a separate makeup air ventilation system.¹⁶

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 project does not include noise-generating uses, thus Mitigation Measure M-NO-1c is not applicable to the project.

¹⁴ The dBA, or A-weighted decibel, refers to a scale of noise measurement that approximates the range of sensitivity of the human ear to sounds of different frequencies. On this scale, the normal range of human hearing extends from about 0 dBA to about 140 dBA. A 10-dBA increase in the level of a continuous noise represents a perceived doubling of loudness.

¹⁵ The L_{dn} is the L_{eq} , or Energy Equivalent Level, of the A-weighted noise level over a 24-hour period with a 10 dB penalty applied to noise levels between 10:00 p.m. to 7:00 a.m. The L_{eq} is the level of a steady noise which would have the same energy as the fluctuating noise level integrated over the time period of interest.

¹⁶ Shen Milsom & Wilke, *241 10th Street Residential Development, Environmental Noise Report CSA Project 15008*. February 20, 2015.

Mitigation Measure M-NO-1d: Open Space in Noisy Environments requires that new open space associated with new development that includes noise-sensitive uses be protected from existing ambient noise levels in order to minimize disruption to users of the open space. As the project proposes a noise-sensitive use with outdoor open space, Mitigation Measure M-NO-1d would apply to the project, and has been agreed to by the project sponsor as Project Mitigation Measure 7 (full text provided in the “Mitigation Measures” section below). The environmental noise study prepared in accordance with Mitigation Measure M-NO-1a addressed noise levels at the proposed outdoor spaces, and concluded that the existing ambient noise levels would not limit the enjoyment of the proposed open space.¹⁷

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 involve demolition of an existing two-story industrial building and construction of a new five-story, mixed-use building, and therefore, would contribute to construction-related noise impacts. As discussed in the “Geology and Soils” section of this document, the proposed building would be supported on a mat foundation provided the upper five feet of existing fill blanketing the site is over-excavated and re-compacted. The recommended five-foot-deep over-excavation would necessitate either installing shoring and underpinning around the site perimeter or performing ground improvement to a depth of five feet within ten feet of the property lines. Mitigation Measure M-NO-2a applies to the proposed project since construction could generate excessive noise while Mitigation Measure M-NO-2b does not apply since project construction does not include pile-driving. Mitigation Measure M-NO-2a would ensure that project noise from construction activities is minimized to the maximum extent feasible, and has been agreed to by the project sponsor as Project Mitigation Measure 8 (full text provided in the “Mitigation Measures” section below). Compliance with this mitigation measure would result in less-than-significant noise impacts from construction activities.

In addition, all construction activities for the proposed project (approximately 16 months) would be subject to and would comply with the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance). Construction noise is regulated by the Noise Ordinance. The Noise Ordinance 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 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 the Department of Public Works (DPW) or the Director of the Department of Building Inspection (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 DPW authorizes a special permit for conducting the work during that period.

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.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the construction period for the proposed project of approximately 16 months, occupants of the nearby properties could be disturbed by construction noise. Times may occur when noise could interfere with indoor activities in nearby residences and other businesses near the project site and may be considered an annoyance by occupants of nearby properties. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project, because the construction noise would be temporary, intermittent, and

¹⁷ Ibid

restricted in occurrence and level, as the contractor would be required to comply with the Noise Ordinance.

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, the Community Plan Exemption Checklist topics 6e and 6f are not applicable.

For the above reasons, the proposed project would not result in significant project-level or cumulative noise impacts that were not identified in the Western SoMa PEIR.

Topics:	<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>
6. AIR QUALITY—Would the project:				
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 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.

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 (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.¹⁸ Pursuant to the *Air Quality Guidelines*, projects that meet the screening criteria do not have a significant

¹⁸ Bay Area Air Quality Management District, *CEQA Air Quality Guidelines*, updated May 2011, pp. 3-2 to 3-3.

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 28 dwelling units, is below both the construction screening criterion and the operational screening criterion for the “apartment, mid-rise” land use type. 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 about 120 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 8, 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 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_{2.5} 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

For sensitive use projects within the APEZ as defined by Article 38, such as the proposed project, the ordinance requires that the project sponsor submit an Enhanced Ventilation Proposal for approval by the Department of Public Health (DPH) that achieves protection from PM_{2.5} (fine particulate matter) equivalent to that associated with a Minimum Efficiency Reporting Value 13 filtration. The Department of Building Inspection (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.¹⁹ 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.

¹⁹ Application for Article 38 Compliance Assessment, 241 10th Street, February 17, 2015.

Siting New Sources

PEIR Mitigation Measure M-AQ-4: Siting of Uses that Emit PM_{2.5} 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 generate more than 10,000 vehicle trips per day, more than 100 truck trips per day, or more than 40 refrigerated truck trips per day. In addition, the proposed project would not include a backup diesel generator. 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 nine months of the anticipated 16-month construction period. PEIR Mitigation Measure M-AQ-6: Construction Emissions Minimization Plan for Criteria Air Pollutants, requires a development project that may exceed the standards for criteria air pollutants to 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. For this reason, PEIR Mitigation Measure M-AQ-6 is not applicable to the proposed project.

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 16 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 has been agreed to by the project sponsor as Project Mitigation Measure 9 (full text provided in the "Mitigation Measures" section below). Compliance with this mitigation measure would result in less-than-significant air quality impacts from construction vehicles and equipment.

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 July 30, 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, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (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.

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 PEIR Mitigation Measure M-AQ-7 would reduce construction-related air quality impacts to less-than-significant levels. For these reasons, the proposed project would not result in significant project-level or cumulative air quality impacts that were not 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>
7. GREENHOUSE GAS EMISSIONS—Would the project:				
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"/>

The Western SoMa PEIR assessed the Greenhouse Gas (GHG) emissions that could result from implementation of the Western SoMa Community Plan. The PEIR concluded that the resulting GHG emissions from plan implementation would be less than significant. No mitigation measures were identified in the PEIR.

Regulations outlined in San Francisco’s Strategies to Address Greenhouse Gas Emissions have proven effective as San Francisco’s GHG emissions have measurably reduced when compared to 1990 emissions levels, demonstrating that the City has met and exceeded EO S-3-05, AB 32, and the Bay Area 2010 Clean Air Plan GHG reduction goals for the year 2020. The proposed project was determined to be consistent with San Francisco’s GHG Reduction Strategy.²⁰ Other existing regulations, such as those implemented through AB 32, will continue to reduce a proposed project’s contribution to climate change. Therefore, the proposed project’s GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations, and thus the proposed project’s contribution to GHG emissions would not be cumulatively considerable or generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment.

As the proposed project is within the development projected under the Western SoMa Community Plan, there would be no additional impacts on GHG emissions (including cumulative impacts) beyond those analyzed in the Western SoMa PEIR.

²⁰ Greenhouse Gas Analysis: Compliance Checklist for 241 10th Street, March 30, 2015.

<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>
8. WIND AND SHADOW—Would the project:				
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 Mitigation Measure M-WS-1: Screening-Level Wind Analysis and Wind Testing, which would require a wind analysis for any new structures within the Community Plan area that have a proposed height of 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 55-foot-tall building (65-foot-tall including the elevator penthouse) would be three stories taller than the adjacent two-story buildings to the north and south but similar in heights to existing four-story and five-story buildings in the vicinity. Therefore, the proposed project would not contribute to the significant wind impact identified in the Western SoMa PEIR, and Mitigation Measure M-WS-1 is not applicable.

For the above reasons, the proposed project is not anticipated to cause significant project-level or cumulative wind impacts that were not 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 Commission 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 construct an approximately 55-foot-tall building (65 feet including the elevator penthouse). Therefore, the Planning Department prepared a preliminary shadow fan analysis to determine whether the proposed project would have the potential to cast new shadow on nearby parks. The shadow fan analysis prepared by the Department found that the project as proposed would not cast shadows on Recreation and Parks Department parks or other public parks.²¹

The proposed project would shade portions of nearby streets and sidewalks and private property at times within the project vicinity. Shadows upon streets and sidewalks would not exceed levels commonly

²¹ San Francisco Planning Department, Shadow Fan – 241 10th Street, March 27, 2015.

expected in urban areas and would be considered a less-than-significant effect 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.

In light of the above, the project would not contribute to the significant project-level or cumulative shadow impacts 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>
9. RECREATION—Would the project:				
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.

Because the proposed project would not degrade recreational facilities and is within the development projected under the Western SoMa Community Plan, there would be no additional project-level or cumulative impacts on recreation beyond those analyzed 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>
10. UTILITIES AND SERVICE SYSTEMS—Would the project:				
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"/>

<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>
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 would not result in a significant impact to the provision of water, wastewater collection and treatment, and solid waste collection and disposal. No mitigation measures were identified in the PEIR.

Because the proposed project is within the development projected under the Western SoMa Community Plan, there would be no additional project-level or cumulative 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 would not result in a significant impact to public services, including fire protection, police protection, and public schools. No mitigation measures were identified in the PEIR.

Because the proposed project is within the development projected under the Western SoMa Community Plan, there would be no additional project-level or cumulative 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"/>
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 Western SoMa Community Plan Area is almost fully developed with buildings and other improvements such as streets and parking lots. Most of the project 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 in the Western SoMa Community Plan would largely consist of new construction of mixed-uses in these heavily built-out former industrial neighborhoods, vegetation loss or disturbance of wildlife other than common urban species would be minimal. Therefore, the Western SoMa PEIR concluded that implementation of the 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 a less-than-significant level. Mitigation Measure M-BI-1a requires that conditions of approval for building permits issued for construction of projects within the Western SoMa Community Plan area 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. 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 vacant buildings or buildings used seasonally or not occupied, especially in the upper stories, are to be demolished. The proposed project would involve demolition of an existing two-story industrial building and therefore would contribute to this significant impact. However, the project would be subject to Mitigation Measures M-BI-1a and M-BI-1b requiring pre-construction special-status bird and bat surveys to be conducted prior to demolition in order to reduce these impacts to a less-than-significant level. Mitigation Measures M-BI-1a and M-BI-1b have been agreed to by the project sponsor as Project Mitigation Measures 10 and 11, respectively (full text provided in the “Mitigation Measures” section below). As the proposed project includes the above mitigation measures and is within the development projected under the Western SoMa Community Plan, there would be no additional project-level or cumulative impacts on biological resources beyond those analyzed in the Western SoMa PEIR.

<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>
13. GEOLOGY AND SOILS—Would the project:				
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 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 the project would indirectly increase the population that would be subject to an earthquake, including 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 Bay Area. Therefore, the PEIR concluded that the project would not result in significant impacts related to geological hazards. No mitigation measures were identified in the PEIR.

A geotechnical investigation was prepared for the proposed project.²² The geotechnical report states that the primary geotechnical concerns at the project site include the following: (1) the presence of four to six feet of undocumented fill blanketing the project site; (2) the project site is located within a liquefaction zone; and (3) the presence of adjacent structures with and without basements. The geotechnical investigation concluded that the proposed building could be supported on a mat foundation provided the upper five feet of existing fill blanketing the site is over-excavated and re-compacted. The recommended five-foot-deep over-excavation would necessitate either installing shoring and underpinning around the site perimeter or performing ground improvement to a depth of five feet within ten feet of the property lines. Drilled slant piles or hand-excavated piers are likely the most appropriate underpinning systems for the project site. Ground improvement techniques could include permeation grouting, drilled displacement columns, or soil-mix columns. Construction of the proposed project would not involve piling driving.

The proposed project would be required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the City. Therefore, potential damage to structures from geologic hazards such as landslide hazards and seismic stability of the project site would be addressed through the DBI requirement for a geotechnical or other subsurface report and review of the building permit application pursuant to its implementation of the Building Code.

In light of the above, the proposed project would not result in a significant effect related to seismic and geologic hazards. Therefore, the proposed project would not result in significant project-level or cumulative impacts related to geology and soils that were not identified in the Western SoMa PEIR, and no mitigation measures are necessary.

<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>
14. HYDROLOGY AND WATER QUALITY—Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

²² Rockridge Geotechnical, Inc., *Geotechnical Investigation, Proposed Residential Building, 241 10th Street, San Francisco, California*. August 6, 2014.

<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) 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 would not result in a significant impact 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 lot is entirely covered by impervious surfaces and the proposed building would occupy the entire project site. As a result, the proposed project would not result in an increase in the amount of impervious surface area on the site, which in turn would increase the amount of runoff and drainage. In accordance with the Stormwater Management Ordinance (Ordinance No. 83-10), the proposed project would be subject to and would comply with the Stormwater Design Guidelines, incorporating Low Impact Design (LID) approaches and stormwater management systems into the project. Therefore, the proposed project would not adversely affect runoff and drainage.

For the above reasons, the proposed project would not result in any significant project-level or cumulative impacts related to hydrology and water quality that were not identified 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>
15. HAZARDS AND HAZARDOUS MATERIALS— Would the project:				
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"/>

The Western SoMa PEIR identified less-than-significant impacts related to the routine transport, use, or disposal of hazardous materials, the potential for the Plan or subsequent development projects within the Plan area to interfere with an adopted emergency response plan, and the potential for subsequent projects 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 25-foot-tall industrial building on the project site, which was built in 1921. Because this structure was built before the 1970s, 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. In compliance with the Western SoMa PEIR, the project would be required to implement Mitigation Measure M-HZ-2: Hazardous Building Materials Abatement. With

implementation of this mitigation measure, the project's impacts related to hazardous building materials would be reduced to a less-than-significant impact. See full text of Mitigation Measure M-HZ-2, as Project Mitigation Measure 12, in the "Mitigation Measures" section below.

For the above reasons, the proposed project would not result in significant project-level or cumulative impacts that were not identified in the Western SoMa PEIR related to hazardous building materials.

Soil and Ground Water Contamination

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 projects within the Plan Area. The PEIR determined that Mitigation Measure M-HZ-3: Site Assessment and Corrective Action would reduce these impacts to a less-than-significant level.

Subsequently, the San Francisco Board of Supervisors amended Health Code Article 22A, which is administered and overseen by the Department of Public Health (DPH) and is also known as the Maher Ordinance. 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 to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. Mitigation Measure M-HZ-3 of the Western SoMa PEIR related to contaminated soil and groundwater is therefore superseded by the Maher Ordinance.

The proposed project, which is located on the Maher Map²³, would excavate up to five feet below ground surface and disturb approximately 1,110 cubic yards of soil. Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (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 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 agency(ies), and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit.

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH and a Phase I ESA has been prepared to assess the potential for site contamination.^{24,25} The Phase I ESA states that the project site was occupied by residential structures, stables, and a stained glass business prior to 1913. By 1921, the existing structure covering the eastern portion of the site had been built. The structure was used as an automotive repair facility from the 1920s through 1980s. The existing structure located at the northwest portion of the site was built by the late 1960s and was used as a warehouse. The area at the southwest portion of the site has been used as a parking area since the 1930s. A Goodwill store occupied the site in the 1990s, and the Hertz Local Edition Car Rental company, the current tenant, has occupied the site since the mid-2000s. Based on the duration of use of the site as an automotive repair

²³ The Maher Map identifies sites that are known or suspected to contain contaminated soil and/or groundwater.

²⁴ Innovative & Creative Environmental Solutions, *Phase I Environmental Site Assessment*, 241 10th Street, San Francisco, CA. July 11, 2014.

²⁵ Russell Yim, San Francisco Department of Public Health, Email to Don Lewis, 241 10th Street, April 8, 2015.

facility, the Phase I ESA concluded that soil samples are required to assess the potential presence of metals and petroleum hydrocarbons.

The proposed project would be required to remediate potential soil and ground water contamination described above in accordance with Article 22A of the Health Code. Therefore, the proposed project would not result in significant project-level or cumulative impacts that were not identified in the Western SoMa PEIR related to hazardous materials that were not 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>
16. MINERAL AND ENERGY RESOURCES— Would the project:				
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 Community Plan would facilitate the construction of both new residential and commercial buildings. Development of these uses would not result in use of large amounts of fuel, water, or energy in a wasteful manner or 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 DBI. 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 Community Plan would not result in a significant impact on mineral and energy resources. No mitigation measures were identified in the PEIR.

Because the proposed project is within the development projected under the Western SoMa Community Plan, there would be no additional project-level or cumulative impacts on mineral and energy resources beyond those analyzed 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>
17. AGRICULTURE AND FOREST RESOURCES:—Would the project:				
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"/>

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

Because the proposed project is within the development projected under the Western SoMa Community Plan, there would be no additional project-level or cumulative impacts on agriculture and forest resources beyond those analyzed in the Western SoMa PEIR.

MITIGATION MEASURES

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

The project sponsor of a development project in the Draft Plan Area and on the Adjacent Parcels 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 in a subsequent development project; otherwise, it shall include historic buildings within 25 feet if heavy equipment would be used on the subsequent development project. (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 (Mitigation Measure M-CP-7b of the Western SoMa PEIR)

For those historical resources identified in Mitigation Measure M-CP-7a, and where heavy equipment would be used on a subsequent development project, the project sponsor of such a project 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 – Project-Specific Preliminary Archeological Assessment (Mitigation Measure M-CP-4a of the Western SoMa PEIR)

Project sponsors wishing to obtain building permits from the City are required to undergo environmental review pursuant to CEQA. The San Francisco Planning Department, as the Lead Agency, requires an evaluation of the potential archeological effects of a proposed individual project. Pursuant to this evaluation, the San Francisco Planning Department has established a review procedure that may include the following actions, carried out by the Department archeologist or by a qualified archeological consultant, as retained by the project sponsor.

This archeological mitigation measure shall apply to any project involving any soils- disturbing or soils-improving activities including excavation, utilities installation, grading, soils remediation, compaction/chemical grouting to a depth of five (5) feet or greater below ground surface and located within properties within the Draft Plan Area or on the Adjacent Parcels for which no archeological assessment report has been prepared.

Projects to which this mitigation measure applies shall be subject to Preliminary Archeology Review (PAR) by the San Francisco Planning Department archeologist, or a Preliminary Archeological Sensitivity Study (PASS) shall be prepared by an archeological consultant with from the pool of qualified archeological consultants maintained by the Planning Department archeologist. The PASS shall: Determine the historical uses of the project site based on any previous archeological documentation and Sanborn maps; Determine types of archeological resources/properties that may have been located within the project site and whether the archeological resources/property types would potentially be eligible for listing on the California Register; Determine if 19th or 20th century soils-disturbing activities may have adversely affected the identified potential archeological resources; Assess potential project effects in relation to the depth of any identified potential archeological resource; and provide a conclusion that assesses whether any California Register-eligible archeological

resources could be adversely affected by the proposed project and recommends appropriate further action.

Based on the PAR or PASS, the Environmental Review Officer (ERO) shall determine if an Archeological Research Design Treatment Plan (ARDTP) shall be required to more definitively identify the potential for California Register-eligible archeological resources to be present within the project site and determine the appropriate action necessary to reduce the potential effect of the project on archeological resources to a less-than-significant level. The scope of the ARDTP shall be determined in consultation with the ERO and consistent with the standards for archeological documentation established by the Office of Historic Preservation (OHP) for purposes of compliance with CEQA (OHP Preservation Planning Bulletin No. 5).

Project Mitigation Measure 4 – Procedures for Accidental Discovery of Archeological Resources (Mitigation Measure M-CP-4b of the Western SoMa PEIR)

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).

The project sponsor shall distribute the San Francisco Planning Department archeological resource “ALERT” sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, 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, pile drivers, and supervisory personnel. The project sponsor shall provide the 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.

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

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

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

The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and 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.

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 San Francisco 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.

Project Mitigation Measure 5 – Interior Noise Levels for Residential Uses (Mitigation Measure M-NO-1a of the Western SoMa PEIR)

For new development including noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn), where such development is not already subject to the California Noise Insulation Standards in Title 24 of the California Code of Regulations, the project sponsor of future individual developments within the Project Area shall conduct a detailed analysis of noise reduction requirements prior to completion of environmental review. Such analysis shall be conducted by person(s) qualified in acoustical analysis and/or engineering. Noise insulation features identified and recommended by the analysis shall be included in the design, as specified in the *San Francisco General Plan* Land Use Compatibility Guidelines for Community Noise to reduce potential interior noise levels to the maximum extent feasible. Additional noise attenuation features may need to be incorporated into the building design where noise levels exceed 70 dBA (Ldn) to ensure that acceptable interior noise levels can be achieved.

Project Mitigation Measure 6 – Siting of Noise-Sensitive Uses (Mitigation Measure M-NO-1b of the Western SoMa PEIR)

To reduce potential conflicts between existing noise-generating uses and new sensitive receptors, for new residential development and development that includes other noise-sensitive uses (primarily, residences, and also including schools and child care, religious, and convalescent facilities and the like), the San Francisco Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with average and maximum noise level readings taken so as to be able to accurately describe maximum levels reached during nighttime hours) prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the individual project site that appear to warrant heightened concern about noise

levels in the vicinity. The analysis shall be conducted prior to completion of the environmental review process. Should the Planning Department conclude that such concerns be present, the San Francisco Planning Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.

Project Mitigation Measure 7 – Open Space in Noisy Environments (Mitigation Measure M-NO-1d of the Western SoMa PEIR)

To minimize effects on development in noisy areas, for new development including noise-sensitive uses (primarily residences, and also including schools and child care, religious, and convalescent facilities and the like), the San Francisco Planning Department shall, through its building permit review process, in conjunction with noise analysis required pursuant to Mitigation Measure M-NO-1c, require that open space required under the Planning Code for such uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Implementation of this measure could involve, among other things, site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings. Implementation of this measure shall be undertaken consistent with other principles of urban design.

Project Mitigation Measure 8 - General Construction Noise Control Measures (Mitigation Measure M-NO-2a of the Western SoMa PEIR)

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

- The sponsor of a subsequent development project shall require the general contractor to ensure that equipment and trucks used for project construction use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds, wherever feasible).
- The sponsor of a subsequent development project shall require the general contractor to locate stationary noise sources (such as compressors) as far from adjacent or nearby sensitive receptors as possible, to muffle such noise sources, and to construct barriers around such sources and/or the construction site, which could reduce construction noise by as much as 5 dBA. To further reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, if feasible.
- The sponsor of a subsequent development project shall require the general contractor to use impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used, along with external noise jackets on the tools, which could reduce noise levels by as much as 10 dBA.
- The sponsor of a subsequent development project shall include noise control requirements in specifications provided to construction contractors. Such requirements could include, but not be limited to: performing all work in a manner that minimizes noise to the extent feasible;

undertaking the 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 sponsor of a subsequent development project shall submit to the San Francisco Planning Department and Department of Building Inspection (DBI) a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include: (1) a procedure and phone numbers for notifying DBI, the Department of Public Health, and the Police Department (during regular construction hours and off-hours); (2) a sign posted on-site describing noise complaint procedures and a complaint hotline number that shall be answered at all times during construction; (3) designation of an on-site construction complaint and enforcement manager for the 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 9 – Construction Emissions Minimization Plan for Health Risks and Hazards (Mitigation Measure M-AQ-7 of the Western SoMa PEIR)

To reduce the potential health risk resulting from project construction activities, the project sponsor shall develop a Construction Emissions Minimization Plan for Health Risks and Hazards designed to reduce health risks from construction equipment to less-than-significant levels. The Plan shall detail project compliance with the following requirements:

1. All off-road equipment greater than 25 horsepower (hp) and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:
 - a) Where access to alternative sources of power are available, portable diesel engines shall be prohibited;
 - b) All off-road equipment shall have:
 - i. Engines that meet or exceed either United States Environmental Protection Agency or California Air Resources Board (ARB) Tier 2 off-road emission standards, *and*
 - ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).²⁶
 - c) Exceptions:
 - i. Exceptions to A(1)(a) *may* be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation.
 - ii. Exceptions to A(1)(b)(ii) *may* be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS is: (1) technically not feasible, (2)

²⁶ Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement, therefore a VDECS would not be required.

would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to A(1)(b)(ii), the project sponsor must comply with the requirements of A(1)(c)(iii).

- iii. If an exception is granted pursuant to A(1)(c)(ii), the project sponsor shall provide the next cleanest piece of off-road equipment as provided by the step down schedules in Table A1 below.

TABLE: A1
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 requirements of (A)(1)(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 2, then Compliance Alternative 3 would need to be met.

**Alternative fuels are not a VDECS

The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than *two* minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.

- The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.
- 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. Off-road equipment descriptions and information 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: 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, reporting shall indicate the type of alternative fuel being used.

4. The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan to members of the public as requested.

Reporting. Monthly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include actual amount of alternative fuel used.

Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include actual amount of alternative fuel used.

Project Mitigation Measure 10 – Pre-Construction Special-Status Bird Surveys (Mitigation Measure M-BI-1a of the Western SoMa PEIR)

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 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 11 – Pre-Construction Special-Status Bat Surveys (Mitigation Measure M-BI-1b of the Western SoMa PEIR)

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 12 – Hazardous Building Materials Abatement (Mitigation Measure M-HZ-2 of the Western SoMa PEIR)

The City shall condition future development approvals to require that the subsequent project sponsors 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.

IMPROVEMENT MEASURE

Project Improvement Measure 1 – Documentation of a Historical Resource (Mitigation Measure M-CP-1a of the Western SoMa PEIR)

The project sponsor should prepare Historic American Buildings Survey (HABS)-level photographs and an accompanying HABS Historical Report, which should be maintained onsite, as well as in the appropriate repositories, including but not limited to, the San Francisco Planning Department, San Francisco Architectural Heritage, the San Francisco Public Library, and the Northwest Information Center. The contents of the report should include an architectural description, historical context, and statement of significance, per HABS Historical Report Standards. HABS documentation should provide the appropriate level of visual documentation and written narrative based on the importance of the resource (types of visual documentation typically range from producing a sketch plan to developing measured drawings and view camera (4x5) black and white photographs). The appropriate level of HABS documentation and written narrative should be determined in consultation with Planning Department's Preservation staff. The report should be reviewed by the San Francisco Planning Department's Preservation staff for completeness. In addition, copies of the photographs and report should be made available to the following repositories, at minimum: Northwest Information Center at Sonoma State University, San Francisco History Center at the San Francisco Public Library, San Francisco Architectural Heritage, and the San Francisco Planning Department. This improvement measure would create a collection of preservation materials that would be available to the public and inform future research. In this way, documentation of the affected properties and presentation of the findings to the community could reduce the impact on historical resources.