

File No. 170851

Committee Item No. _____

Board Item No. 25

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

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Date: _____

Board of Supervisors Meeting

Date: September 12, 2017

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Prepared by: Brent Jalipa

Date: September 7, 2017

Prepared by: _____

Date: _____

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July 17, 2017

VIA HAND DELIVERY AND EMAIL

President London Breed
c/o Angela Calvillo, Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102

Re: Appeal of CEQA Mitigated Negative Declaration
Planning Case No. 2013.1383ENV
Building Permit Application Nos. 2013.12.16.4318 and 2013.12.16.4322
3516 and 3526 Folsom Street ("Project Site")

Dear President Breed and Honorable Members of the Board of Supervisors:

This letter is written on behalf of neighbors of the proposed project at 3516 and 3526 Folsom Street (BPA Nos. 2013.12.16.4318 & 2013.12.16.4322, the "Project"). The appellants – Bernal Heights South Slope Organization, Bernal Safe & Livable, Neighbors Against the Upper Folsom Street Extension, Gail Newman, and Ann Lockett oppose the above-captioned Project, *inter alia*, on the grounds that the Project's Mitigated Negative Declaration ("MND," Exhibit A) violates the California Environmental Quality Act ("CEQA").

Appellants appealed two previous Categorical Exemption determinations for this Project, once in June of 2016, the second in November of 2016, and the Planning Department took the unprecedented step of twice rescinding the Categorical Exemptions prior to the Board's hearings on the appeals. While we appreciate the Planning Department acknowledging the inadequacy of the previous CEQA determinations, this new Mitigated Negative Declaration is still inadequate and legally erroneous for the same reasons. This is a highly unusual situation, with a development proposed for a uniquely dangerous location above a major 26" diameter natural gas transmission pipeline, which is not covered by asphalt, on an extremely steep slope.

Pursuant to San Francisco Administrative Code Section 31.16, Appellants hereby appeal the MND approved by the Planning Commission on June 15, 2017 at a hearing of the Preliminary

MND issued on April 26, 2017¹, amended on June 8, 2017 and appealed to the Planning Commission by the Appellants on May 16, 2017 during the public comment period for filing comments on the Preliminary MND. The appeal is supported by the SF Sierra Club, the Bernal Heights Democratic Club, the Bernal Heights Neighborhood Center, Bernal Heights neighborhood associations, and hundreds of San Francisco residents.

The following documents are attached:

1. A copy of the Final MND and Initial Study dated 6/8/17
2. A copy of the Planning Commission's approval of the MND dated 6/15/17
3. The Application to Request a Board of Supervisors Appeal Fee Waiver
4. A check in the amount of \$578 payable to the San Francisco Planning Department
5. Additional supporting documentation

A copy of this letter of appeal will be concurrently submitted to the Environmental Review Officer.

PROJECT DESCRIPTION

On its face, the Project looks innocuous enough: the construction of two single-family homes and an extension of Folsom Street and utilities to service them. However, the street extension would be built on an extraordinarily steep slope (even by San Francisco standards). Moreover, a uniquely dangerous PG&E gas transmission pipeline runs directly underneath.

The Project site is the only High Consequence Area² in San Francisco where a 26-inch PG&E Gas Transmission Pipeline is unprotected by asphalt for 125 feet – buried in “variable topography” terrain. It runs up a sharply pitched hillside in a residential area before it re-enters paved street-cover on Bernal Heights Boulevard.³

UC Berkeley Professor Emeritus Robert Bea – a pipeline safety expert with UC Berkeley's Center for Catastrophic Management, who testified in PG&E's San Bruno trial – states the concern surrounding this particular Bernal Heights location of an aging transmission pipeline “is

¹ Erroneously dated April 19, 2017.

² According to the U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration, “*Pipeline safety regulations use the concept of “High Consequence Areas” (HCAs), to identify specific locales and areas where a release could have the most significant adverse consequences. Once identified, operators are required to devote additional focus, efforts, and analysis in HCAs to ensure the integrity of pipelines.*”

³ Pavement protects gas transmission pipelines from accidental rupture and is especially important in urban areas where accidental rupture would be catastrophic. The gas transmission line is unprotected by asphalt at the Project Site.

identical to the list of concerns that summarized causation of the San Bruno Line 132 gas pipeline disaster.” To wit, in 1989 the San Francisco Department of Public Works replied to an inquiry about this open space area, stating, “It was too dangerous to ever develop.”

Additionally, the Project site’s proposed street is located at a blind intersection that serves as the only viable access point for emergency vehicles to reach 28 homes in the neighborhood. The proposed dead-end street is too steep for emergency vehicles to climb, it is too narrow for them to turn around, and its intersection will cause trucks to ‘bottom out’ and become stuck – blocking access to the neighborhood.

The Planning Department’s latest effort to avoid an Environmental Impact Report (EIR) – especially in light of the Millennium Tower and San Bruno PG&E pipeline disaster – is deeply troubling.

DEFICIENT MITIGATION PLAN

The MND violates CEQA, *inter alia*, by failing to reduce the risk of a catastrophic PG&E gas transmission pipeline accident to a level that is “clearly insignificant” and thus continues to have a “significant effect.”

Under CEQA Guidelines Section 15070, a mitigated negative declaration is only appropriate where “There is **no** substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.” (Emphasis added.)

[A]doption of a mitigated negative declaration is proper only where the conditions imposed on the project reduce its adverse environmental impacts **to a level of insignificance**. (§ 21064.5; Guidelines, § 15064, subd. (f)(2).) By statutory definition, a mitigated negative declaration is one in which (1) the proposed conditions “avoid the effects or mitigate the effects to a point where **clearly no significant effect** on the environment would occur, *and* (2) there is **no substantial evidence** in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment.” (§ 21064.5, emphasis added.)

Architectural Heritage Ass'n v. County of Monterey (2004) 122 Cal.App.4th 1095, 1118–19)

In this case, substantial evidence exists to the contrary.

1. A qualified pipeline safety expert has stated on the record that an unacceptably high risk of catastrophic impacts still exists.

Pipeline Safety Expert and Geotechnical Engineer Rune Storesund writes, “the adequacy and feasibility of the proposed mitigation actions are very much in question.” Particularly, he says, “there are a number of site-specific factors that make this site unique that do not appear to have been accounted for in the analyses.” (Letter from Rune Storesund, attached hereto.)

“The analyses fall short of a rigorous evaluation of pipeline integrity and assurance of public safety,” Storesund writes, “given the potential harm as a result of rupture and ignition of natural gas from this transmission pipeline.”

He points out the analyses are “unclear,” rely on “inference,” are not “data-driven,” and that “the analyses associated with this negative declaration are indirect.” He states that although an assessment of vibration has been completed by acoustical engineering experts, “no direct assessment of pipeline integrity impacts has been evaluated” or proposed. Storesund continues:

While a discussion was presented by Illingworth & Rodkin, Inc. about anticipated Peak Particle Velocities (PPVs), there was no explicit analysis of actual impact to the pipeline integrity. Illingworth & Rodkin, Inc. infer in their analyses that typical PPV thresholds apply to Line 109. However, there are a number of site-specific factors that make this site unique that do not appear to have been accounted for in the analyses. For example, the pipeline is situated on an incline with a 90-degree bend at the top of the hill. Most conventional pipelines are horizontal in utility trenches on much flatter ground. Ground vibrations will have a different extensional effect on an inclined pipe than a horizontal pipe. The only reliable method to ascertain the impact of these simplifications and generalizations is to calculate pipeline integrity model bias (comparison of predicted value vs actual value). No model bias value for this site was presented.

A mitigation plan based on assumptions runs counter to the recommendations of the American Society of Mechanical Engineers (ASME). According to Storesund, the ASME presents standard guidance on evaluation of pipeline integrity that includes critical factors affecting pipeline integrity, such as joint factor, bending method, joining method, encroachment, soil cover, depth, etc.

The MND states that “enforcement of the mitigation measure is the responsibility of the Planning Department and the Department of Building Inspection.” However, these departments are not in a position to adequately analyze the additional fatigue to be exerted on the pipeline, and a speculative after-the-fact plan which might be developed by PG&E is clearly inadequate. Storesund points out that no “risk validation and process” is identified nor even “referenced” as

recommended by ASME B31.5.

Storesund's concerns are even more troubling in light of PG&E's well-publicized history of safety non-compliance and lost record-keeping – especially in terms of weld and installation methods and pipeline location and depth. These safety concerns are validated in a criminal conviction.

It is not inconsequential that SF City Attorney Dennis Herrera has publicly come out critical of PG&E's safety record: "PG&E has demonstrated time and again that outside oversight is needed to protect the public from a company that is driven by profits, not safety," Herrera said in a May 3, 2017 San Francisco Chronicle article.

Storesund is clear about the mitigation plan's failure to safeguard the public: "Based on the facts and new analyses associated with the proposed development, it is my expert opinion that a reasonable possibility of a significant effect still exists...."

As an experienced and practicing pipeline safety expert, Storesund states that site-specific assessments may "reveal a lower actual pipeline integrity vs an assumed pipeline integrity." Because of the "uncertainties" surrounding pipeline integrity, Storesund concludes, "strong consideration should be given to replacing the segment of pipeline to ensure maximum integrity and minimal exposure of residents to potential undue injury or death as a result of the anticipated heavy excavation and ground disturbance activities."

There is no doubt this MND fails to meet CEQA requirements to avoid an EIR. It fails to mitigate the effects "down to a point where the effects are clearly insignificant" and there remains "substantial evidence before the agency that the project as revised may have a significant effect." Indeed, the deficiencies in this MND underscore the need for an EIR in order to arrive at a "full understanding of the environmental consequences" and "assure the public that those consequences are taken into account."

2. Although the following mitigation measure has been identified for inclusion in the MND vibration management plan, it has not been incorporated into the project plan.

"Section I, Mitigation Measures, Structures: Permanent structures must be located a minimum distance of 10 feet from the edge of Pipeline 109. A total width of 45 feet shall be maintained for pipeline maintenance. No storage of construction or demolition materials is permitted within the 45 foot zone."

The Project violates these requirements on both counts. First, PG&E considers stairs to be permanent structures. The proposed stairway to access Bernal Heights Boulevard from the end of the Folsom Street extension will be installed less than 10 feet from the edge of Pipeline 109 and remains in the plan. Second, the public right-of-way is only 39.5 feet wide—less than the required 45 feet for pipeline maintenance.

3. The mitigation measures are inadequate and do not provide sufficient accountability and independent oversight of the vibration management and monitoring plan.

In light of PG&E's criminal safety record and the extreme consequence of the worst-case scenario of construction over a major pipeline, it is imperative that construction be safe and that rigorous and transparent oversight be required. The public needs immediate and readily available access to all plans and communications around project safety. The vibration safety standards relied upon for this Project appear to be pulled from thin air, with insufficient data or analysis to justify these standards. (See March 17, 2017 letter from PG&E Gas Transmission Pipeline Services – Integrity Management to Joy Navarrete, p. 2: "Specific to this project, please ensure max PPV vibration levels are less than 2in/sec.") There is no data, analysis, or justification for using a PPV vibration standard of 2in/sec.

4. The mitigation measures do not include a safety plan, ensuring adequate emergency response and evacuation as recommended by the US DOT Pipeline and Hazardous Materials Safety Administration.

In assessing and ranking its risks, PG&E acknowledges that the risk of catastrophic pipeline failure may result in "significant environmental damage." [See page 20 of PG&E 2016 Gas Safety Plan.] In other words, the risk is not zero; there is a possibility of significant environmental damage. The possibility of such a risk is more compelling given PG&E's recent track record. See Exhibit C of our letter dated and submitted on January 24, 2017 for the Board of Supervisors 1/24/17 hearing, File #161278, see Post-Packet Materials 012417 (available at <https://sfgov.legistar.com/View.ashx?M=F&ID=4939382&GUID=DE320C6C-1C98-457E-8BCF-89FC65DDA523>).

The Mitigated Negative Declaration (MND) fails to consider significant, unmitigated environmental impacts regulated by CEQA. We urge that a more rigorous evaluation of the entire project be conducted through a full Environmental Impact Report.

ENVIRONMENTAL IMPACTS

CUMULATIVE IMPACTS

There is substantial evidence supporting a fair argument that the project may have a significant, adverse, unmitigated effect on the environment. The Initial Study and the MND are deficient, failing to adequately address several issues, which include but are not limited to the following:

1. Although the Project Description acknowledges the Folsom Street extension of the "paper street," it does not assess its environmental impact. The same is true of the cumulative impacts of the four additional houses for which utilities will be installed under this Project.

According to the Planning Department Environmental Review Process Summary, dated March 17, 2011:

“Projects subject to CEQA are those actions that have the potential for resulting in a physical change of some magnitude on the environment and that require a discretionary decision by the City, such as public works construction and related activities, developments requiring permits (which in San Francisco are discretionary and thus not exempt from CEQA), use permits, activities supported by assistance from public agencies, No action to issue permits, allocate funds, or otherwise implement a discretionary project may be taken until environmental review is complete.”

Violating SF’s Environmental Review Guidelines, the MND errs in not individually listing “past, present, and probable future projects that might result in related impacts” (Environmental Review Guidelines, San Francisco Planning Department, p. 3-13, available at <http://sfmea.sfplanning.org/EP%20Environmental%20Review%20Guidelines%2010-5-12.pdf>), despite acknowledging that “improvements proposed by the development would facilitate future development” of four lots – and “would require further environmental review.” The new road is not listed as a separate cumulative impact, although it is a part of the project and poses a significant impact on the stability on the pipeline. Likewise for the various impacts related to development of the four additional vacant lots.

“For a phased development project, even if details about future phases are not known, future phases must be included in the project description if they are a reasonably foreseeable consequence of the initial phase and will significantly change the initial project or its impacts.” *Laurel Heights Improvement Association v Regents of University of California* (1988) 47 Cal. 3d 376.

The MND errs in proposing a mitigation that does not take into account the cumulative impacts of a proposed street and four “probable future” homes for which utilities will now be installed, thus violating CEQA’s cumulative impact requirement. Appellants have filed a declaration that confirms future development of at least two of the additional lots.

2. If the Folsom Street extension and the six remaining vacant lots along the “paper street” were subdivided today, they would automatically be subject to an environmental impact analysis.

The six remaining vacant lots along the Folsom “paper street” were created in 1861, predating the first Map Act in 1893, the creation of Chapman Street intersecting the Folsom “paper street” in 1957, the installation of the PG&E gas transmission pipeline in 1932, CEQA in 1970 and the California Subdivision Map Act in 2008.

3. The MND errs in describing the “relevant area affected” by using a misleading “reasonable explanation” of the geographic area.

The MND limits the project area to a thumbnail description that involves two houses and a “paper street” with four additional utility extensions, thus violating CEQA by not describing the “whole” of a project. There is no mention of the unusual geographic and geotechnical conditions of this hillside area that were made uniquely dangerous in 1932 when PG&E laid a 26-inch Gas Transmission Pipeline in this steep, once rural Bernal hillside, rendering the land dangerous.

It consistently downplays the introduction of a new road into a radically steep hillside – under which the pipeline is buried – with euphemisms such as “street improvements” or “vehicular access.” It will be a new 150-foot road constituting an entirely new block in Bernal Heights on Folsom Street, a major cross-town thoroughfare.

INCOMPLETE GEOTECHNICAL REPORT

The geotechnical report dated August 3, 2013 focuses solely on the footprint sites of the two proposed houses, with no acknowledgement of the “revised” Project scope. Thus, it is incomplete and fails to address the entire scope of the Project.

The Project Site is unusual and of special concern because the aging 26-inch PG&E gas transmission pipeline is in a rare location where it is unprotected by asphalt on steep terrain. The pipeline’s presence on this unimproved steep terrain presents unusual grading and excavation challenges not addressed in the geotechnical report. The Project Site is in a residential High Consequence Area, a designation that denotes catastrophic results in the event of accidental gas pipeline rupture.

The current “incomplete” geotechnical report raises the following concerns:

- **UNCERTAINTIES REGARDING SOIL STABILITY:** The report acknowledges the uncertainty of the depth of soil to bedrock, which “can vary across the site,” and that due to this uncertainty, assumptions about “soil stability, site settlements, and foundations” could change. Given the expanded site scope with excavation activity and grading next to, over, and under the gas transmission pipeline, more thorough review is needed.
- **NO MENTION OF BACKFILL SOIL OVER PIPELINE:** The transmission pipeline is covered with loose backfill soil, which is different from the other soil on this site. The conditions surrounding the pipeline substantially differ from the soil borings of this report yet are not a part of the report.
- **SIGNIFICANT RISK:** Lateral and overhead earth movement from excavation activities on this steep hillside pose a significant risk of accidental pipeline rupture. The pipeline will be located under the driveways of the proposed houses, adjacent to excavation activity of 10 feet deep or more. The report affirms, “Excavations extending deeper into bedrock may require extra effort,

such as heavy ripping, hoe-jams or jack-hammering.” *Federal pipeline safety guidelines point out that most pipeline accidents happen during construction/excavation activities.*

- **DISCREPANCIES:** The Project Site is located on an extreme slope. Serious inconsistencies exist in the MND regarding the Project site’s slope percentage. The MND’s representation of the grade (28%) substantially differs from the geotechnical report (32%). The Project Sponsors’ own figures have varied from between 34% to 37%, due to the uncertainties regarding the depth of the transmission pipeline.

- **EARTHQUAKES AND LANDSLIDES:** The Initial Study violates Section 101.1 of the Planning Code, which establishes eight Priority Policies, including “*maximization of earthquake preparedness*” by not requiring earthquake hazard mitigation for this project. The project site borders on and is below a Seismic Hazard Zone prone to landslides. “Guidelines for Evaluating and Mitigating Seismic Hazards in California” state:

“The fact that a site lies outside a mapped zone of required investigation does not necessarily mean that the site is free from seismic or other geologic hazards, nor does it preclude lead agencies from adopting regulations or procedures that require site-specific soil and/or geologic investigations and mitigation of seismic or other geologic hazards. It is possible that development proposals may involve alterations (for example, cuts, fills, and/or modifications...) that could cause a site outside the zone to become susceptible to earthquake-induced ground failure.”

Given that a steep hillside will be graded and a new street introduced – and that retaining walls will not be allowed over a gas transmission pipeline which runs under the project site – the City must evaluate the landslide risks involved and how they will be mitigated. This winter a landslide occurred on Bernal Hillside in close proximity to the proposed project site. “The EIR’s function is to ensure that government officials who decide to build or approve a project do so with a full understanding of the environmental consequences and, equally important, that the public is assured those consequences have been taken into account.” (*Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 449, citing *Laurel Heights I* (1988) 47 Cal.3d at pp. 391–392, 253.)

- **SITE DRAINAGE:** The report addresses the importance of site drainage issues, but no mention is made of the water and fertilizer drainage from the adjacent Community Garden, which abuts the revised Project Site. Importantly, years of fertilizer runoff from the adjacent community garden may have eroded the gas transmission line’s protective coating.

DANGEROUSLY STEEP STREET, LIABILITY ISSUES, GARAGE ACCESS

The proposed steep street presents a significant threat to residents and drivers. It will be among the steepest streets in SF. There will be no turn-around at the top, and it will be too narrow to turn around within the proposed street.

- Existing steep streets are substandard but grandfathered in. It is irresponsible governance to create a new one. According to an October 26, 2016 letter from DPW, a Major Encroachment permit would be required for this proposed street but there is no certainty it would be granted. This unclear situation casts doubts on the entire proposed Project Site, which includes garages, sidewalks, and driveways.
- The proposed street plans contain dangerous break-over angles and unclear plans for garage access to current residents.

TRAFFIC AND NEIGHBORHOOD IMPACTS

- The Folsom/Chapman intersection at the Project Site is the primary access point to the 28 existing homes along and above Chapman Street. The other two access points are dangerous: Prentiss Street is the third steepest street in SF at 37% grade that curves, where large vehicles and fire trucks get stuck, and Nevada Street is an unimproved roadway at 35% grade that connects to a rutted dirt trail.
- Due to the usage of the Folsom/Chapman intersection by most drivers and emergency and delivery vehicles, the additional traffic to and from two additional residences potentially increases existing traffic volumes significantly. For six additional residences, it will dramatically increase traffic volumes.

PUBLIC VIEWS

The Planning Department uses inaccurate and misleading data to dismiss the significant impacts on the public vista from Bernal Heights Park and Bernal Heights Blvd.

- The largest intact panorama of the Bay and valley below on the south side of Bernal Heights Park is impacted by this site. This vista is created by a unique stretch of undeveloped DPW and Recreation and Park land that abuts the Project Site. The vista has significant importance to Park visitors and residents. Hundreds of park visitors walk around the Park daily, and enjoy this vista from the sidewalk on Bernal Heights Blvd. directly above the Project Site.

ADDITIONAL IMPACTS

Cumulative Impacts

- 1) There is a more than insignificant Impact of many hundreds of trips of heavy equipment, including cement trucks driving over speed bumps within a few feet of the pipeline. The area on the uphill side of Bernal Heights Boulevard has already suffered from landslides due to soil instability. Cement trucks and other heavy equipment driving over the speed bumps every day on a street that is designated "No Trucks" presents a hazard that has not been investigated or considered in any reports. These vibrations may cause further instability in the surrounding soil and on the pipeline that runs under that area.
- 2) We question the accuracy of the soils report and are concerned it does not include the street in its survey. Since developing the street right-of-way is an essential part of the project, the cumulative impact would also include soils impacts in areas affected by street construction.
- 3) The Bernal Heights East Slope Guidelines were not followed for this project.
- 4) There is a conflict in whether or not the Folsom Street right-of-way or the proposed 'subdivision' is included in the Slope Protection Act. Maps have conflicting information.
- 5) If the Folsom Street extension were properly included in the project description, the total square footage of the whole project would trigger the requirement that a stormwater management plan be completed before the environmental review is completed.

Transportation and Circulation

- 1) The project would cause a significant danger to residents who will not be accessible for Fire trucks or other Emergency vehicles during street construction. The only access to homes off Chapman Street is to come up Folsom and continue onto Chapman. There is no room to park vehicles at this corner, though the MND states that the staging for street construction will be located there. There is also a construction project planned for the near future at that same corner on a currently vacant undersized lot.
- 2) Pedestrians will lose access to the only sidewalk along Bernal Heights Boulevard during construction, and hundreds of people use it every week.

Construction

Since the local residents' lives will be at risk, how will the community have input into the construction plan with regards to street blockage and pedestrian access, as well as equipment loads and vibration levels? Many questions regarding construction have not been addressed and could cause substantial harm to the environment. Who will monitor this plan? What is the

recourse if the plan is altered or not followed? How will staging occur away from the 45' PG&E safety area?

Emergency Access

Emergency access will not be available at all times during construction. If the corner of Chapman and Folsom is blocked, there is no access for emergency vehicles to residences on or north of Chapman Street. Some emergency vehicles are unable to navigate Prentiss Street between Powhattan and Chapman, which is the only other access. Additionally, emergency vehicles will not be able to access the new Folsom Street extension due to its steep slope and narrow width.

Structures

We question the feasibility of staging the project construction in a way that follows the requirement that "A total width of 45 feet shall be maintained for pipeline maintenance. No storage of construction or demolition materials is permitted within the 45 foot zone."

Impact WS-2

How does the addition of the fence/railing on the roof deck affect the shadow on the nearby Community Garden or other property?

Impact C-UT-1

Sunset Scavenger provides a service for the City picking up garbage and recycling. The current staging area is at the corner of Chapman and Powhattan, There is now a home being constructed at that corner, which means there is no place for the extra garbage, recycling, and compost containers at that corner, or anywhere within 2 blocks. No plan has been put forth to adequately accommodate garbage, compost, and recycling needs.

Impact PS-2

The construction phase of the street right-of-way will cause congestion at the corner of Chapman and Folsom, prohibiting access by fire vehicles, especially the hook and ladder, which can only access homes on and north of Chapman street through this corner.

Because of the extra vulnerability of construction over a PG&E pipeline, the likelihood of an explosion is increased, making emergency access even more important.

If a family has a special education student at a local public school, the bus will need to pick up that child in front of the house. At these homes a bus would not be able to turn around at the top of the hill, and backing up a hill so steep is exceedingly dangerous.

Impact GE-1

Because of the proximity to the Gas Line, this area becomes a higher-risk location in the event of an earthquake. When the project is in-process and excavation is occurring near the pipeline, the adjacent homes are even more at risk due to pipeline damage or fire.

There is no evacuation plan the public is aware of.

There is a question as to the validity of the Seismic Hazards Map indication that the site is not located in an area subject to landslide, since a significant landslide occurred on the hill just a few feet away from the construction site and PG&E pipeline.

Impact GE-5

28% is not the accurate slope of the project site. The street is estimated to be 32 - 37% slope.

The stormwater management plan does not comply with the PG&E requirements.

Impact HY-3

Stormwater is currently absorbed into the hillside. Once the street is installed, stormwater will flow down the street, causing a significant change in drainage.

Impact HZ-4

There is not an adequate plan for evacuation in the event of a pipeline accident.

CONCLUSION

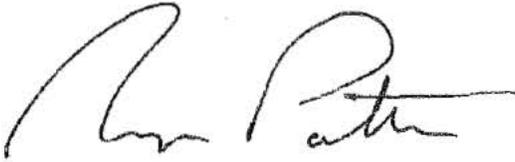
The Mitigated Negative Declaration (MND) fails to consider the substantial evidence demonstrating significant, unmitigated environmental impacts regulated by CEQA. We strongly urge that a more rigorous evaluation of the entire project be conducted through a full Environmental Impact Report.

Appellants reserve the right to submit additional written and oral comments, bases, and evidence in support of this appeal to the City up to and including the final hearing on this appeal and any and all subsequent permitting proceedings or approvals for the Project. Appellants request that this letter and exhibits be placed in and incorporated into the administrative record for Case No. 2013.1383ENV.

Appellants respectfully request that the Board of Supervisors reject the Mitigated Negative Declaration and require a full Environmental Impact Report pursuant to CEQA. If the Mitigated Negative Declaration is upheld, Appellants are prepared to file suit to enforce their and the public's rights.

Very truly yours,

ZACKS, FREEDMAN & PATTERSON, PC

A handwritten signature in black ink, appearing to read "Ryan Patterson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ryan J. Patterson
Attorneys for Herb Felsenfeld and Gail Newman

cc: Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103
Lisa.Gibson@sfgov.org

cc: Susan Brandt-Hawley
Susanbh@preservationlawyers.com

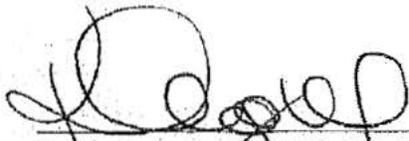
Enclosures

July 15, 2017

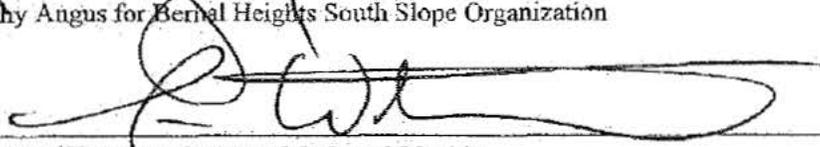
To Whom It May Concern:

We hereby authorize Zacks, Freedman & Patterson, PC to file an appeal on our behalf of the CEQA Mitigated Negative Declaration for Case No. 2013.1383ENV, Building Permit Application Nos. 2013.12.16.4318 and 2013.12.16.4322 (3516 & 3526 Folsom Street, SF).

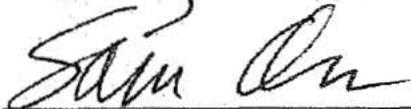
Signed,



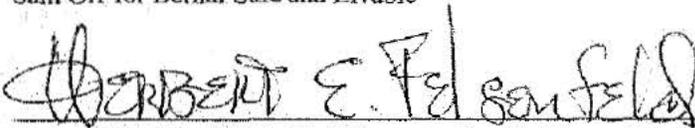
Kathy Angus for Bernal Heights South Slope Organization



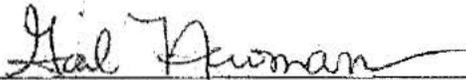
Marilyn Waterman for Bernal Safe and Livable



Sam Orr for Bernal Safe and Livable



Herbert E. Felsenfeld for Neighbors Against the Upper Folsom Street Extension



Gail Newman



Ann Lockett

EXHIBIT A



SAN FRANCISCO PLANNING DEPARTMENT

Mitigated Negative Declaration

Date: April 19, 2017; amended on June 8, 2017
Case No.: 2013.1383ENV
Project Title: 3516 and 3526 Folsom Street
Zoning: RH-1 (Residential—House, One Family) Use District
 40-X Height and Bulk District
 Bernal Heights Special Use District
Block/Lot: 5626/013 and 5626/014
Lot Size: 1,750 square feet (each lot)
Project Sponsor: Fabien Lannoye, Bluorange Designs
 415-626-8868
 Fabien@bluorange.com
Staff Contact: Justin Horner – (415) 575-9023
 Justin.Horner@sfgov.org

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Planning
 Information:
 415.558.6377

PROJECT DESCRIPTION

The project site is located on the block bounded by Bernal Heights Boulevard to the north, Gates Street to the west, Powhattan Avenue to the south and Folsom Street to the east. The project site is located along the west side of an approximately 145-foot-long unimproved segment of Folsom Street, north of Chapman Street, that ends at the Bernal Heights Community Garden. This unimproved right-of-way is known as a “paper street.” Undeveloped land along this unimproved segment of Folsom Street has been subdivided into six lots, three on each side of Folsom Street. PG&E Natural Gas Transmission Pipeline 109 (PG&E Pipeline 109) runs along Folsom Street adjacent to the project site. The project site is at a slope of 28%.

The proposed project involves the construction of two single-family residences on two of the vacant lots along the west side of the unimproved portion of Folsom Street, and the construction of the connecting segment of Folsom Street to provide vehicle and pedestrian access to the project site, and the construction of a stairway between Folsom Street and Bernal Heights Boulevard. The Folsom Street extension and stairway would be subject to approval by San Francisco Public Works (Public Works) Each single-family home would be 27 feet tall, two stories over-garage with two off-street vehicle parking spaces accessed from a twelve-foot-wide garage door.

The 3516 Folsom Street building would be approximately 2,230 square feet in size with a side yard along its north property line. The 3526 Folsom Street building would be approximately 2,210 square feet in size with a side yard along its south property line. The proposed buildings would include roof decks and a full fire protection sprinkler system. The proposed buildings would be supported by a shallow building foundation using a mat slab with spread footings.

The proposed Folsom Street extension improvements would include an approximately 20-foot-wide road with an approximately 10-foot-wide sidewalk on the west side of the street, adjacent to the proposed residences. The proposed sidewalk would be stepped, would incorporate landscaping that would perform storm water retention, and would provide public access to Bernal Heights Boulevard/Bernal Heights Park. The stairway would run to the northwest of Folsom Street, within Public Works property, and at least 15 feet downhill from an existing stand of hummingbird sage, a locally sensitive plant species, along Bernal Heights Boulevard. The proposed project would not create direct vehicular access to Bernal Heights Boulevard as the Folsom Street extension would terminate at south of the Bernal Heights Community Garden. Construction of the street extension would require the removal of the existing vegetation within the public right-of-way on the "paper street." An existing driveway utilized by both the 3574 Folsom Street and 3577 Folsom Street buildings would also be removed; however, the extension would provide access to the two existing residences.

The proposed project would include the installation of new street trees (subject to approval from PG&E) and street lighting on the west side of the street. No on-street parking would be provided along the Folsom Street extension. In addition to providing utilities for the proposed residences, the project sponsor would install utilities for the four vacant lots located on the "paper street" segment of Folsom Street (one on the west side and three on the east side). No residences are proposed at this time on those lots; the proposed connections would be provided to minimize disruption in the case of future development. Construction would continue for approximately 12 months and would require excavation of up to approximately 10 feet below the existing ground surface.

FINDING

This project could not have a significant effect on the environment. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), and 15070 (Decision to prepare a Negative Declaration), and the following reasons as documented in the Initial Evaluation (Initial Study) for the project, which is attached. Mitigation measures are included in this project to avoid potentially significant effects. See pages 113-114

In the independent judgment of the Planning Department, there is no substantial evidence that the project could have a significant effect on the environment.

7/11/2017
Date


Lisa Gibson
Environmental Review Officer

INITIAL STUDY TABLE OF CONTENTS

3516-3526 Folsom Street

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ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
ABAG	Association of Bay Area Governments
ACL	Absolute Cumulative Limits
ADRP	Archeological Data Recovery Plan
ACIP	Auger cast in place
AMP	Archeological Monitoring Program
ARB	California Air Resources Board
ARDTP	Archeological Research Design and Treatment Plan
ATP	Archeological Testing Plan
BAAQMD	Bay Area Air Quality Management District
BART	Bay Area Rapid Transit
BCDC	Bay Conservation and Development Commission
bgs	below grade surface
BMPs	best management practices
BMR	below market rate
CAA	Clean Air Act
CalEEMod	California Emissions Estimator Model
Cal/OSHA	State Occupational Safety and Health Administration
Caltrans	Californian Department of Transportation
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CCAA	California Clean Air Act
CGS	California Geological Survey
CNEL	Community Noise Equivalent Level
CO	carbon monoxide
CO ₂ e	carbon dioxide equivalents
CRHR	California Register of Historical Resources
CSO	Combined Sewer Overflow
dB	decibel
dba	decibel (A-weighted)
DBI	Department of Building Inspection
DEHP	bis (2-ethylhexyl) phthalate
DPH	Department of Public Health
DPM	diesel particulate matter
DSM	deep soil mixing
DTSC	Department of Toxic Substances Control
ERO	Environmental Review Officer
ESA	Environmental Site Assessment
ESLs	Environmental Screening Levels
FAR	floor area ratio
FARR	Final Archeological Resource Report
FEMA	Federal Emergency Management Agency

FTA	Federal Transit Administration
GHG	greenhouse gas
gsf	gross square feet
g/hp-hr	gram per horsepower per hour
g/bhp-hr	gram per brake horsepower per hour
HCD	California Department of Housing and Community Development
HEPA	High Efficiency Particulate Air Filter
HRE	Historic Resources Evaluation
HVAC	heating, ventilation and air conditioning
in/sec	inches per second
IWMP	Integrated Waste Management Plan
L _{dn}	day-night noise level
LEED	Leadership in Energy and Environmental Design
L _{eq}	equivalent continuous sound level
LUST	leaking underground storage tank
mgd	million gallons per day
mg/kg	milligram per kilogram
mg/L	milligram per liter
MLD	Most Likely Descendant
MLP	maximum load point
mph	miles per hour
MRZ-4	Mineral Resource Zone 4
MSTL	District Market Street Theatre and Loft National Register Historic District
MTBE	methyl tertiary-butyl ether
MTC	Metropolitan Transportation Commission
MTCO ₂ E	metric ton of carbon dioxide equivalents
Muni	San Francisco Municipal Railway
M _w	moment magnitude
NAHC	California State Native American Heritage Commission
NAVD88	1988 North American Vertical Datum
NCT	Neighborhood Commercial Transit (zoning designation)
NESHAP	National Emissions Standards for Hazardous Air Pollutants
NO _x	oxides of nitrogen
NO ₂	nitrogen dioxide
NPDES	National Pollutant Discharge Elimination System
NRC	National Research Council
NSR	New Source Review
NWIC	Northwest Information Center
OPR	State Office of Planning and Research
OS	open space
PAHs	polynuclear aromatic hydrocarbons
PAR	Preliminary Archeological Review
PCBs	polychlorinated biphenyls
PM	particulate matter
PM _{2.5}	PM composed of particulates that are 10 microns in diameter or less
PM ₁₀	PM composed of particulates that are 2.5 microns in diameter or less

POPOS	privately owned public open spaces
ppm	parts per million
PPV	peak particle velocity
QACL	Qualified Archaeological Consultants List
RED	Residential Enclave (zoning designation)
RMS	root mean square
ROG	reactive organic gases
RWQCB	Bay Area Regional Water Quality Control Board
SB	Senate Bill
SamTrans	San Mateo County Transit District
SEWPCP	Southeast Water Pollution Control Plant
sq. ft.	square feet
SFBAAB	San Francisco Bay Area Air Basin
SFCTA	San Francisco County Transportation Authority
SFFD	San Francisco Fire Department
sfh	square foot hours
SFMTA	San Francisco Municipal Transportation Agency
SFO	San Francisco International Airport
SFPD	San Francisco Police Department
SFPL	San Francisco Public Library
SFPUC	San Francisco Public Utilities Commission
SFPW	San Francisco Public Works
SFUSD	San Francisco Unified School District
SO ₂	sulfur dioxide
SOMA	South of Market
SoMa	South of Market
STLC	soluble threshold limit concentration
SUD	Special Use District
TAAS	Theoretically Available Annual Sunlight
TACs	toxic air contaminants
TASC	Transportation Advisory Staff Committee
TBACT	Best Available Control Technology
TCLP	toxicity characteristic leaching procedure
TDM	Transportation Demand Management
TEP	Transit Effectiveness Project
TTLC	total threshold limit concentration
U.S. EPA	U.S. Environmental Protection Agency
USGS	United States Geological Survey
UST	underground storage tank
UWMP	Urban Water Management Plan
VDECS	verified diesel emission control strategy
VMT	vehicle miles traveled
WSA	Water Supply Assessment

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Initial Study

3516-3626 Folsom Street Project

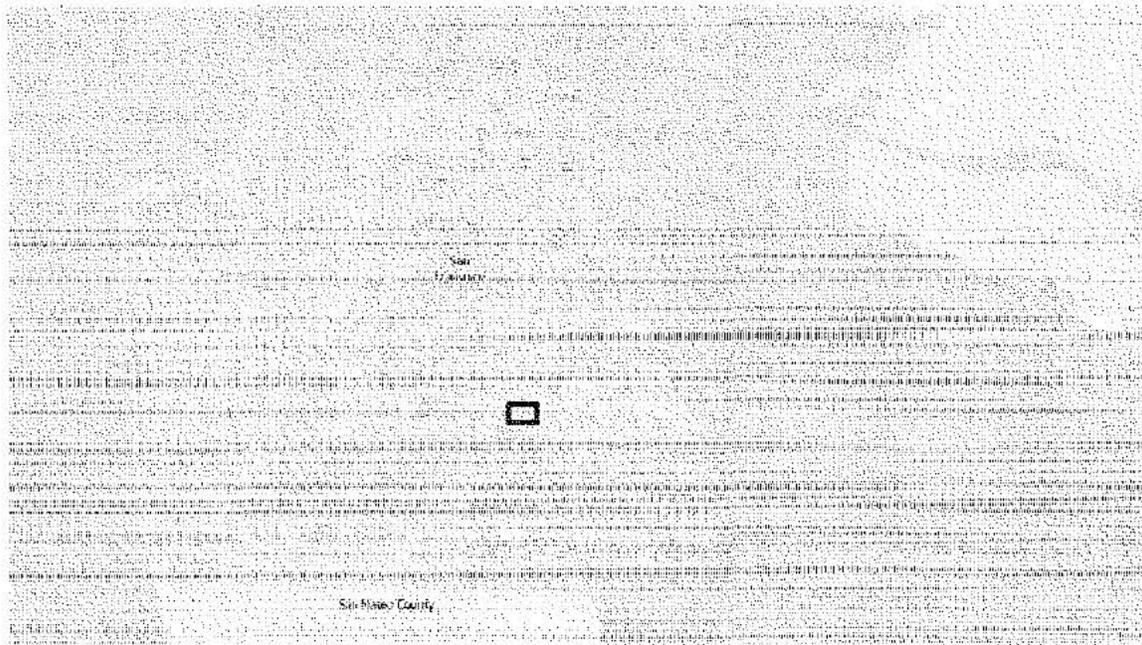
Planning Department Case No. 2013.1383ENV

The proposed 3516-3526 Folsom Street Project (project) would result in the development of two residential units on two 1,750 square-foot parcels (Assessor’s Block 5626, Lots 013 and 014) located at 3516-3526 Folsom Street, the improvement of a “paper street” section of Folsom Street, and a new stairway between the project site and Bernal Heights Boulevard in the Bernal Heights neighborhood in the City of San Francisco (City). The two buildings would each be approximately 2,230 gross square feet (gsf) in size, and each would include a two-car garage. The proposed buildings would not exceed 30 feet in height. A complete description of the proposed project, a detailed description of the proposed project’s regional and local context, planning process and background, as well as a discussion of requested project approvals is included below.

A. PROJECT SITE

The approximately 6,500 square-foot project site (two lots at 1,750 sf (25 feet by 70 feet) each and an approximately 2,000 sf street improvement) is located in the Bernal Heights neighborhood and is located within a block bounded by Bernal Heights Boulevard to the north, Gates Street to the west, Powhattan Avenue to the south and Folsom Street to the east. The site is located on the west side of an approximately 145 foot long unimproved segment of Folsom Street, north of Chapman Street, that ends at the Bernal Heights Community Garden. This unimproved right-of-way is known as a “paper street.” Undeveloped land along this unimproved segment of Folsom Street has been subdivided into six lots, three on each side of Folsom Street. There are two existing residences on this unimproved segment of Folsom Street (3574 and 3577 Folsom Street) that are accessible via private driveways running from Chapman Street. **Figure 1** shows the location of the project site and **Figure 2** provides an aerial view of the site. **Figure 3** illustrates the project site.

Figure 1: Project Location and Regional Vicinity Map



Source: San Francisco Planning Department

Figure 2: Existing Site Conditions



The project site is currently vacant and has not been previously developed. There are bushes and other small plants on the project site. The project site is at a slope of 28% and slopes downward from north to south.

B. PROPOSED PROJECT

The project sponsor proposes the construction of two single-family residences on two of the vacant lots along the west side of the unimproved portion of Folsom Street, ~~and~~ the construction of the connecting segment of Folsom Street to provide vehicle and pedestrian access to the project site and the construction of a stairway to provide pedestrian access from the improved section of Folsom Street to Bernal Heights Boulevard that would run to the northwest of Folsom Street, within Public Works property, and at least 15 feet downhill from an existing stand of hummingbird sage, a locally sensitive plant species. Both single-family homes would be 27 feet tall, two-story-over-garage buildings and would each include two off-street vehicle parking spaces accessed from a twelve-foot-wide garage door. Vehicle access would be provided by a 10-foot wide curb cut on Folsom Street.

The existing, unimproved project site is represented in **Figure 4**. Plans for the proposed project are depicted in **Figures 5 through 12**.

Project Building Characteristics

The proposed project would result in the construction of two immediately adjacent single-family homes, each with three levels of living area (a garage and recreation room with two levels above). Each building would be approximately 2,230 gsf.

Each building would be set back between approximately three and three-and-a-half feet from the street front property line at grade and stepped back up to 10 feet from the building façade at the second level. Each building would be set back approximately 24-and-a-half feet from the rear property line.

Figure 3: Project Site

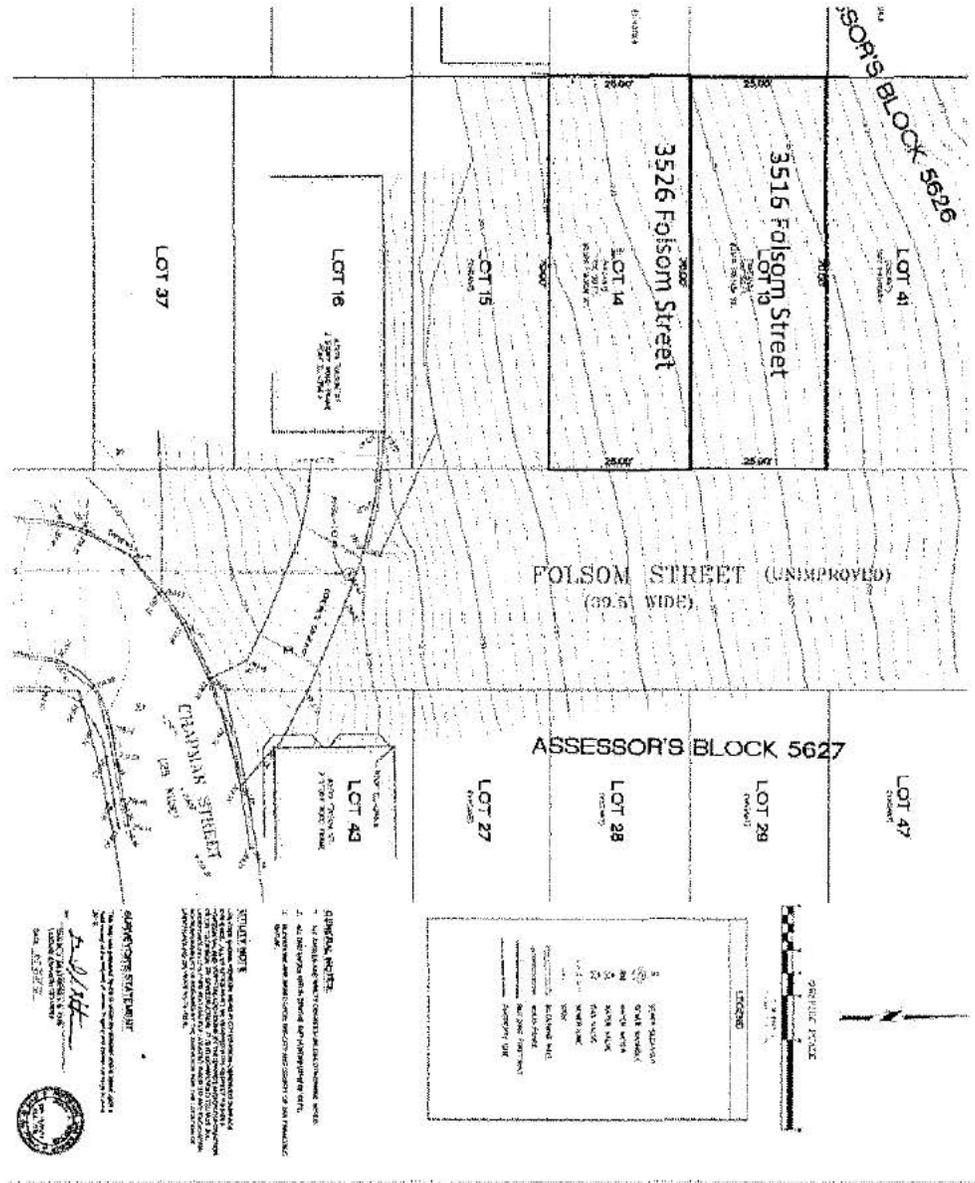


Figure 4: 3526 Folsom Street: Garage and First Floor Plans

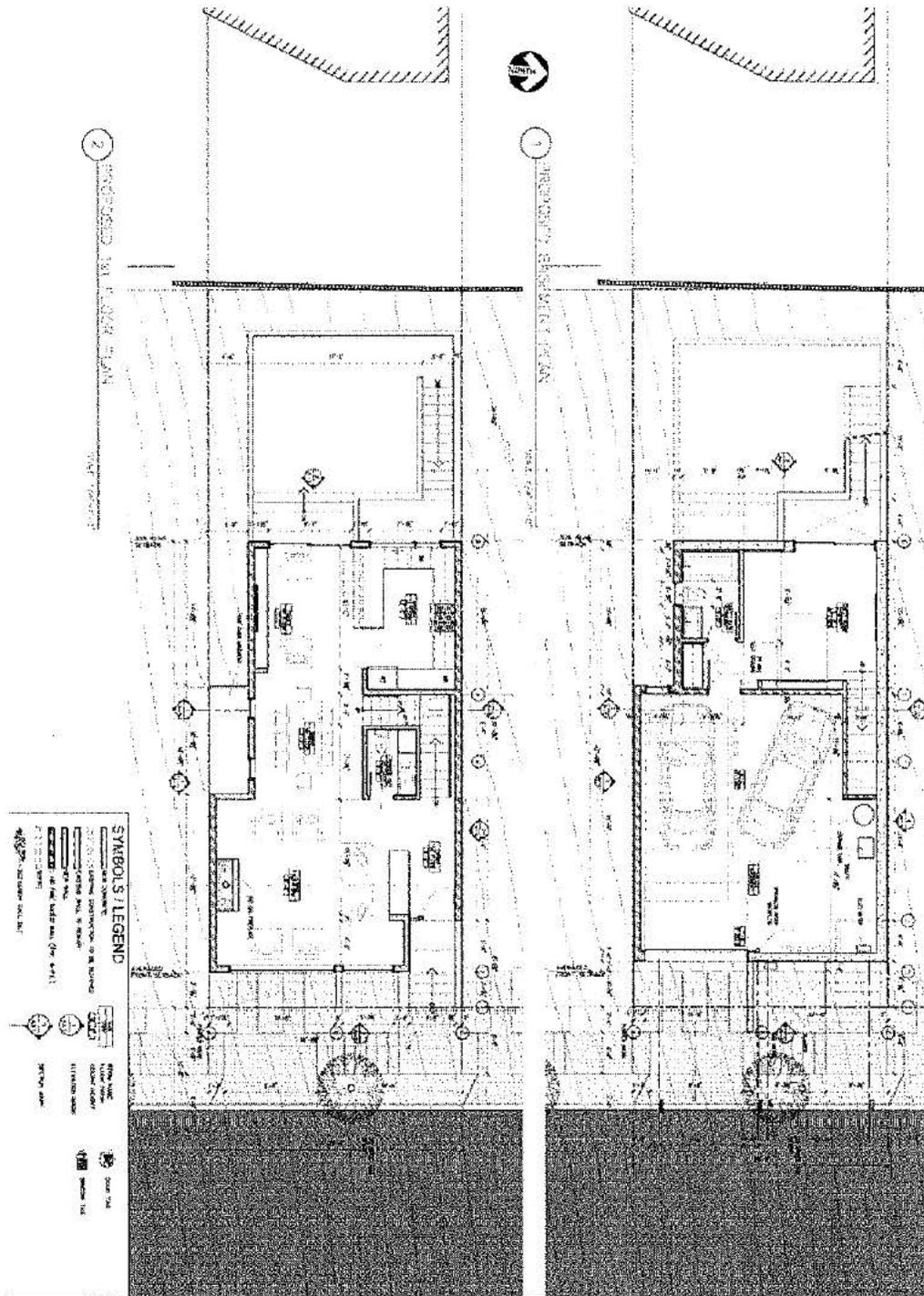


Figure 5: 3526 Folsom Street: Second Floor and Roof Plans

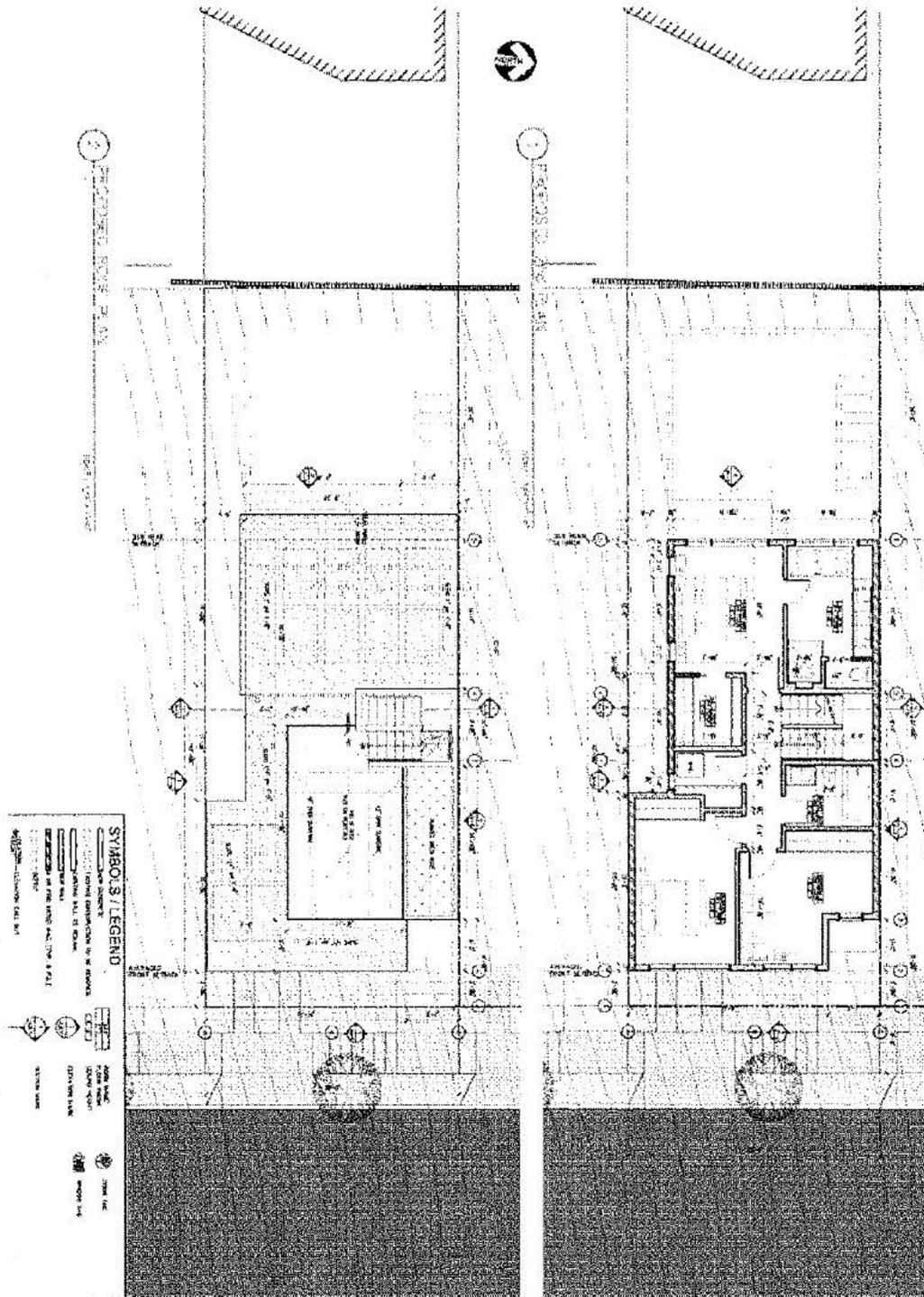


Figure 6: 3526 Folsom Street: North and South Elevations

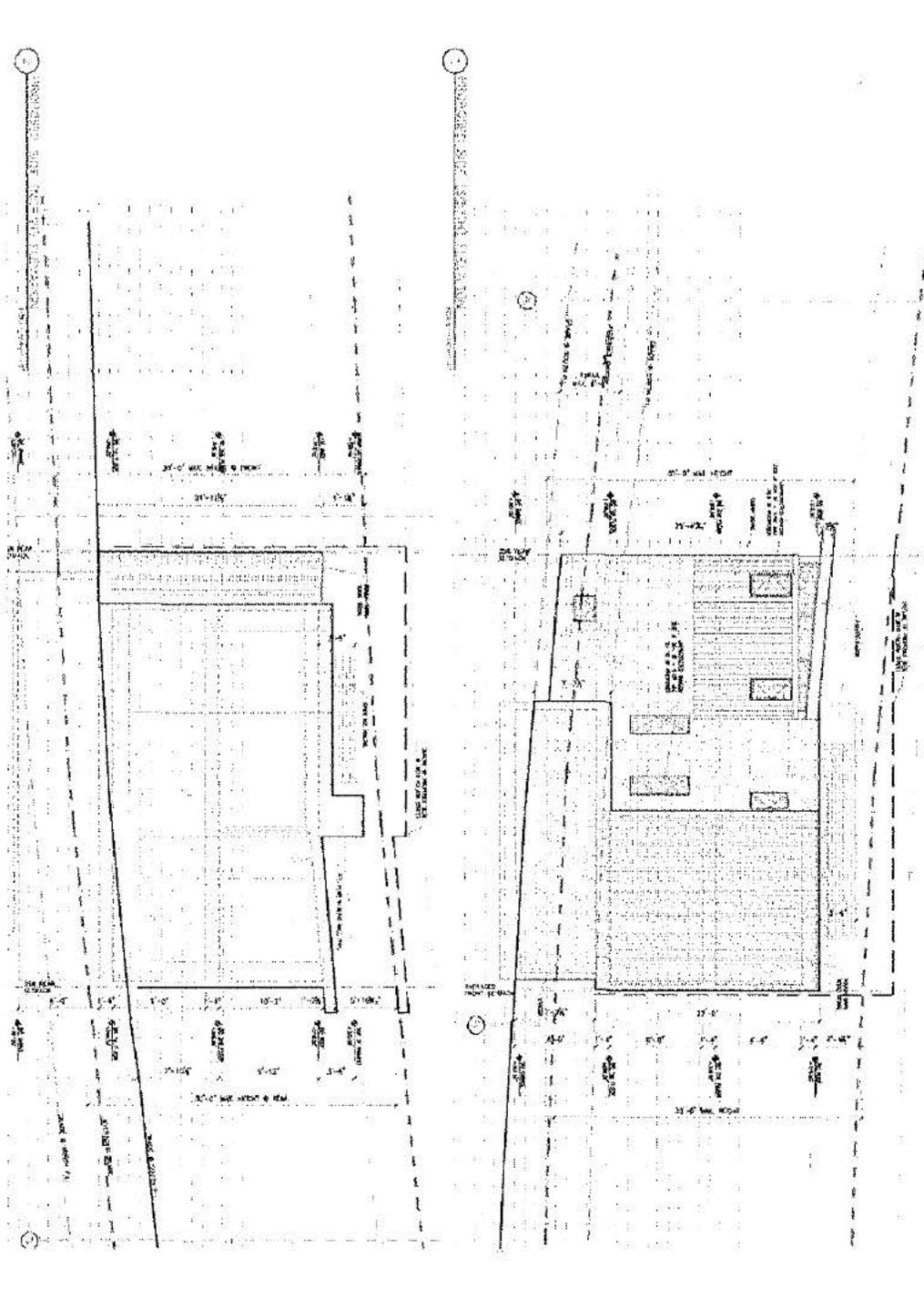


Figure 7: 3526 Folsom Street: East and West Elevations

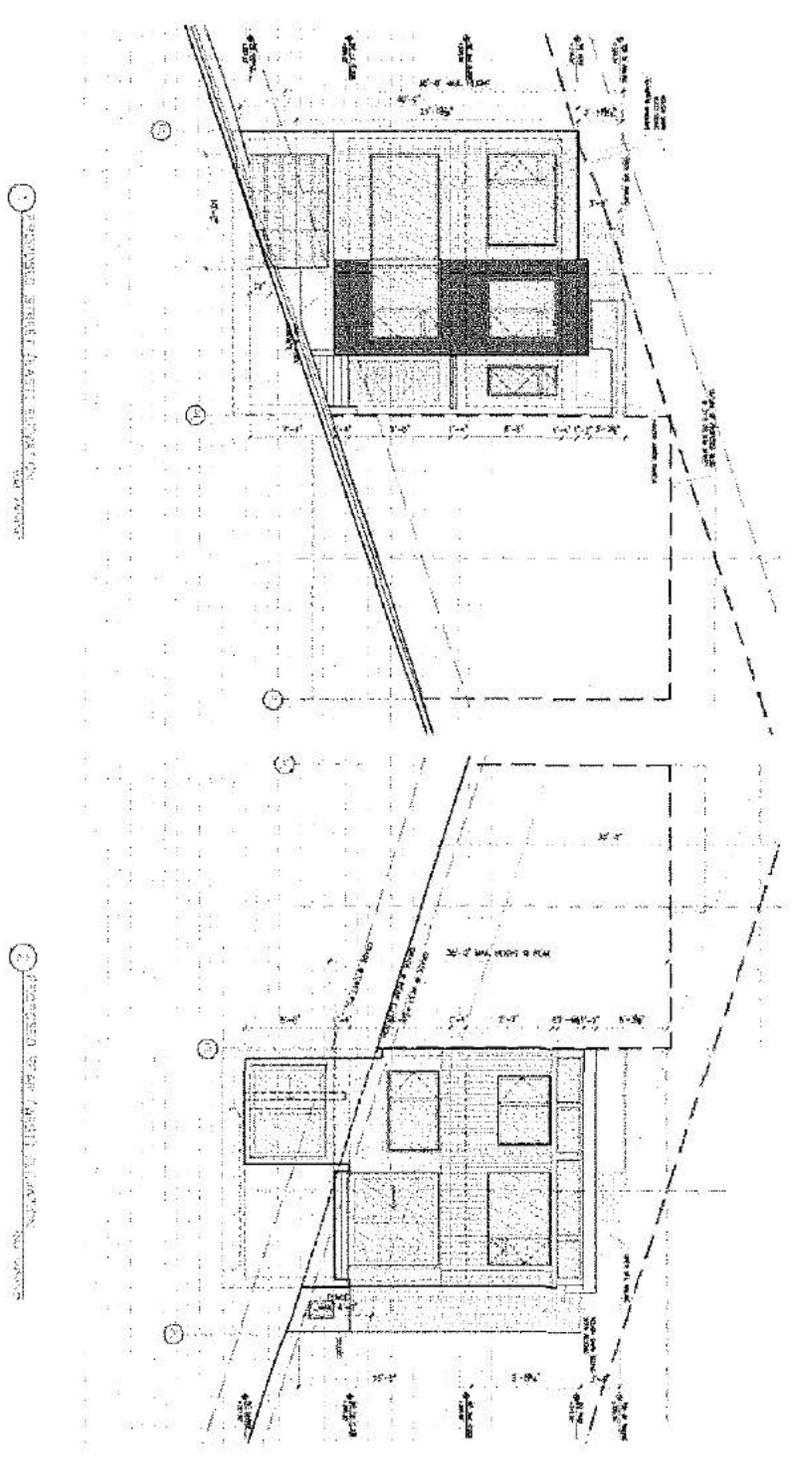


Figure 8: 3516 Folsom Street: Garage and First Floor Plans

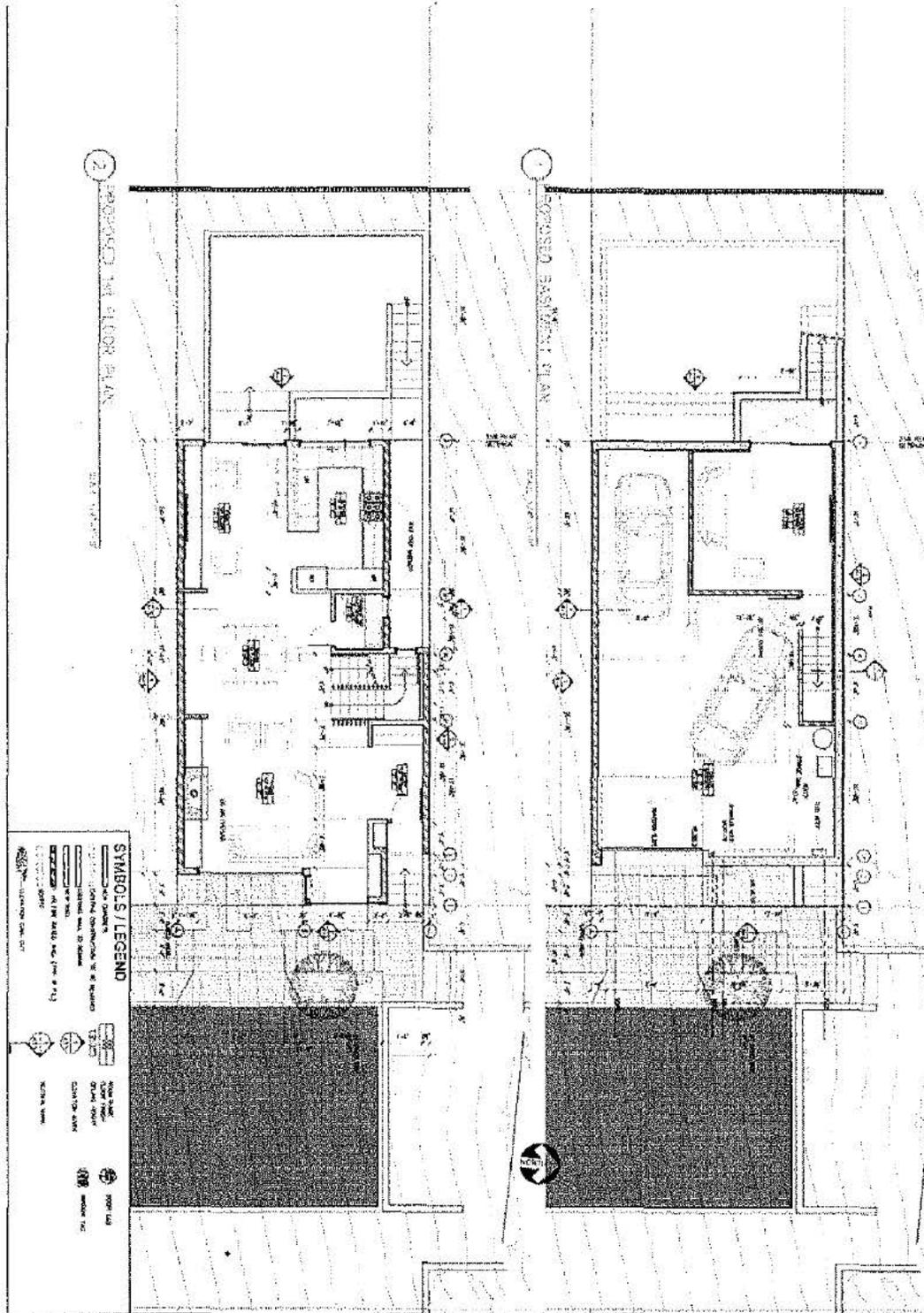


Figure 9: 3516 Folsom Street: Second Floor and Roof Plans

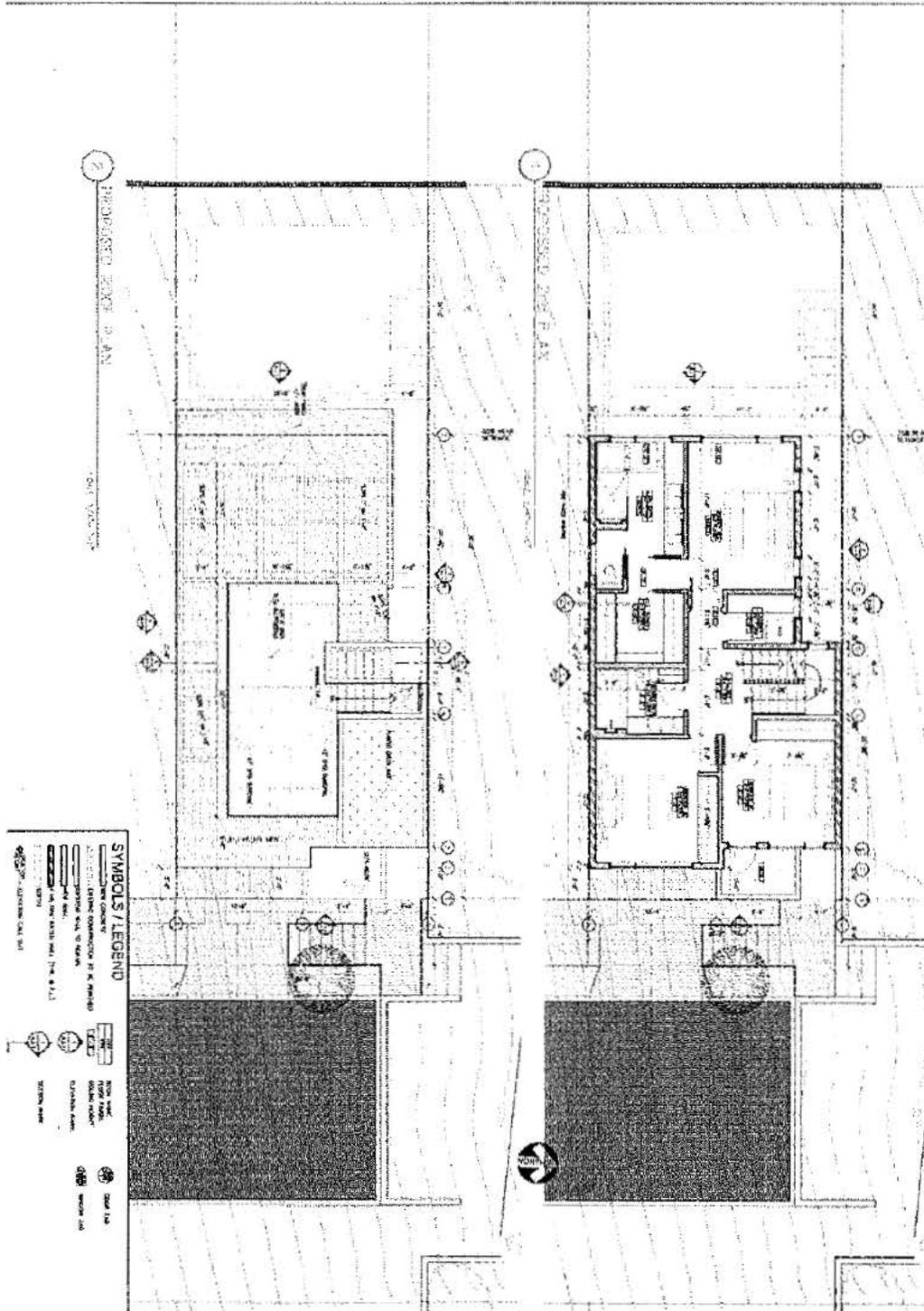


Figure 10: 3516 Folsom Street: North and South Elevations

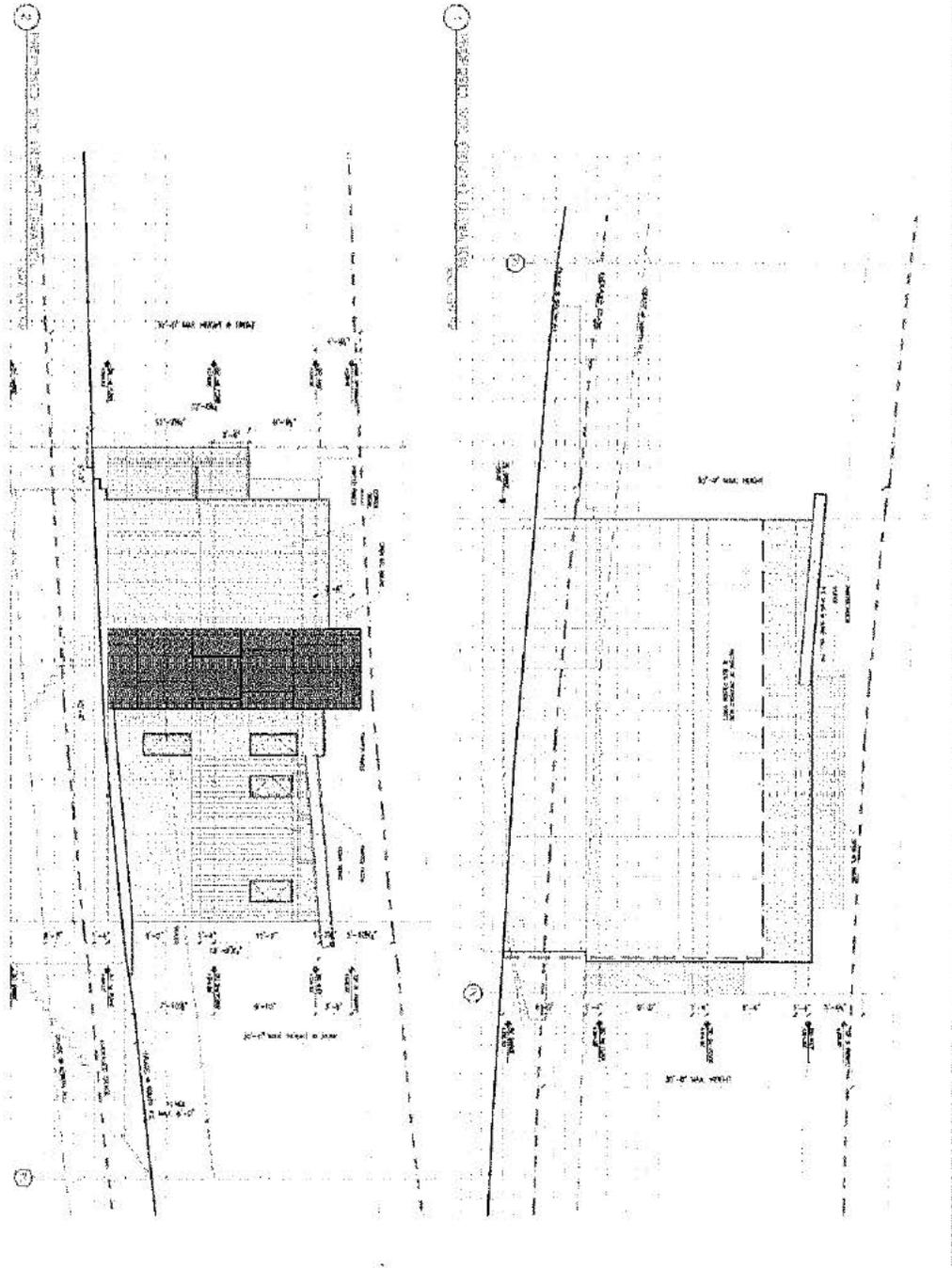


Figure 11: 3516 Folsom Street: East and West Elevations

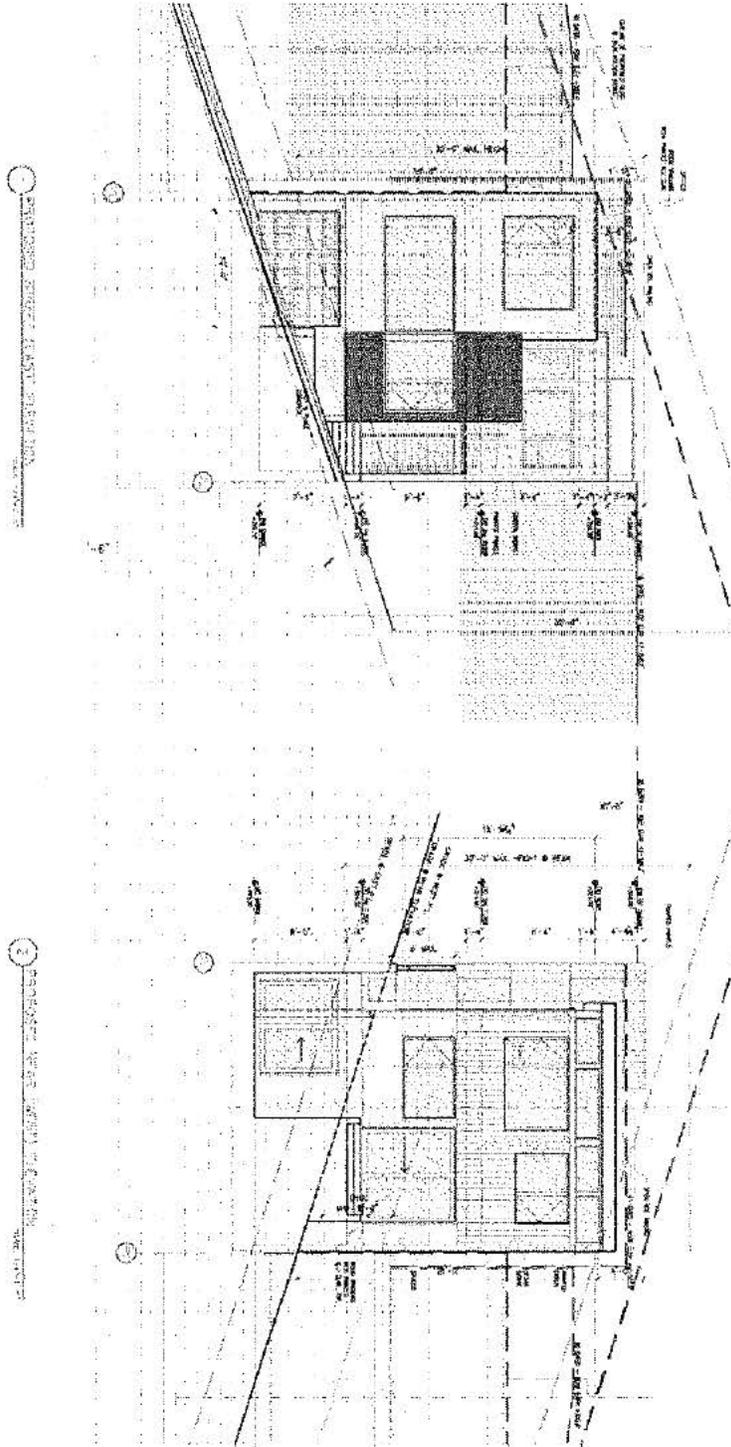
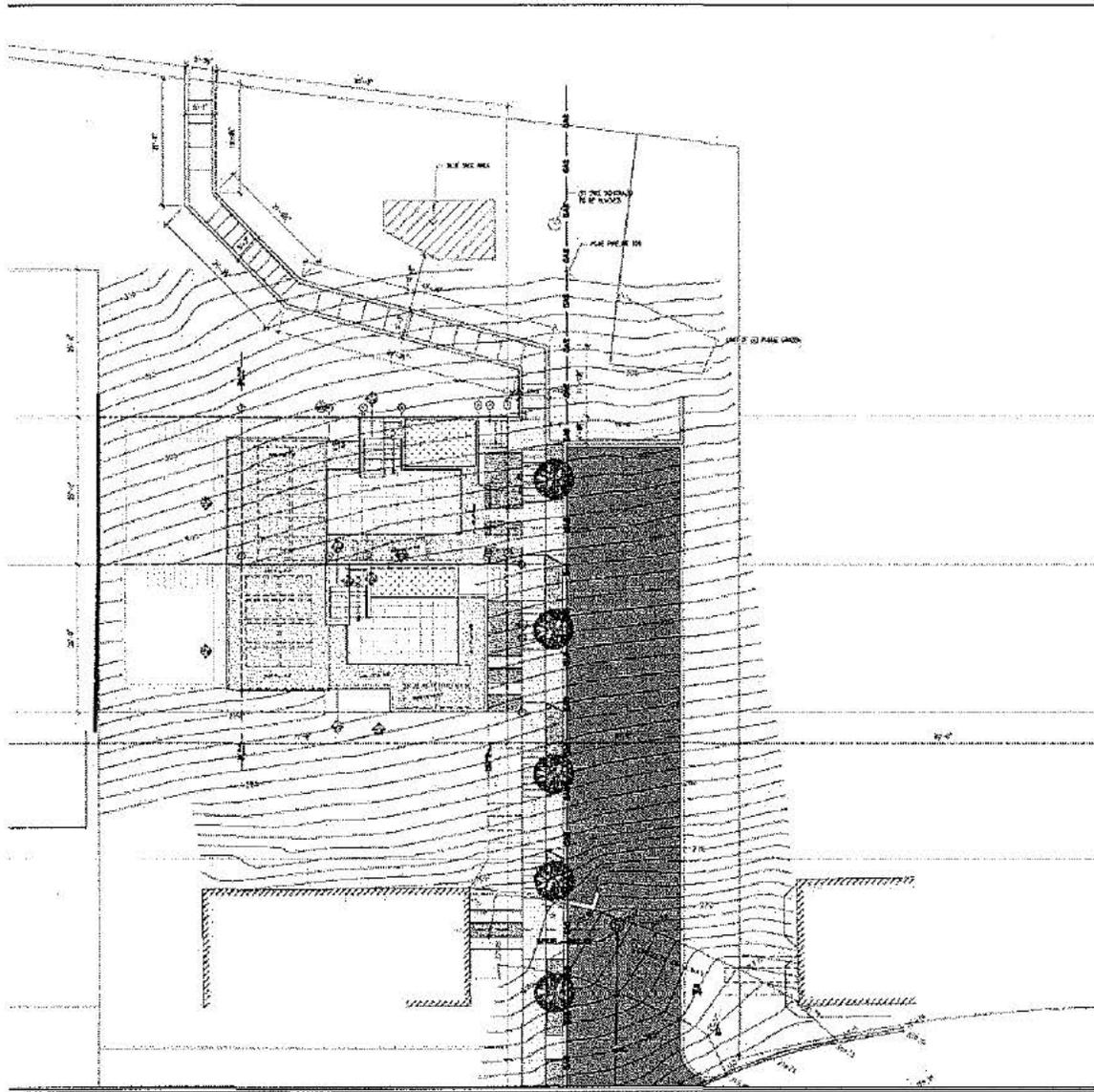


Figure 12: Proposed Street Improvement and Stairway Alignment



Access and Parking

Pedestrian and vehicle access to the proposed project would be provided via Folsom Street, and pedestrian access to the project site would be provided by a stairway connecting Folsom Street and Bernal Heights Boulevard, which would be improved consistent with a Street Improvement Permit

that would be issued by San Francisco Public Works (Public Works). Resident access to each unit would be provided from within the ground level garage and through a front door along Folsom Street. A total of four parking spaces (two for each unit) would be provided on site. New curb cuts for each proposed garage access driveway would be 12 feet in width.

Demolition and Construction

Construction activities at the project site would begin with clearing the site. A total of approximately 650 cubic yards of soil would be excavated from the site to accommodate new foundations and utility connections. Excavated materials would be delivered to 20 cubic yard capacity haul trucks located on Bernal Heights Boulevard by conveyor belt. The excavation of 3516 Folsom Street would include approximately 30 truck trips and the excavation of 3526 Folsom Street would include approximately 25 truck trips. Construction of the proposed project is anticipated to occur over a 12 month period. The concrete required for each foundation slab would require four cement truck trips for each residence (eight, total) plus another four trips per residence for the concrete retaining walls for each residence (eight, total). Concrete trucks and concrete pumps would operate from Bernal Heights Boulevard, and all materials deliveries would occur from Bernal Heights Boulevard. The proposed project would connect to water, sewer, electrical, natural gas, and telecommunications connections that would be brought to the project site by the improvement of the "paper street" section of Folsom Street. The proposed project would include approximately two weeks of excavation, eight weeks of foundation work, and ten weeks for framing. The construction of the two houses would take approximately twelve months. Trucks would access the project site to and from the 101 freeway via Cesar Chavez Street, to Folsom Street and Bernal Heights Boulevard.

The improvement of the "paper street" segment of Folsom Street would be performed under a separate Street Improvement Permit issued by the Department of Public Works. This improvement would include the removal of plants and topsoil along the current right-of-way and the creation of a paved roadway and the construction of a stairway between Folsom Street and Bernal Heights Boulevard. The proposed road improvement would require 92 cubic yards of material to be removed from the project site, which would result in approximately seven haul truck trips. Concrete imported onto the project site for the road improvement would require about ten truck trips. Road work would be conducted from the intersection of Folsom Street and Chapman Street.

C. PROJECT APPROVALS

The project is located in the RH-1 (Residential House, Single-Family) residential zoning district and within the 40-X height and bulk district and within the Bernal Heights Special Use District which reflects the special characteristics and hillside topography of an area of the City that has a collection of mostly older buildings situated on lots generally smaller than the lot patterns in other low-density areas of the City. The proposed project would require the following City, State, and regional approvals. These approvals may be considered in conjunction with the required environmental review, but will not be granted until the required environmental review has been completed:

- Approval of building permits by the Department of Building Inspection (DBI);
- Street Improvement Permit from Department of Public Works for improvement of Folsom Street.

The approval of the building permits by the Department of Building Inspection constitutes the Approval Action for the proposed project, pursuant to Section 31.04(h)(3) of the San Francisco Administrative Code. The Approval Action date establishes the start of the 30-day appeal period for the California Environmental Quality Act determination pursuant to Section 31.16(d) of the San Francisco Administrative Code.

D. PROJECT SETTING

As previously noted, the project site occupies two parcels located on the west side of an unimproved section of Folsom Street in the Bernal Heights neighborhood of San Francisco. Existing uses within the same block consist of unimproved open space, two other primarily two- to three-story single-family residential homes and the Bernal Heights Community Garden. Two-to-three-story residential uses border the site to the south and west, and unimproved lots border the site to the north and east. A two-story residential building borders the site to the south. **Figure 2** illustrates the surrounding residential and open space land uses within the vicinity of the site.

No MUNI bus or light rail lines border the proposed project site. The project site is within ¼ mile of MUNI bus line 24-Divisadero and 67-Bernal Heights. The nearest BART station is 24th Street Mission, which is approximately ¾ mile from the project site. There are no bike routes within 250 feet of the project site.

E. CUMULATIVE SETTING

Past, present and reasonably foreseeable cumulative development projects within ¼-mile radius of the project site include three residential additions and renovations as well as new construction, including a new single family home at 495 Chapman Street, a vertical addition to a home at 100 Gates Street, a demolition of an existing home and construction of a new home at 49 Nevada Street, and a subdivision with new construction at 40 Bernal Heights Blvd. These cumulative projects are the subject of individual Environmental Evaluation Applications on file with the Planning Department, where applicable.¹ There are no active planning applications for any adjacent properties or for the other four lots on this unimproved section of Folsom Street.

F. COMPATIBILITY WITH ZONING AND PLANS

	<i>Applicable</i>	<i>Not Applicable</i>
Discuss any variances, special authorizations, or changes proposed to the Planning Code or Zoning Map, if applicable.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discuss any conflicts with any adopted plans and goals of the City or Region, if applicable.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discuss any approvals and/or permits from City departments other than the Planning Department or the Department of Building Inspection, or from Regional, State, or Federal Agencies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

San Francisco Planning Code and Zoning Maps

The San Francisco Planning Code (Planning Code) incorporates by reference the City’s Zoning Maps, governs permitted uses, densities, and the configuration of buildings within San Francisco. Permits to construct new buildings (or to alter and demolish existing ones) may not be issued unless: 1) the proposed project conforms to the Planning Code; 2) allowable exceptions are granted pursuant to provisions of the Planning Code; or 3) legislative amendments to the Planning Code are included as part of the proposed project.

¹ 100 Gates Street (Case #2016-011777ENV), 49 Nevada Street (Case #2013-0223ENV), 40 Bernal Heights Blvd (Case #2014-002982ENV).

The project site is located in the RH-1 District. As stated in Planning Code Section 209.1, the RH-1 District allows up to one dwelling unit per lot and up to one unit per 3,000 square feet of lot area with conditional use approval. Under the Bernal Heights Special Use District, buildings on lots which have a depth of 70 feet or less shall have a rear yard depth equal to 35 percent of the total depth of the lot. The proposed project would result in the development of two residential units with two buildings on two existing 1,750 square-foot lots, each with a rear yard with a depth that is 35% of the total depth of the lot. Within the RH-1 District, the proposed residential uses are principally permitted.

The project site is located within a 40-X Height and Bulk District, which permits a maximum building height of 40 feet, and the Bernal Heights Special Use District, which does not permit any dwelling unit to exceed a height of 30 feet. The proposed project buildings would be less than 30 feet in height. Bernal Heights Special Use District bulk controls reduce the size of a building's floorplates as the building increases in height. Therefore, the proposed structures would comply with existing height and bulk controls.

According to Planning Code Section 242, two off-street parking spaces are required for a dwelling unit with a usable floor area of between 1,201 square feet (-sf) and 2,250-sf, as is the case with each unit of the proposed project. Thus, the proposed four off-street parking spaces (two per building) would comply with Planning Code Section 242. Planning Code Section 155.2 requires new residential buildings to provide one secured (Class 1) bicycle parking space per each dwelling unit. As the proposed project would provide Class 1 bicycle parking spaces in each garage (for a total of four spaces), the project would comply with the Planning Code's bicycle parking requirements.

Plans and Policies

San Francisco General Plan

The San Francisco General Plan (General Plan) establishes objectives and policies to guide land use decisions related to physical development in the City. It is comprised of ten elements, each of which addresses a particular topic that applies citywide: Air Quality; Arts; Commerce and Industry; Community Facilities; Community Safety; Environmental Protection; Housing; Recreation and Open Space; Transportation; and Urban Design.

Two General Plan elements that are particularly applicable to planning considerations associated with the proposed project are the Housing and Urban Design elements. These elements are discussed in more detail below. Other elements of the General Plan that are applicable to technical aspects of the proposed project include Air Quality, Community Safety, Recreation and Open Space, and Transportation. The proposed project's potential to conflict with the individual policies contained in these more technical elements is discussed in the appropriate topical sections of this Initial Study.

Objectives of the General Plan's Urban Design Element that are applicable to the proposed project include emphasizing the characteristic pattern which gives the City and its neighborhoods an image, a sense of purpose, and a means of orientation and conserving resources which provide a sense of nature, continuity with the past, and freedom from overcrowding.

The Housing Element Update was originally adopted by the Planning Commission on March 2011 and certified by the California Department of Housing and Community Development in July 2011.² The key objective of the Housing Element is to promote the development of new housing in San Francisco and the retention of existing housing in a way that is protective of neighborhood identity, sustainable, and is served by adequate community infrastructure. A particular focus of the Housing Element is on the creation and retention of affordable housing, which reflects intense demand for such housing, a growing economy (which itself puts increasing pressure on the existing housing stock), and a constrained supply of land (necessitating infill development and increased density). In general, the Housing Element supports projects that increase the City's housing supply (both market-rate and affordable housing), especially in areas that are close to the City's job centers and are well-served by transit. The proposed project, which is a residential project consisting of two dwelling units, would not obviously conflict with any objectives or policies in the Housing Element.

² Pursuant to a court order, the 2011 certification was set aside and a partially Revised Environmental Impact Report (Revised EIR) for the 2004 and 2009 Housing Element was later certified by the Planning Commission on April 24, 2014. No changes were made to the objectives or policies contained within the Housing Element as a result of this action.

The proposed project would not obviously or substantially conflict with any goals, policies, or objectives of the General Plan. A conflict between a proposed project and a General Plan policy does not, in itself, indicate a significant effect on the environment within the context of the California Environmental Quality Act (CEQA). Any physical environmental impacts that could result from such conflicts are analyzed in this Initial Study. In general, potential conflicts with the General Plan are considered by the decisions-makers (typically the Planning Commission) independently of the environmental review process. Thus, in addition to considering inconsistencies that affect environmental issues, the Planning Commission considers other potential inconsistencies with the General Plan independently of the environmental review process, as part of the decision to approve or disapprove a proposed project. Any potential conflict not identified in this environmental document would be considered in that context and would not alter the physical environmental effects of the proposed project that are analyzed in this Initial Study.

The Accountable Planning Initiative

In November 1986, the voters of San Francisco approved Proposition M, the Accountable Planning Initiative, which added Section 101.1 to the Planning Code to establish eight Priority Policies. These policies are: 1) preservation and enhancement of neighborhood-serving retail uses; 2) protection of neighborhood character; 3) preservation and enhancement of affordable housing; 4) discouragement of commuter automobiles; 5) protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership; 6) maximization of earthquake preparedness; 7) landmark and historic building preservation; and 8) protection of open space. The Priority Policies, which provide general policies and objectives to guide certain land use decisions, contain certain policies that relate to physical environmental issues. Where appropriate these issues are discussed in the topical sections of this Initial Study.

Prior to issuing a permit for any project which requires an Initial Study under CEQA; prior to issuing a permit for any demolition, conversion, or change of use; and prior to taking any action which requires a finding of inconsistency with the General Plan, the City is required to find that the proposed project or legislation would be consistent with the Priority Policies. As noted above, the physical environmental effects of the project as they may relate to the Priority Policies are addressed in the analyses in this Initial Study. The information contained in this Initial Study will be referenced

as appropriate in the Planning Department's comprehensive project analysis and findings regarding the consistency of the proposed project with the Priority Policies.

Other Local Plans and Policies

In addition to the *General Plan*, the *Planning Code* and Zoning Maps, and the Accountable Planning Initiative, other local plans and policies that are relevant to the proposed project are discussed below.

- The *San Francisco Sustainability Plan* is a blueprint for achieving long-term environmental sustainability by addressing specific environmental issues including, but not limited to, air quality, climate change, energy, ozone depletion, and transportation. The goal of the *San Francisco Sustainability Plan* is to enable the people of San Francisco to meet their present needs without sacrificing the ability of future generations to meet their own needs.
- The *Climate Action Plan for San Francisco: Local Actions to Reduce Greenhouse Emissions* is a local action plan that examines the causes of global climate change and the human activities that contribute to global warming, provides projections of climate change impacts on California and San Francisco based on recent scientific reports, presents estimates of San Francisco's baseline greenhouse gas emissions inventory and reduction targets, and describes recommended actions for reducing the City's greenhouse gas emissions. The 2013 Climate Action Strategy is an update to this plan.
- The *Transit First Policy* (City Charter, Section 8A.115) is a set of principles that underscore the City's commitment to prioritizing travel by transit, bicycle, and on foot over travel by private automobile. These principles are embodied in the objectives and policies of the Transportation Element of the *General Plan*. All City boards, commissions, and departments are required by law to implement Transit First principles in conducting the City's affairs.
- The *San Francisco Bicycle Plan* is a citywide bicycle transportation plan that identifies short-term, long-term, and other minor improvements to San Francisco's bicycle route network. The overall goal of the *San Francisco Bicycle Plan* is to make bicycling an integral part of daily life in San Francisco.
- The *San Francisco Better Streets Plan* consists of illustrative typologies, standards, and guidelines for the design of San Francisco's pedestrian environment, with the central focus of enhancing the livability of the City's streets.

- *Transportation Sustainability Fee Ordinance* requires that development projects that filed environmental review applications prior to July 21, 2015, but have not yet received approval, pay 50 percent of the applicable Transportation Sustainability Fee (TSF). TSF funds may be used to improve transit services and pedestrian and bicycle facilities.

The proposed project has been reviewed in the context of these local plans and policies and would not obviously or substantially conflict with them. Staff reports and approval motions prepared for the decision makers would include a comprehensive project analysis and findings regarding the consistency of the proposed project with applicable local plans and policies.

Regional Plans and Policies

There are several regional planning agencies whose environmental, land use, and transportation plans and policies consider the growth and development of the nine-county San Francisco Bay Area. Some of these plans and policies are advisory, and some include specific goals and provisions that must be considered when evaluating a project under CEQA. The regional plans and policies that are relevant to the proposed project are discussed below.

- The principal regional planning documents and the agencies that guide planning in the nine-county Bay Area include *Plan Bay Area*, the region's first Sustainable Communities Strategy, developed in accordance with Senate Bill 375 and adopted jointly by the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC) on July 18, 2013. *Plan Bay Area* is a long-range land use and transportation plan that covers the period from 2010 to 2040. *Plan Bay Area* calls for concentrating housing and job growth around transit corridors, particularly within areas identified by local jurisdictions as Priority Development Areas. In addition, *Plan Bay Area* specifies strategies and investments for maintaining, managing, and improving the region's multi-modal transportation network and proposes transportation projects and programs to be implemented with reasonably anticipated revenue. *Plan Bay Area* will be updated every four years;
- *Plan Bay Area* includes the population and employment forecasts from ABAG's Projections 2013, which is an advisory policy document used to assist in the development of local and regional plans and policy documents, and MTC's 2040 *Regional Transportation Plan*, which is a policy

document that outlines transportation projects for highway, transit, rail, and related uses through 2040 for the nine Bay Area counties;

- The *Regional Housing Needs Plan* for the San Francisco Bay Area: 2014–2022 reflects projected future population growth in the Bay Area region as determined by ABAG and addresses housing needs across income levels for each jurisdiction in California. All of the Bay Area’s 101 cities and nine counties are given a share of the Bay Area’s total regional housing need. The Bay Area’s regional housing need is allocated to each jurisdiction by the California Department of Housing and Community Development (HCD) and finalized through negotiations with ABAG;
- The Bay Area Air Quality Management District (BAAQMD)’s *2010 Clean Air Plan* updates the Bay Area 2005 Ozone Strategy, in accordance with the requirements of the California Clean Air Act (CCAA), to implement feasible measures to reduce ozone and provide a control strategy to reduce ozone, particulate matter (PM), air toxics, and greenhouse gas emissions throughout the region; and
- The San Francisco Regional Water Quality Control Board’s *Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan)* is a master water quality control planning document. It designates beneficial uses and water quality objectives for waters of the state, including surface waters and groundwater, and includes implementation programs to achieve water quality objectives.

The proposed project has been reviewed against these regional plans and policies. Due to the relatively small size and infill nature of the proposed project, there would be no anticipated conflicts with regional plans. Therefore, the proposed project would not obviously or substantially conflict with regional plans or policies.

Other Related Policies

The proposed project includes work in proximity to Pacific Gas & Electric (PG&E) gas Pipeline 109, and is therefore subject to PG&E’s rules and regulations regarding work near their facilities. In a letter to the San Francisco Planning Department, PG&E outlined the requirements that would apply

to the proposed project.³ These requirements include the physical presence of a PG&E inspector whenever work within 10 feet of the pipeline is performed; grading and digging standards; the placement of pipeline markers during demolition and construction; standards for construction machinery and loading near and on top of underground pipelines; and limitations on placing landscaping, structures or fencing within certain distances from the pipeline.

Subsequent to the proposed project receiving entitlements from the City of San Francisco, the proposed project would be submitted to PG&E for their review to ensure the safety and integrity of their pipeline. Compliance with PG&E's regulations, and additional requirements found necessary subsequent to project approval, would be a requirement of the proposed project.

G. SUMMARY OF ENVIRONMENTAL EFFECTS

Environmental effects are discussed with mitigation measures, where appropriate, in **Section H, Evaluation of Environmental Effects**, of this Initial Study. All mitigation measures identified are listed in **Section I, Mitigation Measures and Improvement Measures**, have been agreed to by the project sponsor, and will be incorporated into the proposed project. For items designated "Not Applicable" or "No Impact," the conclusions regarding potential significant environmental effects are based upon field observations, staff and consultant experience and expertise on similar projects, and/or standard reference materials available within the San Francisco Planning Department, such as the California Natural Diversity Database and maps published by the California Department of Fish and Wildlife, the California Division of Mines and Geology Mineral Resource Zone designations, and the California Department of Conservation's Farmland Mapping and Monitoring Program. For each checklist item, the evaluation has considered both individual and cumulative impacts of the proposed project.

³ John Dolcini, Pipeline Engineer-Gas Transmission, Pacific Gas and Electric Company, *Letter Re: 3516/3526 Folsom Street*, March 30, 2017

H. EVALUATION OF ENVIRONMENTAL EFFECTS

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
1. LAND USE AND LAND USE PLANNING— Would the project:					
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact LU-1: The proposed project would not physically divide an established community. (*Less-Than-Significant Impact*)

The division of an established community would typically involve the construction of a barrier to neighborhood access (such as a new freeway segment) or the removal of a means of access (such as a bridge or roadway). The proposed project would result in the construction of two two-story, up to 30-foot-tall buildings with a total of two dwelling units and street improvements, including a pedestrian connection between Bernal Heights Boulevard and Folsom Street. The proposed project would be incorporated into the existing street configuration. The proposed project includes the improvement of a currently unimproved "paper street" segment of Folsom Street, which would improve connectivity between Bernal Heights Park to the north and the existing residential neighborhood south of the project site. The proposed project would not construct a physical barrier to neighborhood access or remove an existing means of access, such as a bridge or roadway which would create an impediment to the passage of persons or vehicles. The existing access driveway for two existing buildings adjacent to the project site would be replaced by the proposed extension of Folsom Street. As such, the proposed project would not physically divide an established community.

The established community surrounding the project site includes primarily residential uses. The proposed project would introduce new residential uses within an existing residential area and would not alter the land use pattern of the immediate area. The proposed project would not introduce any new land uses, such as industrial uses, that would either create potential conflicts through incompatible uses or result in disruptions to the community's established land use patterns.

For these reasons, the proposed project would not physically divide an established community. This impact would be less than significant and no mitigation measures would be required.

Impact LU-2: The proposed project would not conflict with any applicable land use plans, policies or regulations of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. (*Less-Than-Significant Impact*)

Land use impacts are also considered to be significant if the proposed project would conflict with any plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Environmental plans and policies are those, like the Bay Area Air Quality Management District's 2017 Clean Air Plan, which directly address environmental issues and/or contain targets or standards that must be met in order to preserve or improve characteristics of the City's physical environment.

The General Plan contains objectives and policies that guide land use decisions, as well as some objectives and policies that relate to physical environmental issues. As identified in **Section F, Compatibility with Zoning and Plans** (page 16), the proposed project does not conflict with any existing General Plan objectives or policies. Therefore, this impact would be less than significant and no mitigation measures would be required.

Impact C-LU-1: The proposed project would not make a considerable contribution to any significant cumulative land use impacts. (*Less-Than-Significant Impact*)

The project as proposed is for the construction of two single-family residences on two vacant lots located on the "paper street" segment of Folsom Street as well as utility extensions and street improvements that would serve the two homes and four undeveloped lots along this segment of

Folsom Street. The four adjacent lots are all under different ownership than the project lots and no Environmental Evaluation applications are on file with the Planning Department for development of those lots. Any future development proposals on the adjacent lots would require further environmental review and City approval.

Since the 3516 and 3526 Folsom Street project is the first proposed development on the "paper street" segment of Folsom Street, the project sponsor would be required to construct pedestrian and vehicular access to this segment of Folsom Street. The project sponsor has also agreed to construct utilities to service the remaining four undeveloped lots so as to avoid any need to excavate the improved section of Folsom Street in the event homes are proposed for the four remaining vacant lots in the future.

Pursuant to CEQA, cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other physical environmental impacts. The proposed project would construct two single-family homes, improve a segment of Folsom Street, and provide utilities for the two proposed homes and four adjacent lots. While there are no Environmental Evaluation applications on file with the Planning Department for the four adjacent lots, the improvements proposed by the project would facilitate future development of those lots. Any subsequent development would be required to comply with the same regulations as the proposed project including, but not limited to, compliance with the San Francisco Building and Fire Codes, Slope Protection Act, PG&E regulations for work in proximity to their pipeline, the SFPUC's Stormwater Management Ordinance and Construction Site Runoff Ordinance, the Migratory Bird Treaty Act (MBTA) and Department of Fish and Wildlife (DFW) regulations protecting nesting birds and the Bernal Heights East Slope Design Guidelines. These regulations would ensure that development of the adjacent lots would not result in significant environmental effects.

The proposed project and cumulative projects would be consistent with the envisioned land uses for this area, and no other potential conflicts with policies adopted for the purpose of mitigating an environmental effect have been identified. Thus, the proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a considerable cumulative land use impact.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact PH-1: The proposed project would not directly or indirectly induce substantial population growth in San Francisco. (*Less-Than-Significant Impact*)

In general, a project would be considered growth-inducing if its implementation would result in a substantial population increase and/or new development that might not occur if the project were not approved and implemented. The addition of the two new residential units would increase the residential population on the site by approximately five persons,⁴ resulting in a direct increase in population on the project site and contributing to anticipated population growth in both the neighborhood and citywide context.

However, the addition of five residents represents an incremental increase in the population of the area and would not result in a substantial increase to the population of the larger neighborhood or

⁴ The project site is located in Census Tract 252, which is generally bounded by Cesar Chavez Street to the north, Cortland Ave to the south, Nebraska and Alabama Streets to the east, and Elsie Street to the west. The population calculation is based on Census 2010 data, which estimates 2.52 people per household in Census Tract 252. It should be noted that this census tract has somewhat larger households than the citywide average of 2.26 persons per household.

citywide. The 2010 U.S. Census indicates that the population in the project vicinity (Census Tract 252) is approximately 5,369 persons.⁵ The proposed project would increase the population near the project site by approximately 0.1 percent. The proposed project could indirectly induce additional population growth in the project area because the proposed improvement of the “paper street” section of Folsom Street could enable additional development of four additional houses in the currently undeveloped area. However the addition of four units, with approximately 10 residents, would not be considered substantial population growth. The project would also not generate new employment on the site which could in turn indirectly increase the demand for housing elsewhere. Therefore, the proposed project would not directly or indirectly induce substantial population growth in San Francisco. This impact would be less than significant and no mitigation measures are necessary.

Impact PH-2: The proposed project would not displace substantial numbers of existing housing units or people and would not create demand for additional housing elsewhere. (*Less-Than-Significant Impact*)

The project site is currently undeveloped, and there are no existing housing units on the project site. Therefore, implementation of the proposed project would not displace existing housing units or residents. The proposed project would result in the development of two new residential units and would not include uses that could generate demand for additional housing citywide, such as commercial space. Therefore, this impact would be less than significant and no mitigation measures are necessary.

⁵ The population estimate is based on data from the 2010 Census for Census Tract 252.

Impact C-PH-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact related to population and housing. (*Less-Than-Significant Impact*)

The proposed project includes the improvement of the “paper street” segment of Folsom Street which could induce the development of the four remaining lots adjacent to the project site.⁶ Four more single-family homes could increase the area population by an additional ten residents, or a 0.2 percent increase in the population of the census tract. As described under Impact PH-1, the proposed project’s individual contribution to population and employment growth would not be considerable and represents a minimal percentage of overall population increase within the neighborhood and Citywide. The population of San Francisco is projected to increase by approximately 280,490 persons for a total of 1,085,725 persons by 2040.⁷ The residential population introduced as a result of the proposed project would constitute less than one percent of projected city-wide growth. Thus, this population increase would be accommodated within the planned growth for San Francisco. Furthermore, these additional residential units would provide more opportunities for housing, which is a Citywide need. Additionally, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in the displacement of substantial numbers of housing units as the majority of the approved and proposed projects would include development of housing or unimproved parcels or the expansion of existing residential properties.

For these reasons, the proposed project in combination with other past, present, and reasonably foreseeable future projects would not result in a cumulatively considerable impact related to population and housing.

⁶ Assumes the City of San Francisco average of 2.52 persons per household.

⁷ ABAG, *Plan Bay Area*, p. 40. Available online at http://files.mtc.ca.gov/pdf/Plan_Bay_Area_FINAL/Plan_Bay_Area.pdf, accessed January 25, 2017.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
3. CULTURAL 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code §21074?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact CP-1: Implementation of the proposed project would not 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. (Less-Than-Significant Impact)

As discussed on page 1 of Section A, Project Site, the project site is currently vacant, undeveloped land, and does not include any historic resources. Neither the project site nor the immediately surrounding neighborhood is within a historic district designated under federal, state or local regulations. Therefore, the proposed project would result in a Less-Than-Significant Impact on historical resources.

Impact CP-2: The proposed project would not result in a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5. (Less-Than-Significant Impact)

This section discusses archaeological resources, both as historical resources according to Section 15064.5 as well as unique archaeological resources as defined in Section 21083.2(g).

The potential for encountering archaeological resources is determined by several relevant factors including archaeological sensitivity criteria and models, local geology, site history, and the extent of a potential projects soils disturbance/modification, as well as any documented information on known

archaeological resources in the area. A Planning Department archaeologist completed a preliminary archeological review (PAR) for the proposed project.⁸ The PAR determined that there is a no potential to adversely affect archaeological resources. There are no documented or recorded archaeological sites in the immediate vicinity of the proposed project. Therefore, the proposed project construction would have a Less Than Significant Impact on prehistoric or historical archaeological resources.

Impact CP-3: Construction activities for the proposed project would not result in the disturbance of human remains, including those interred outside of formal cemeteries, should such remains exist beneath the project site. (*Less-Than-Significant Impact*)

There are no known human remains, including those interred outside of formal cemeteries, located in the immediate vicinity of the site. It is considered highly unlikely that human remains would be encountered at the project site during excavation and grading for the proposed project. Therefore, this impact is considered less than significant.

Impact CP-4: Construction activities for the proposed project would not result in the disturbance of tribal resources, should such resources exist beneath the project site. (*Less-Than-Significant Impact*)

CEQA Section 21074.2 requires the lead agency to consider the effects of a project on tribal cultural resources. As defined in Section 21074, tribal cultural resources are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are listed, or determined to be eligible for listing, on the national, State, or local register of historical resources. Based on discussions with Native American tribal representatives, in San Francisco, prehistoric archeological resources are presumed to be potential tribal cultural resources. A tribal cultural resource is adversely affected when a project causes a substantial adverse change in the resource's significance.

⁸ Randall Dean, Archeologist, San Francisco Planning Department, Preliminary Archeological Review, 3516-26 Folsom Street, September 23, 2013.

Pursuant to CEQA Section 21080.3.1(d), within 14 days of a determination that an application for a project is complete or a decision by a public agency to undertake a project, the Lead Agency is required to contact the Native American tribes that are culturally or traditionally affiliated with the geographic area in which the project is located. Notified tribes have 30 days to request consultation with the Lead Agency to discuss potential impacts on tribal cultural resources and measures for addressing those impacts. On March 29, 2017, the Planning Department contacted Native American individuals and organizations for the San Francisco area, providing a description of the project and requesting comments on the identification, presence and significance of tribal cultural resources in the project vicinity.

No Native American tribal representatives have contacted the Planning Department to request consultation as of the publication of this Initial Study. Department staff has determined that the proposed project would not be expected to affect legally-significant archeological resources, including prehistoric archeological resources. Therefore, the proposed project would have a Less-Than-Significant Impact on previously unknown tribal cultural resources.

Impact C-CP-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity would not result in cumulative impacts to historic architectural resources. (*Less-Than-Significant Impact*)

The proposed project would have Less-Than-Significant Impacts on historical resources, and there are no proposed projects within the vicinity of the project that would result in historical resources impacts, so the proposed project could not result in a cumulatively considerable contribution to cumulative historic resource impacts.

Impact C-CP-2: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity would not result in a substantial adverse change in the significance of previously undiscovered archaeological resources, human remains, including those interred outside of formal cemeteries; and tribal resources should such resources exist on or beneath the project site. (*Less-Than-Significant Impact*)

Archeological resources and tribal cultural resources are non-renewable and finite, and all adverse effects to subsurface archeological resources and tribal cultural resources have the potential to erode a dwindling cultural/scientific resource base. Past, present, and reasonably foreseeable future

development projects within San Francisco and the Bay Area region would include construction activities that could disturb archaeological resources and tribal cultural resources and could contribute to cumulative impacts related to the loss of significant historical, scientific, and cultural information about California, Bay Area, and San Francisco history and prehistory including the historic and prehistory of Native American peoples. Similar to the proposed project, development projects within San Francisco would be subject to the City's standard archeological and human remains mitigation measures, thereby reducing the potential for cumulative archeological-related and tribal-cultural-resource-related impacts.

As discussed above, the proposed project would have Less-Than-Significant Impacts on archeological resources, and therefore the proposed project could not contribute to cumulative impacts and would not be cumulatively considerable. Therefore, this impact would be less than significant with mitigation.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The proposed project would not result in a change in air traffic patterns, and would therefore not cause substantial air traffic safety risks. Therefore, topic 4c is not applicable to the project.

Setting

The proposed project includes two single-family homes along the west side of a “paper street” section of Folsom Street in the Bernal Heights neighborhood. The immediate vicinity of the project site is made up of two- to-three story residential properties and is exclusively residential, save for the Bernal Heights Community Garden and Bernal Heights Park, both to the north of the project site. The project site is not adjacent to any MUNI transit lines. The project site is within ¼ mile of MUNI bus line 24-Divisadero and 67-Bernal Heights. The nearest BART station is 24th Street Mission, which is approximately ¾ mile from the project site. There are no bike routes within 250 feet of the project site. The proposed project will include the improvement of the paper street and the addition of a sidewalk and stairs to create a pedestrian connection between Bernal Heights Boulevard and Folsom Street and the immediate neighborhood to the south.

Background on Vehicle Miles Traveled (VMT) in San Francisco and Bay Area

In January 2016, OPR published for public review and comment a Revised Proposal on Updates to CEQA Guidelines on Evaluating Transportation Impacts in CEQA⁹ (proposed transportation impact guidelines) recommending that transportation impacts for projects be measured using a VMT metric. VMT measures the amount and distance that a project might cause people to drive, accounting for the number of passengers within a vehicle. OPR's proposed transportation impact guidelines provides substantial evidence that VMT is an appropriate standard to use in analyzing transportation impacts to protect environmental quality and a better indicator of greenhouse gas, air quality, and energy impacts than automobile delay. Acknowledging this, San Francisco Planning Commission Resolution 19579, adopted on March 3, 2016:

- Found that automobile delay, as described solely by LOS or similar measures of vehicular capacity or traffic congestion, shall no longer be considered a significant impact on the environment pursuant to CEQA, because it does not measure environmental impacts and therefore it does not protect environmental quality.
- Directed the Environmental Review Officer to remove automobile delay as a factor in determining significant impacts pursuant to CEQA for all guidelines, criteria, and list of exemptions, and to update the Transportation Impact Analysis Guidelines for Environmental Review and Categorical Exemptions from CEQA to reflect this change.
- Directed the Environmental Planning Division and Environmental Review Officer to replace automobile delay with VMT criteria which promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses; and consistent with proposed and forthcoming changes to CEQA Guidelines by OPR.

Planning Commission Resolution 19579 became effective immediately for all projects that have not received a CEQA determination and all projects that have previously received CEQA determinations, but require additional environmental analysis.

⁹ This document is available online at: https://www.opr.ca.gov/s_sb743.php.

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

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

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

based approach, is necessary for retail projects because a tour is likely to consist of trips stopping in multiple locations, and the summarizing of tour VMT to each location would over-estimate VMT.^{10,11}

Impact TR-1: The proposed project would not 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. (*Less-Than-Significant Impact*)

VMT Analysis

Land use projects may cause substantial additional VMT. The following identifies thresholds of significance and screening criteria used to determine if a residential land use project would result in significant impacts under the VMT metric. For residential projects, a project would generate substantial additional VMT if it exceeds the regional household VMT per capita minus 15 percent.¹²

As documented in the *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA* (“proposed transportation impact guidelines”), a 15 percent threshold below existing development is “both reasonably ambitious and generally achievable.”¹³ OPR’s proposed transportation impact guidelines provides screening criteria to identify types, characteristics, or locations of land use projects that would not exceed these VMT thresholds of significance. OPR recommends that if a project or land use proposed as part of the project meets any

¹⁰ To state another way: a tour-based assessment of VMT at a retail site would consider the VMT for all trips in the tour, for any tour with a stop at the retail site. If a single tour stops at two retail locations, for example, a coffee shop on the way to work and a restaurant on the way back home, then both retail locations would be allotted the total tour VMT. A trip-based approach allows us to apportion all retail-related VMT to retail sites without double-counting.

¹¹ San Francisco Planning Department, Executive Summary: Resolution Modifying Transportation Impact Analysis, Appendix F, Attachment A, March 3, 2016.

¹² OPR’s proposed transportation impact guidelines state a project would cause substantial additional VMT if it exceeds both the existing City household VMT per capita minus 15 percent and existing regional household VMT per capita minus 15 percent. In San Francisco, the City’s average VMT per capita is lower (8.4) than the regional average (17.2). Therefore, the City average is irrelevant for the purposes of the analysis.

¹³ Governor’s Office of Planning and Research, *Revised Proposal on Updates to CEQA Guidelines on Evaluating Transportation Impacts in CEQA*, January 20, 2016, p. III:20. This document is available online at: https://www.opr.ca.gov/s_sb743.php.

of the below screening criteria, then VMT impacts are presumed to be less than significant for that land use and a detailed VMT analysis is not required. These screening criteria and how they are applied in San Francisco are described below:

- **Map-Based Screening for Residential, Office, and Retail Projects.** OPR recommends mapping areas that exhibit where VMT is less than the applicable threshold for that land use. Accordingly, the Transportation Authority has developed maps depicting existing VMT levels in San Francisco for residential, office, and retail land uses based on the SF-CHAMP 2012 base-year model run. The Planning Department uses these maps and associated data to determine whether a proposed project is located in an area of the City that is below the VMT threshold.
- **Small Projects –** OPR recommends that lead agencies may generally assume that a project would not have significant VMT impacts if the project would either: (1) generate fewer trips than the level required for studying consistency with the applicable congestion management program or (2) where the applicable congestion management program does not provide such a level, fewer than 100 vehicle trips per day. The Transportation Authority’s 2015 San Francisco Congestion Management Program does not include a trip threshold for studying consistency. Therefore, the Planning Department uses the 100 vehicle trip per day screening criterion as a level generally where projects would not generate a substantial increase in VMT.
- **Proximity to Transit Stations.** OPR recommends that residential, retail, and office projects, as well projects that are a mix of these uses, proposed within ½ mile of an existing major transit stop (as defined by CEQA Section 21064.3) or an existing stop along a high quality transit corridor (as defined by CEQA Section 21155) would not result in a substantial increase in VMT. However, this presumption would not apply if the project would: (1) have a floor area ratio¹⁴ of less than 0.75; (2) include more parking for use by residents, customers, or employees of the project than required or allowed, without a conditional use; or (3) is inconsistent with the applicable Sustainable Communities Strategy.¹⁵

¹⁴ Floor area ratio means the ratio of gross building area of the development, excluding structured parking areas, proposed for the project divided by the net lot area.

¹⁵ A project is considered to be inconsistent with the Sustainable Communities Strategy if development is located outside of areas contemplated for development in the Sustainable Communities Strategy.

The existing average daily VMT per capita for the transportation analysis zone the project site is located in, TAZ 432, is below the existing regional average daily VMT. For residential uses in TAZ 432, the average daily VMT per capita is 10.2, which is about 41 percent below the existing regional average daily VMT per capita of 17.2.

Thus, as described above, the project site is located within an area of the City where the existing VMT is more than 15 percent below the regional VMT, and the proposed project land uses would not generate substantial additional VMT.¹⁶

Trip Generation

The proposed project would result in the construction of two new single-family residences. Trip generation rates from the Institute of Transportation Engineer’s (ITE) Trip Generation Manual, 9th Edition, were used to estimate the daily and peak-hour trip generation for the proposed project. Table 1 below summarizes the trip generation for the proposed project.

Table 1: Project Trip Generation

Land Use	Units	Daily Person Trips	PM Peak Hour
Residential – Single Family	2	20	2

Notes: Rates per ITE *Trip Generation Manual, 9th Edition*; Land Use Code (230) Residential Condominium/Townhouse

Source: San Francisco Planning Department, Trip Generation Table for 3516-3526 Folsom Street, 2017.

¹⁶ The Map-Based Screening for Residential, Office, and Retail Projects was applied to the proposed project. The project site is located within TAZ 432, which is within an area of the City where the existing VMT is more than 15 percent below the regional VMT thresholds, as documented in Executive Summary Resolution Modifying Transportation Impact Analysis, Attachment F (Methodologies, Significance Criteria, Thresholds of Significance, and Screening Criteria for Vehicle Miles Traveled and Induced Automobile Travel Impacts), Appendix A (SFCTA Memo), March 3, 2016. Available online at http://commissions.sfplanning.org/cpcpackets/Align-CPC%20exec%20summary_20160303_Final.pdf. Accessed March 21, 2016.

As shown in Table 1 above, the proposed project is expected to generate approximately 20 daily vehicle trips, with 2 trips occurring during the PM peak hour.

Construction

Construction of the proposed project would be expected to take approximately 12 months. During this period, temporary and intermittent transportation impacts would result from truck movements to and from the project site during excavation and construction activities associated with the proposed buildings. Construction activities would generate construction worker trips to and from the project site and a temporary demand for parking and public transit. However, the additional trips would not exceed the capacity of local or regional transit service. Due to the temporary nature of the construction activities, the construction related impacts on transportation and circulation would be less than significant.

Due to the limited addition of project-related traffic (2 PM peak hour trips), the proposed project is not anticipated to result in a conflict with any established plans or policies. In addition, as discussed above, the proposed project would meet the VMT Map screening criteria. Implementation of the proposed project would result in Less Than Significant construction-related transportation impacts. Therefore, the proposed project would not conflict with any plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system or congestion management program. This impact would be less than significant and no mitigation measures would be required.

Impact TR-2: The proposed project would not result in substantially increased hazards due to particular design features (e.g., sharp curves or dangerous intersections) or incompatible uses. (Less-Than-Significant Impact)

The proposed project would include the construction of two two-story buildings with a total of two residential units, which is considered a compatible use with the surrounding area. Access to the project site would be provided by the improvement of a "paper street" section of Folsom Street. The proposed project would not result in roadway design changes that would include sharp curves or other roadway design elements that would create dangerous conditions, and the improved street section would not be a through street; that is, the improved section would not be used by the general public but would typically be limited to the residents of the proposed project. The improved section

would not include any on-street parking facilities. The proposed design of the street must be reviewed and approved by San Francisco Public Works (Public Works) and found consistent with the City's Subdivision Regulations. The proposed project would result in a Less-Than-Significant Impact related to hazards associated with a design feature and no mitigation is required.

Impact TR-3: The proposed project would not result in inadequate emergency access. (*Less-Than-Significant Impact*)

Emergency access to the project site would remain mostly unchanged from existing conditions. The Project Sponsor has consulted the San Francisco Fire Department (SFFD) regarding emergency access.¹⁷ While the width and grade of the proposed street improvement preclude SFFD apparatus from traversing the proposed street, the proposed project conforms to Fire Code Section 503.1.1, which requires all portions of the exterior walls of the first story of any constructed building to be within 150 feet of an approved fire apparatus access road. Both Folsom Street and Bernal Heights Boulevard are accessible to SFFD apparatus and are within 150 feet of all portions of the exterior walls of the first floor of both proposed homes. Furthermore, Fire Code Section 503.1.1 allows a Fire Code Official to offer an exception to the 150 foot requirement if subject buildings are equipped with an approved automatic sprinkler system. While the Project Sponsor is not requesting an exception to Fire Code Section 503.1.1, the proposed homes would include automatic sprinkler systems. As the proposed houses are within 150 feet of approved fire access roads and include automatic sprinkler systems, the proposed project conforms with the Fire Code. Therefore, the proposed project would not result in inadequate emergency access and the impacts would be less than significant.

¹⁷ Sponsor meeting with SFFD Assistant Fire Marshall Rich Hill, April 29, 2016.

Impact TR-4: The proposed project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities, or cause a substantial increase in transit demand which cannot be accommodated by existing or proposed transit capacity or alternative travel modes. (*Less-Than-Significant Impact*)

Implementation of the proposed project would add two residential units to the project site, increasing the residential population on the site by approximately five persons.¹⁸ The proposed project would not substantially increase the population in the project vicinity and would result in a minimal number of transit trips, pedestrian, and bicycle trips. The proposed project would include street improvements which would increase pedestrian access and pedestrian network connectivity between Bernal Heights Boulevard and the improved section of Folsom Street and the neighborhood to the south. Thus, the proposed project would not substantially effect the utilization of local and regional transit service, pedestrian facilities, or bicycle facilities. Therefore the proposed project would not result in changes to the City's transportation and circulation system that could conflict with adopted policies, plans, or programs regarding transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities, or cause a substantial increase in transit demand which cannot be accommodated by existing or proposed transit capacity or alternative travel modes. Therefore, this impact would be less than significant and no mitigation measures would be required.

Impact C-TR-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in substantial cumulative transportation impacts. (*Less-Than-Significant Impact*)

VMT, by its very nature, is largely a cumulative impact. The VMT associated with past, present, and future projects contributes to physical secondary environmental impacts. It is likely that no single project by itself would be sufficient in size to prevent the region or state from meeting its VMT reduction goals. Instead, a project's individual VMT contributes to cumulative VMT impacts. The

¹⁸ The population estimate is based on Census 2010 data, which estimates 2.52 per household in Census Tract 252.

VMT and induced automobile travel project-level thresholds are based on levels at which new projects are not anticipated to conflict with state and regional long-term greenhouse gas emission reduction targets and statewide VMT per capita reduction targets set in 2020. For residential uses in TAZ 432, the average daily VMT per capita in 2040 is estimated to be 8.9, which is about 45 percent below the estimated 2040 regional average daily VMT per capita of 16.1. Therefore, because the estimated average daily VMT for TAZ 432 would be more than 15 percent below the estimated regional average daily VMT, the proposed project would not be considered to result in a cumulatively considerable contribution to VMT impacts.

Based on the foregoing, in combination with past, present, and reasonably foreseeable future projects, the proposed project would not contribute considerably to any substantial cumulative increase in VMT, impacts to the effectiveness of the circulation system, impacts related to design features or incompatible uses, inadequate emergency access, or conflicts with alternative modes of transportation. Therefore, this impact would be less than significant and no mitigation measures would be required.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project site is not within an airport land use plan area or in the vicinity of a private airstrip. Therefore, topics 5e and 5f are not applicable and will not be further discussed.

Fundamentals of Environmental Noise and Groundborne Vibration

A project will normally have a significant effect on the environment related to noise if it would substantially increase the ambient noise levels for adjoining areas or conflict with the adopted environmental plans and policies of the community in which it is located. Noise impacts can be described in three categories. The first is audible impacts that increase noise levels noticeable to humans. Audible increases in noise levels generally refer to a change of 3.0 decibels (dB) or greater since this level has been found to be barely perceptible in exterior environments. The second category, potentially audible, is the change in the noise level between 1.0 and 3.0 dB. This range of noise levels has been found to be noticeable only in laboratory environments. The last category is changes in noise level of less than 1.0 dB, which are inaudible to the human ear. Only audible changes in existing ambient or background noise levels are considered when analyzing the effects of project-generated noise.

Operational Noise and Vibration

The primary existing noise sources contributing to ambient noise in the project area are traffic associated with Bernal Heights Boulevard and surrounding residential streets and other noise from motor vehicles, the interaction between the fires and the road, and vehicle exhaust systems. Existing

ambient noise levels at the project site range from 55 to 60 dBA.¹⁹ Residential land uses are not considered sources of vibration and observation indicates that there are no major sources of vibrations at the project site.

Construction Noise and Vibration

The operation of heavy construction equipment, particularly pile-driving equipment and other impact devices (e.g., pavement breakers), creates seismic waves that radiate along the surface of the ground and downward. These surface waves can be felt as ground vibration. Vibration is an oscillatory motion through a solid medium in which the motion's amplitude can be described in terms of displacement, velocity, or acceleration. Several different methods are used to quantify vibration. The most frequently used method to describe vibration impacts is peak particle velocity (PPV). PPV is defined as the maximum instantaneous peak of the vibration signal in inches per second (in/sec).²⁰

Typically, groundborne vibration generated by man-made activities attenuates rapidly with distance from the source of the vibration. This attenuation is a complex function of how energy is imparted into the ground as well as the soil or rock conditions through which the vibration is traveling. Variations in geology can result in different vibration levels, with denser soils generally resulting in more rapid attenuation over a given distance. The effects of groundborne vibration on buildings include movement of building floors, rattling of windows, shaking of items on shelves or hanging on walls, and rumbling sounds. The rumbling sound caused by the vibration of room surfaces is called groundborne noise, which can occur as a result of the low-frequency components from a specific steady source of vibration, such as a rail line. Receptors sensitive to vibration include structures (especially older masonry structures), people (especially residents, the elderly, and sick), and

¹⁹ City and County of San Francisco, *General Plan, Environmental Protection Element, Map 1 (Background Noise Levels, 2009)*, 2009. This document is available for review at: http://generalplan.sfplanning.org/images/16.environmental/ENV_Map1_Background_Noise%20Levels.pdf.

²⁰ Federal Transit Administration (FTA), *Transit Noise and Vibration Impact Assessment*, May 2006, pp. 8-1 to 8-3, Table 8-1. Available online at https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA_Noise_and_Vibration_Manual.pdf. Accessed February 7, 2017.

vibration-sensitive equipment. Fragile buildings and underground facilities, in particular those that are considered historic, are included because groundborne vibration can result in structural damage. In extreme cases, high levels of vibration can damage fragile buildings or interfere with sensitive equipment. With the exception of long-term occupational exposure, vibration levels rarely affect human health. Instead, most people consider vibration to be an annoyance that can affect concentration or disturb sleep. People may tolerate infrequent, short duration vibration levels, but human annoyance to vibration becomes more pronounced if the vibration is continuous or occurs frequently. A vibration level that causes annoyance will be well below the damage threshold for normal buildings. Annoyance generally occurs in reaction to newly introduced sources of noise that interrupt ongoing activities. Community annoyance is a summary measure of the general adverse reaction of people to noise that causes speech interference, sleep disturbance, or interference with the desire for a tranquil environment.²¹ People react to the duration of noise events, judging longer events to be more annoying than shorter ones, and transportation noise is usually a primary cause of community dissatisfaction. Construction noise or vibration also often generates complaints, especially during lengthy periods of heavy construction, when nighttime construction is undertaken to avoid disrupting workday activity, or when the adjacent community has no clear understanding of the extent or duration of the construction.²²

The City does not have regulations that define acceptable levels of vibration. Therefore, this document references a Federal Transit Administration (FTA) publication concerning noise and vibration impact assessment from transit activities²³ and other relevant sources.

Noise Compatibility

San Francisco addresses noise in the General Plan's Environmental Protection Element.²⁴ This element includes a Transportation Noise section that provides general guidance for reducing

²¹ Ibid, pp. 2-13 to 2-17

²² Ibid. p. 12-1.

²³ Ibid.

²⁴ City and County of San Francisco, *City of San Francisco General Plan*, December 2, 2004. This document is available for review at www.sf-planning.org/ftp/general_plan/index.htm.

transportation noise through “sound land use planning and transportation planning.” It also states: “in a fully developed city, such as San Francisco, where land use and circulation patterns are by and large fixed, the ability to reduce the noise impact through a proper relationship of land use and transportation facility location is limited.”²⁵

The General Plan focuses on the effect of noise on the community due to ground transportation noise sources and establishes the “Land Use Compatibility Chart for Community Noise” for determining when noise reduction requirements for new development should be analyzed, such as providing sound insulation for affected properties. The land use compatibility standards for community noise determine the maximum acceptable noise environment for each newly developed land use, and are shown in Table 2. Although Table 2 presents a range of noise levels that are considered compatible or incompatible with various land uses, the maximum “satisfactory” noise level is 60 dBA L_{dn} for residential and hotel uses; 65 dBA L_{dn} for schools, classrooms, libraries, churches and hospitals; 70 dBA L_{dn} for playgrounds, parks, offices, retail commercial uses, and noise-sensitive manufacturing/communication uses; and 77 dBA L_{dn} for other commercial uses such as wholesale, certain retail, industrial/manufacturing, transportation, communications, and utilities uses. If these uses are proposed to be located in areas with noise levels that exceed these guidelines, a detailed analysis of noise reduction requirements will typically be necessary prior to final building review and approval.

Overall, the General Plan recognizes that transportation noise remains a problem and provides guidance to manage incompatible transportation noise levels through various transportation noise-related policies. The City’s background noise levels map identifies the project site to be exposed to traffic noise levels between 50 and 60 dBA L_{dn}.²⁶ According to the City’s General Plan, new development should incorporate noise insulation features if the noise levels exceed the sound level guidelines shown in the land use compatibility chart.

²⁵ Ibid.

²⁶ City and County of San Francisco, *General Plan, Environmental Protection Element, Map 1 (Background Noise Levels, 2009)*, 2009. This document is available for review at: http://generalplan.sfplanning.org/images/16.environmental/ENV_Map1_Background_Noise%20Levels.pdf.

Table 2: Land Use Compatibility Chart for Community Noise, dBA

LAND USE CATEGORY	Sound Levels and Land Use Consequences (see explanation below)						
	L ₁₀ Value in Decibels						
	55	60	65	70	75	80	85
Residential - All Dwellings, Group Quarters	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines
Transient Lodging - Motels, Hotels	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines
School Classrooms, Libraries, Churches, Hospitals, Nursing Homes, etc.	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines
Auditoriums, Concert Halls, Amphitheaters, Music Shells	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines
Sports Arenas, Outdoor Spectator Sports	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines
Playgrounds, Parks	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines
Golf Courses, Riding Stables, Water-based Recreation Areas, Cemeteries	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines
Office Buildings - Personal, Business and Professional Services	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines
Commercial - Retail, Movie Theatres, Restaurants	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines
Commercial - Wholesale and some Retail, Industrial/Manufacturing, Transportation, Communications and Utilities	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines
Noise Sensitive Manufacturing and Communications	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines	Diagonal lines

	Specified land use is satisfactory, based upon the assumption that any buildings involved are of conventional construction, without any special noise insulation requirements.
	New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is performed and needed noise insulation features included in the design.
	New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be performed and needed noise insulation features included in the design.
	New construction or development clearly generally should not be undertaken.

Source: City and County of San Francisco, City of San Francisco General Plan, December 2, 2004. This document is available for review at: www.sf-planning.org/ftp/general_plan/index.htm.

Noise Regulations

The San Francisco Noise Ordinance (Noise Ordinance) regulates both construction noise and stationary-source noise within the City, including noise from transportation, construction, mechanical equipment, entertainment, and human or animal behavior. Found in Article 29, "Regulation of Noise," of the San Francisco Police Code, the Noise Ordinance addresses noise from construction equipment, nighttime construction work, and noise from stationary mechanical equipment and waste processing activities.²⁷ The following regulations are applicable to the proposed project.

Section 2907, Construction Equipment, and Section 2908, Construction Work at Night

Section 2907(a) 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 San Francisco Public Works or the Director of the DBI to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Director of Public Works authorizes a special permit for conducting the work during that period.

Section 2909, Noise Limits

This section of the Noise Ordinance regulates noise from mechanical equipment and other similar sources. This includes all equipment, such as electrical equipment (transformers, emergency generators) as well as mechanical equipment that is installed on commercial/industrial and residential properties. Mechanical equipment operating on residential property must not produce a noise level more than 5 dBA above the ambient noise level at the property boundary. Section 2909 also states in subsection (d) that no fixed (permanent) noise source (as defined by the Noise Ordinance) may cause the noise level inside any sleeping or living room in a dwelling unit on

²⁷ City and County of San Francisco, *Article 29 of the San Francisco Police Code, Regulation of Noise*, 2012. This document is available for review at: [www.amlegal.com/nxt/gateway.dll/California/police/article29regulationofnoise?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:sanfrancisco_ca](http://www.amlegal.com/nxt/gateway.dll/California/police/article29regulationofnoise?f=templates$fn=default.htm$3.0$vid=amlegal:sanfrancisco_ca). Accessed April 17, 2017.

residential property to exceed 45 dBA between 10:00 p.m. and 7:00 a.m. or 55 dBA between 7:00 a.m. and 10:00 p.m. when windows are open, except where building ventilation is achieved through mechanical systems that allow windows to remain closed.

Existing Sensitive Receptors

Certain land uses are considered more sensitive to noise than others. Examples of these include residential areas, educational facilities, hospitals, childcare facilities, and senior housing. The project site occupies parcels located on the west side of an unimproved section of Folsom Street. Existing uses within the same block consist primarily of two- to three-story medium-density residential uses.

Impact NO-1: The proposed project would not result in exposure of persons to, or generation of, noise levels in excess of standards established in San Francisco's Noise Ordinance, nor would the proposed project result in a substantial permanent increase in ambient noise levels above levels existing without the project. (*Less-Than-Significant Impact*)

For the purpose of this analysis, operation of the proposed project would result in a significant noise impact if:

1. Implementation of the proposed project would increase ambient noise levels from traffic-generated sources by greater than 3 (dBA)²⁸ and the resulting noise level is greater than the "satisfactory" standards for adjacent land uses cited in Table 2. Land Use Compatibility Chart, below, or
2. Where the existing or existing plus project noise levels are within "satisfactory" standards for adjacent land uses (again, according to Table 2) if implementation of the proposed project would result in project-related traffic noise increases above ambient noise levels by more than 5 dBA.

²⁸ A-weighted decibels, abbreviated dBA, are an expression of the relative loudness of sounds in air as perceived by the human ear. In the A-weighted system, the decibel values of sounds at low frequencies are reduced, compared with unweighted decibels, in which no correction is made for audio frequency.

Additionally, the proposed project would result in a significant operational noise impact if noise from the project exceeds the standards in Section 2909 (a) and (d) of the San Francisco Noise Ordinance (Noise Ordinance), discussed above.

As discussed above in **Section H.4, Transportation and Circulation**, the increase in traffic associated with the proposed project would be minimal. An estimated two PM peak-hour vehicle trips would be generated by the project. As such, project-related increases in traffic noise levels are also anticipated to be minimal along Folsom Street and would not be perceptible by the human ear. Therefore, project-related traffic noise on off-site land uses would be less than significant, and no mitigation would be required.

In addition to generating imperceptible traffic-related noise, the proposed project is also anticipated to result in less than significant noise levels associated with operation of mechanical systems. The proposed project would include two residential units, which are not typically associated with high levels of operational noise. In addition, the proposed project's mechanical equipment would be required to comply with the San Francisco Noise Ordinance restricting equipment operating on residential property from generating noise greater than 5 dBA above the ambient noise level at the property boundary and ensuring that the mechanical equipment does not exceed 55 dBA during daytime hours, and 45 dBA during nighttime hours inside nearby residential uses. Therefore, project-related operational noise impacts would be less than significant, and no mitigation would be required.

Impact NO-2: Project demolition and construction would result in a temporary and periodic increase in ambient noise levels in the project vicinity above existing conditions. (*Less-Than-Significant Impact*)

In terms of construction impacts, construction activities are temporary and intermittent. Therefore, for purposes of this analysis, the proposed project would result in significant construction-related impacts if the proposed project's construction noise levels would result in a substantial temporary or periodic increase in ambient noise levels. Construction noise is evaluated for its potential to exceed the requirements in Section 2907, Construction Equipment, and Section 2908, Construction Work at

Night of the Noise Ordinance, and considering other qualitative factors such as duration and frequency of noise events in excess of Noise Ordinance standards.

Short-term noise impacts would occur during demolition, grading and site preparation activities. Construction-related short-term noise levels would be higher than existing ambient noise levels currently in the project area but would cease once construction of the project is completed.

The proposed project would require construction for approximately 12 months. Two types of short-term noise impacts could occur during construction of the proposed project. The first type involves construction crew commutes and the transport of construction equipment and materials to the project site, which would incrementally increase noise levels on roads leading to the site. The excavation of 3516 Folsom Street would include approximately 30 truck trips and the excavation of 3526 Folsom Street would include approximately 25 truck trips. Construction of the proposed project is anticipated to occur over a 12 month period. The concrete required for each foundation slab would require four cement truck trips for each residence (eight, total) plus another four trips per residence for the concrete retaining walls (eight, total). Trucks would access the project site to and from the 101 freeway via Cesar Chavez Street, to Folsom Street and Bernal Heights Boulevard. The improvement of the "paper street" segment of Folsom Street would be performed under a separate Street Improvement Permit issued by the Department of Public Works and the proposed road improvement would require 92 cubic yards of material to be removed from the project site, which would result in approximately seven haul truck trips. Concrete imported onto the project site would require about ten truck trips. Road work would be conducted from the intersection of Folsom Street and Chapman Street.

The second type of short-term noise impact is related to noise generated during excavation, grading, and construction on the project sites. Construction is performed in discrete steps, or phases, each with its own mix of equipment and, consequently, its own noise characteristics. These various sequential phases would change the character of the noise generated on site. Therefore, the noise levels vary as construction progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase.

Table 3, below, lists maximum noise levels recommended for noise impact assessments for typical construction equipment, based on a distance of 50 feet between the equipment and a noise receptor. The Noise Ordinance limits construction equipment to 80 dBA at 100 feet. Noise attenuates by approximately 6 dBA to 7.5 dBA per doubling of distance.²⁹ Therefore, noise levels in Table 3 were adjusted by 6 dBA to generate noise levels of typical construction equipment at 100 feet. As shown in Table 3, there would be a relatively high single-event noise exposure potential at a maximum level of 82 dBA for haul trucks passing at 100 feet. Haul trucks would access the project site to and from the 101 freeway via Cesar Chavez Street, to Folsom Street and Bernal Heights Boulevard. The location nearest the project site on Bernal Heights Boulevard (where Bernal Heights Boulevard meets the Folsom Street right of way, near the Bernal Heights Community Garden) is approximately 115 feet away, and downhill, from the nearest sensitive receptor, with other nearby receptors located 125 feet, 140 feet, and 145 feet away and downhill from Bernal Heights Boulevard.

Typical maximum noise levels for construction equipment range from 76 to 80 dBA at 100 feet. The site preparation phase, including excavation and grading of the site, tends to generate the highest noise levels because earthmoving machinery is the noisiest construction equipment. Earthmoving equipment includes excavating machinery such as backfillers, bulldozers, draglines, and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders. Typical operating cycles for these types of construction equipment may involve 1 or 2 minutes of full-power operation followed by 3 or 4 minutes at lower power settings.

²⁹ The 1.5-dBA variation in attenuation rate (6 dBA vs. 7.5 dBA) can result from ground-absorption effects, which occur as sound travels over soft surfaces such as soft earth or vegetation (7.5 dBA attenuation rate) versus hard ground such as pavement or very hard-packed earth (6 dBA rate) (U.S. Housing and Urban Development, *The Noise Guidebook*, 1985, p. 24. Available online at <https://www.hudexchange.info/onecpd/assets/File/Noise-Guidebook-Chapter-4.pdf>. Accessed April 24, 2017.

Table 3: Project Construction Equipment Maximum Noise Levels, L_{max}

Type of Equipment	Range of Maximum Sound Levels (dBA at 50 feet)	Suggested Maximum Sound Levels for Analysis (dBA at 50 feet)	Maximum Sound Levels (dBA) at 100 feet
Jackhammers	75 to 85	82	76
Pneumatic Tools	78 to 88	85	79
Haul Trucks	83 to 94	88	82
Hydraulic Backhoe	81 to 90	86	80
Hydraulic Excavators	81 to 90	86	80
Air Compressors	76 to 89	86	80
Trucks	81 to 87	86	80

Source: Bolt, Beranek & Newman, 1987. *Noise Control for Buildings and Manufacturing Plants.*

Sensitive receptors are located immediately adjacent to the proposed project at 55 Gates Street, 61 Gates Street, 65 Gates Street, and 3574 Folsom Street. During the construction period for the proposed project of approximately twelve 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.

As shown in Table 3, above, construction equipment would comply with the limits in the Noise Ordinance and would not exceed 80 dBA at 100 feet, with the exception of haul trucks. In the case of haul trucks, the noise impact would be less than significant, as the analysis above is based on the maximum value in the range of maximum sound level and estimated noise presented in Table 3 is at a distance 15 feet closer to the nearest actual sensitive receptor to the proposed project. Additionally, the Federal Highway Administration, in a more recent publication than that used above, estimates dump trucks to generate noise at a level closer to 70 dBA at 100 feet, a noise level 24 dBA less than the estimate utilized in the above analysis.³⁰ Therefore, haul trucks used during construction of the project are anticipated to meet the noise levels in the Noise Ordinance. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed

³⁰ US Department of Transportation, Federal Highway Administration, *Construction Noise Handbook*, Table 9.1, July 2011.

project because the construction noise would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be required to comply with the Noise Ordinance. Therefore, given the above, construction noise would be less than significant.

Impact NO-3: The proposed project could result in exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels. (*Less-Than-Significant Impact with Mitigation Incorporated*)

Project operation associated with residential uses would not generate substantial groundborne noise and vibration. Construction of the proposed project would involve site preparation and other construction activities. It would include the use of construction equipment that could result in groundborne vibration affecting properties adjacent to the project site or to PG&E Pipeline 109. No pile driving, blasting, or substantial levels of excavation or grading activities are proposed.

Given the proposed project's proximity to PG&E Pipeline 109, a construction vibration analysis was performed for the proposed project to assess any potential adverse impact on the Pipeline from vibration due to construction related equipment and work.³¹ The report evaluated vibratory impacts related to excavation of the site for the purpose of developing a proper foundation for the buildings, digging trenches for utilities to the residences, and the extension of Folsom Street for access to the residences.

The analysis assumed work on the proposed project would include:

- For the foundations, the excavation and the installation of a 12-inch to 18-inch thick concrete slab, with a potential of drilling holes for piers. If needed, compaction of the site would be done by hand, and there is potential of hand operated jack hammering being required.
- For the utility trenches, excavation would be done at distances no closer than 5 feet from Pipeline 109. For the street extension, top soil up to as much as 12 inches will be removed, and a cement concrete road surface with a thickness of 8 to 10 inches would be installed.

³¹ Illingworth and Rodkir, Inc., *Construction Vibration Evaluation for 3516 and 3526 Folsom Street*, March 24, 2017.

- For both the foundations and the street extension, the soils from the sites would be transported out by a conveyor belt to Bernal Heights Boulevard.

In order to estimate the vibration level at the Pipeline, the analysis utilized the following equation:

$$PPV_{equip} = PPV_{ref}(25/D)^n$$

PPV_{equip}: the Peak Particle Velocity (PPV) at 25 feet measured in inches/sec

PPV_{ref}: the PPV at the distance being measured

D: the distance being measured

n: a value determined by soil conditions, ranging from 1.5 to 1³²

The PPV_{equip} values for the equipment to be used for the proposed were collected from three sources: the Federal Transit Authority (FTA), the New Hampshire Department of Transportation, and from a study of vibration from construction activities for a project at the Haleakala National Park in Hawaii. The PPVs for each pieces of equipment proposed to be used during project construction activities are summarized in the following table:

Table 4: Peak Particle Velocities (PPVs) of Project Construction Equipment			
Source of Data			
Equipment (project phase)	FTA	New Hampshire DOT	Haleakala Project
Excavator (foundation and utility trenches)		0.04 PPV	0.18 PPV
Jackhammer, if needed (foundation)	0.04 PPV		
Small Bulldozer (grading)	0.003 PPV		
Caisson drilling, if needed (piers)	0.09 PPV		

³² *Ibid.*

For the purposes of analysis, the higher (more conservative) value of 0.18 was used for the examining the impacts of the excavator. For the n -value in the equation above, the California Department of Transportation (Caltrans) recommends a value of 1.1 for “very stiff” and “firm” soils which, according to the August 2013 soils report, characterize the top 3 to 4 feet of the project site, which is also underlain with chert bedrock.³³ Caltrans suggests an n -value of 1.0 for “hard, competent rock: bedrock, exposed hard rock,” which characterizes the chert bedrock located beneath the soils on the project site.³⁴ Utilizing the equation above, a lower n -value is associated with a lower PPV level—that is, harder rock reduces vibration more quickly than looser rock or soils. For the purposes of the analysis, however, to obtain a conservative (worst-case) result, an n -value of 1.5, the maximum value, was used.

To determine the potential for an adverse impact to the PG&E Pipeline 109, the analysis compared the highest estimated PPV for each piece of equipment at its nearest proximity to the pipe during project work. The criteria for damage to a pipeline due to vibration cover a wide range of PPV, as documented by Caltrans.³⁵ For example, a PPV value of 25 in/sec associated with an “explosive near [a] buried pipe” resulted in no damage, as did PPV values for “explosive[s] near [a] buried pipe” of 50-150 PPV. The analysis prepared for the proposed project utilized a conservative 12 inches/second, a value based on the West Roxbury Lateral Project in Massachusetts, as the criteria for potential damage to the pipe.³⁶

The calculated maximum PPVs for each type of equipment proposed to be used during project construction activities are summarized below in Table 5.

³³ H. Allen Gruen, *Report Geotechnical Investigation Planned Residence at 3516 Folsom Street, San Francisco, California*, August 3, 2013.

³⁴ Illingsworth & Rodkin Inc, *Memo: Ground Characteristics and Effect on Predicted Vibration*, April 14, 2017.

³⁵ California Department of Transportation, *Transportation and Construction Vibration Guidance Manual*, September 2013, page 76.

³⁶ The analysis notes that buried pipes can withstand higher PPV because they are constrained and do not amplify ground motion, like freestanding structures, like historic buildings, do. According to the Caltrans report cited in the analysis, PPV values as high as 150 have been shown to not harm underground pipes.

Equipment (project phase)	Closest Proximity to Pipe	Highest Estimated PPV (inches/second)	Damage criteria PPV at the Pipeline (inches/second)
Excavator (foundation)	13 feet	0.48	12
Jackhammer (foundation)	13 feet	0.11	12
Drilling (piers)	12 feet	0.24	12
Small bulldozer (road construction)	1 foot	0.38	12
Excavator (utility trenches)	5 feet	2.01	12

Although the vibration assessment for the proposed project is based on damage criteria of 12 in/sec, PG&E has evaluated the proposed project and, through its regulatory authority for work in proximity to its pipeline, has set a PPV standard of 2 in/sec for this section of Pipeline 109.³⁷ It is noted that this standard is highly conservative in that it is a factor of 10 lower (more stringent) than the already conservative damage criteria used in the vibration assessment.

As discussed above, on page 23, the proposed project would be required to comply with PG&E regulations for construction work within 10 feet of a pipeline. These requirements include the physical presence of a PG&E inspector whenever work within 10 feet of a pipeline is performed; grading and digging standards; the placement of pipeline markers during demolition and construction; standards for construction machinery and loading near and on top of underground pipelines; and limitations on placing landscaping, structures or fencing within certain distances from

³⁷ PG&E Gas Transmission Pipeline Services—Integrity Management, 3516/26 Folsom Street, March 30, 2017.

the pipeline. These practices, as required by law, are in place to ensure construction activities do not substantially affect underground services, including natural gas pipelines. Furthermore, the proposed project, including street improvements, would be subject to the same PG&E plan approvals and oversight as other excavation and street improvements in San Francisco.

In accordance with CEQA, the Planning Department does not require mitigation measures for impacts that would be less than significant through compliance with applicable regulatory requirements. Further, the vibration analysis for the project indicates that the proposed project would not exceed PG&E's highly conservative 2 in/sec PPV value (which is measured as a value rounded to a whole number). However, in an abundance of caution for the purposes of this project's environmental evaluation, this Initial Study finds that project construction would have a significant vibration impact to Pipeline 109. Implementation of Mitigation Measures M-NO-3 would ensure that PPV values remain at or below PG&E's 2 in/sec PPV value. With implementation of M-NO-3, below, there would be no possibility of a significant vibration effect on PG&E's Pipeline 109.

Mitigation Measure M-NO-3, Vibration Management Plan:

The Project Sponsor shall retain the services of a qualified structural engineer to develop, and the Project Sponsor shall adopt, a vibration management and continuous monitoring plan to cover any construction equipment operations performed within 20 feet of PG&E Pipeline 109. The vibration management and monitoring plan shall be submitted to PG&E and Planning Department staff for review and approval prior to issuance of any construction permits. The vibration management plan shall include:

- **Vibration Monitoring:** Continuous vibration monitoring throughout the duration of the major structural project activities to ensure that vibration levels do not exceed the established standard.
- **Maximum PPV Vibration Levels:** Maximum PPV vibration levels for any equipment shall be less than 2 inches per second (in/sec). Should maximum PPV vibration levels exceed 2 in/sec, all construction work shall stop and PG&E shall be notified to oversee further work.
- **Standby Inspection:** A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity within 10 feet of the gas pipeline(s). This

includes all grading, trenching, gas line depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection would be coordinated through the Underground Service Alert (USA) service at **811** or **1-800-227-2600**. A minimum notice of 48 hours is required.

- **Grading/Excavation:** Any excavations, including grading work, above or around Pipeline 109 must be performed with a PG&E inspector present. This includes all laterals, subgrades, and gas line depth verifications (potholes). Work in the vicinity of Pipeline 109 must be completed consistent with PG&E Work Procedure TD-4412P-05 "Excavation Procedures for Damage Prevention." Any plans to expose and support Pipeline 109 across an open excavation must be approved by PG&E Pipeline Engineering in writing prior to performing the work. Any grading or digging within two (2) feet of Pipeline 109 shall be dug by hand. Water jetting to assist vacuum excavating must be limited to 125 pounds per square inch gage (psig).
- **Pipeline Markers:** Prior to the commencement of project activity, pipeline markers must be placed along the pipeline route. With written PG&E approval, any existing markers can be temporarily relocated to accommodate construction work, but must be reinstalled once construction is complete.
- **Fencing:** No parallel fencing is allowed within 10 feet of Pipeline 109 and any perpendicular fencing shall require 14 foot access gates to be secured with PG&E corporation locks.
- **Structures:** Permanent structures must be located a minimum distance of 10 feet from the edge of Pipeline 109. A total width of 45 feet shall be maintained for pipeline maintenance. No storage of construction or demolition materials is permitted within this 45 foot zone.
- **Construction Loading:** To operate or store any construction equipment within 10 feet of Pipeline 109 that exceeds the half-axle wheel load (half axle weight is the gross weight upon any one wheel, or wheels, supporting one end of an axle) in the table below, approval from a PG&E gas transmission pipeline engineer is required. Pipeline 109 may need to be potholed by hand in to confirm the depth of the existing cover. These weight limits also depend on the support provided by the Pipeline's internal gas pressure. If PG&E's operating conditions require the Pipeline to be depressurized, maximum wheel

loads over the pipeline will need to be further limited. For compaction within two feet of Pipeline 109, walk-behind compaction equipment shall be required. Crane and backhoe outriggers shall be set at least 10 feet from the centerline of Pipeline 109. Maximum PPV vibration levels for any equipment shall be less than 2 in/sec.

Depth of Cover to Top of Pipe (ft.)	Maximum Half-Axle Wheel Loading (lbs)
2	4,580
3	6,843
4	7,775
5	7,318

With implementation of **Mitigation Measure M-NO-3** significant vibration impacts to PG&E's Pipeline 109 would be reduced to a less-than-significant level.

Impact NO-4: The proposed project would not be substantially affected by existing noise levels. (Not Applicable)

This impact is only to be analyzed if the proposed project would exacerbate the existing noise environment. Impact NO-1 concluded the proposed project would not result in a significant noise impact. Therefore, this impact need not be analyzed. Impacts NO-2 and No-3 address construction related noise and vibration impacts, which would not affect the proposed project as the project site would not be occupied until completion of construction activities. However, the following is provided for informational purposes.

Roadway noise is the predominant source of noise in the project vicinity. The City's background noise levels map identifies the project site to be exposed to traffic noise levels between 55 and 60 dBA L_{dn}.³⁸ The City's land use compatibility chart shows that "satisfactory" sound levels for residential

³⁸ City and County of San Francisco, *General Plan, Environmental Protection Element, Map 1 (Background Noise Levels, 2009)*, 2009. This document is available for review at: http://generalplan.sfplanning.org/images/16.environmental/ENV_Map1_Background_Noise%20Levels.pdf.

land uses are 60 dBA L_{dn} for outdoor environments. For indoor environments, the noise level inside any sleeping or living room in a dwelling unit on residential property should not exceed 45 dBA between 10:00 p.m. and 7:00 a.m. or 55 dBA between 7:00 a.m. and 10:00 p.m.

According to the City's General Plan, new development should incorporate noise insulation features if the noise levels exceed the sound level guidelines shown in the land use compatibility chart. The proposed project would be required to comply with the California Noise Insulation Standards in Title 24. The Title 24 acoustical requirement for residential structures is incorporated into Section 1207 of the San Francisco Building Code and requires these structures be designed to prevent the intrusion of exterior noise so that the noise level with windows closed, attributable to exterior sources, shall not exceed 45 dBA in any habitable room. With use of standard construction materials and compliance to the Title 24 standards, the proposed project would feasibly attain acceptable interior noise levels.

Impact C-NO-1: The proposed project in combination with past, present, and reasonably foreseeable future projects would not create a significant cumulative noise or vibration impact. (Less-Than-Significant Impact)

Construction

Construction of the proposed project, such as excavation, grading, or demolition and construction of other buildings in the area, would occur on a temporary and intermittent basis. In general, compliance with Noise Ordinance requirements would maintain the noise impact from project construction at a Less Than Significant level. Project construction-related noise would not substantially increase ambient noise levels at locations greater than a few hundred feet from the project site. There are no future projects identified within the immediate vicinity of the site that would have the potential to result in cumulative construction noise or vibration impacts.

Operations

The proposed project would include new fixed noise sources that would produce operational noise on the project site, as well as new mobile sources. The project-related contribution of two PM peak-hour vehicle trips would represent a small fraction of existing traffic volumes and would be imperceptible. In addition, any new residents that would result from implementation of the

cumulative development in the project vicinity would generate a similarly low amount of new PM peak-hour trips. Furthermore, the proposed project and future projects in the vicinity primarily consist of residential uses, which are uses that do not typically generate substantial sources of operational noise, and would be subject to the Noise Ordinance's requirements for residential noise limits.

Given this, the proposed project, in combination with past, present, and reasonably foreseeable future projects would not result in considerable contribution to a permanent increase in noise or vibration in the project area. This impact would be less than significant and no mitigation measure is required.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The San Francisco Bay Area Air Basin (SFBAAB) encompasses San Francisco, Alameda, Contra Costa, San Mateo, and Napa Counties, and includes parts of Solano and Sonoma Counties. Although air quality in the air basin has generally improved over the last several decades, elevated levels of ozone, carbon monoxide, and particulate matter have been observed. The federal Clean Air Act and California Clean Air Act contain ambient air standards and related air quality reporting systems to be

used by regional regulatory agencies in developing air pollution control measures. The Bay Area Air Quality Management District (BAAQMD) is the primary responsible regulatory agency in the Bay Area for planning, implementing, and enforcing the federal and State ambient air quality standards for criteria pollutants. Criteria air pollutants include carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), particulate matter (PM_{2.5} and PM₁₀), and lead.

In most of the Bay Area, transportation-related sources account for a majority of air pollutant emissions. Therefore, a major focus of the BAAQMD is on reducing vehicle trips associated with new development. Localized air quality issues include CO hotspots associated with traffic.

Health Vulnerable Locations

San Francisco adopted Article 38 of the San Francisco Health Code in 2008, requiring an Air Quality Assessment for new residential projects of 10 or more units located in proximity to high-traffic roadways, as mapped by the Department of Public Health (DPH), to determine whether residents would be exposed to unhealthful levels of PM_{2.5}. The air quality assessment evaluates the concentration of PM_{2.5} from local roadway traffic that may impact a proposed residential development site. If the DPH air quality assessment indicates that the annual average concentration of PM_{2.5} at the site would be greater than 0.2 µg/m³, Health Code Section 3807 requires development on the site to be designed or relocated to avoid exposure greater than 0.2 µg/m³, or a ventilation system to be installed that would be capable of removing 80 percent of ambient PM_{2.5} from habitable areas of the residential units. The proposed project consists of four residential units and, according to the City's Air Pollutant Exposure Zone Map, the proposed project is not within the air pollutant exposure zone.³⁹

³⁹ City and County of San Francisco. *Air Pollutant Exposure Zone Map*. April 10, 2014. This document is available for review at: www.sfdph.org/dph/files/EHSDocs/AirQuality/AirPollutantExposureZoneMap.pdf.

Impact AQ-1: Implementation of the proposed project would not conflict with or obstruct implementation of the local applicable air quality plan. (*Less-Than-Significant Impact*)

The applicable air quality plan is the BAAQMD's 2017²⁰ Clean Air Plan, which was adopted on April 19, 2017. The Clean Air Plan is a comprehensive plan to improve Bay Area air quality and protect public health. The Clean Air Plan defines a control strategy to reduce emissions and ambient concentrations of air pollutants; safeguard public health by reducing exposure to air pollutants that pose the greatest health risk, with an emphasis on protecting the communities most heavily affected by air pollution; and reduce greenhouse gas emissions to protect the climate. Consistency with the Clean Air Plan can be determined if the project does the following: 1) supports the goals of the Clean Air Plan; 2) includes applicable control measures from the Clean Air Plan; and 3) would not disrupt or hinder implementation of any control measures from the Clean Air Plan.

The 2017 Clean Air Plan includes measures and programs to reduce emissions of fine particulates and toxic air contaminants. In addition, the Regional Climate Protection Strategy is included in the 2017 Clean Air Plan, which identifies rules, control measures, and strategies that the BAAQMD can pursue to reduce greenhouse gases throughout the Bay Area.

The proposed project would not conflict with any of the control measures identified in the plan or designed to bring the region into attainment. Additionally, the proposed project would not substantially increase the population, vehicle trips, or vehicle miles traveled. The proposed project would not hinder the region from attaining the goals outlined in the Clean Air Plan. Therefore, the proposed project would not hinder or disrupt implementation of any control measures from the Clean Air Plan.

Additionally, as indicated in the analysis that follows, below, the proposed project would result in Less Than Significant operational and construction-period emissions.

Impact AQ-2: Implementation of the proposed project would not violate an air quality standard or contribute substantially to an existing or projected air quality violation. (*Less-Than-Significant Impact*)

The proposed project would generate air emissions during project construction and operation. Long-term operational emissions are associated with stationary sources and mobile sources. Stationary source emissions result from the consumption of natural gas and electricity. Mobile source emissions result from vehicle trips and result in air pollutant emissions affecting the entire air basin. Short-term construction emissions would occur in association with construction activities, including demolition, excavation, and vehicle/equipment use.

Operational Air Quality Emissions

Long-term air emission impacts are those associated with area sources and mobile sources related to the proposed project. In addition to the short-term construction emissions, the project would also generate long-term air emissions, such as those associated with changes in permanent use of the project site. These long-term emissions are primarily mobile source emissions that would result from vehicle trips associated with the proposed project. Area sources, such as natural gas heaters, landscape equipment, and use of consumer products, would also result in pollutant emissions.

The BAAQMD has developed screening criteria to provide lead agencies with a conservative indication of whether the proposed project would result in potentially significant air quality impacts. If all of the screening criteria are met by a proposed project, then the lead agency would not need to perform a detailed air quality assessment of the proposed project's emissions. These screening levels are generally representative of new development without any form of mitigation measures taken into consideration. In addition, the screening criteria do not account for project design features, attributes, or local development requirements that could also result in lower emissions.

For single family land uses, the BAAQMD screening size for operational criteria pollutants is 325 dwelling units. Since the proposed project would only include two dwelling units, based on the BAAQMD's screening criteria, operation of the proposed project would result in a Less-Than-

Significant Impact to air quality from criteria air pollutant and precursor emissions and no mitigation measures would be required.

Localized CO Impacts

The BAAQMD has also established a screening methodology that provides a conservative indication of whether the implementation of a proposed project would result in significant CO emissions. According to the BAAQMD CEQA Guidelines, a proposed project would result in a less-than significant impact to localized CO concentrations if the following screening criteria are met:

- The project is consistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, and the regional transportation plan and local congestion management agency plans.
- Project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour.
- The project would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, or below-grade roadway).

Implementation of the proposed project would not conflict with the San Francisco County Transportation Authority San Francisco Transportation Plan (SFTP) for designated roads or highways, a regional transportation plan, or other agency plans. The project site is not located in an area where vertical or horizontal mixing of air is substantially limited. In addition, the proposed project would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour and would not result in localized CO concentrations that exceed State or federal standards. This impact would be less than significant and no mitigation measures would be required.

Construction Emissions

During construction, short-term degradation of air quality may occur due to the release of particulate emissions generated by excavation, grading, hauling, and other activities. Emissions from construc-

tion equipment are also anticipated and would include CO, NO_x, ROG, directly-emitted particulate matter (PM_{2.5} and PM₁₀), and toxic air contaminants (TACs) such as diesel exhaust particulate matter.

As discussed above, the BAAQMD has developed screening criteria to provide lead agencies with a conservative indication of whether the proposed project would result in potentially significant air quality impacts. If all of the screening criteria are met by a proposed project, then the lead agency would not need to perform a detailed air quality assessment of the proposed project's emissions. For single family residential land uses, the BAAQMD screening size for construction criteria pollutants is 114 dwelling units. Since the proposed project would only include two dwelling units, based on the BAAQMD's screening criteria, construction of the proposed project would result in a Less Than Significant Impact to air quality from criteria air pollutant and precursor emissions and no mitigation measures would be required.

Impact AQ-3: Implementation of the proposed project would not result in a cumulatively considerable net increase of a criteria pollutant for which the project region is non-attainment under an applicable federal, State, or regional ambient air quality standard. (*Less-Than-Significant Impact*)

CEQA defines a cumulative impact as two or more individual effects, which when considered together, are considerable or which compound or increase other environmental impacts. According to the BAAQMD, air pollution is largely a cumulative impact and no single project is sufficient in size to itself result in nonattainment of ambient air quality standards. In developing the thresholds of significance for air pollutants used in the analysis above, BAAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. The BAAQMD CEQA Air Quality Guidelines indicate that if a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions. If daily average or annual emissions of operational-related criteria air pollutants exceed any applicable threshold established by the BAAQMD, the proposed project would result in a cumulatively significant impact.

As discussed above, implementation of the proposed project would generate Less Than Significant criteria air pollutant and precursor emissions. Therefore, the project would not make a cumulatively

considerable contribution to regional air quality impacts. No mitigation measures would be required.

Impact AQ-4: Implementation of the proposed project would not expose sensitive receptors to substantial pollutant concentrations. (*Less-Than-Significant Impact*)

Sensitive receptors are defined as residential uses, schools, daycare centers, nursing homes, and medical centers. Individuals particularly vulnerable to diesel particulate matter are children, whose lung tissue is still developing, and the elderly, who may have serious health problems that can be aggravated by exposure to diesel particulate matter. Exposure from diesel exhaust associated with construction activity contributes to both cancer and chronic non-cancer health risks. As noted above, the project site is not located within an Air Pollutant Exposure Zone.

Excessive Cancer Risk

According to the BAAQMD, a project would result in a significant impact if it would: individually expose sensitive receptors to TACs resulting in an increased cancer risk greater than 10.0 in one million, increased non-cancer risk of greater than 1.0 on the hazard index (chronic or acute), or an annual average ambient PM_{2.5} increase greater than 0.3 µg/m³. A significant cumulative impact would occur if the project in combination with other projects located within a 1,000-foot radius of the project sites would expose sensitive receptors to TACs resulting in an increased cancer risk greater than 100.0 in one million, an increased non-cancer risk of greater than 10.0 on the hazard index (chronic), or an ambient PM_{2.5} increase greater than 0.8 µg/m³ on an annual average basis. Impacts from substantial pollutant concentrations are discussed below. As discussed below, this impact would be less than significant.

The project site is located in a residential neighborhood, and the closest sensitive receptors are residential uses located immediately adjacent to the proposed project. Construction of the proposed project may expose surrounding sensitive receptors to airborne particulates, as well as a small quantity of construction equipment pollutants (i.e., usually diesel-fueled vehicles and equipment). However, project construction emissions would be below the BAAQMD's significance thresholds and once the project is constructed, the project would not be a source of substantial emissions. Therefore,

sensitive receptors are not expected to be exposed to substantial pollutant concentrations during project construction or operation, and potential impacts would be considered less than significant.

Based on the foregoing, the proposed project would not expose sensitive receptors substantial pollutant contributions. Therefore, this impact would be less than significant, and no mitigation measures would be required.

Impact AQ-5: Implementation of the proposed project would not create objectionable odors affecting a substantial number of people. (*Less-Than-Significant Impact*)

During project construction, some odors may be present due to diesel exhaust. However, these odors would be temporary and limited to the construction period. The proposed project would not include any activities or operations that would generate objectionable odors and once operational, the project would not be a source of odors. Therefore, the proposed project would not create objectionable odors affecting a substantial number of people, and no mitigation is required.

Impact C-AQ-1: The proposed project, in combination with past, present, and reasonably foreseeable future development in the project area would not contribute to a cumulative air quality impact. (*Less-Than-Significant Impact*)

As discussed above, regional air pollution is by its very nature largely a cumulative impact. Emissions from past, present, and future projects contribute to the region's adverse air quality on a cumulative basis. No single project by itself would be sufficient in size to result in regional nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulative adverse air quality impacts. The project-level thresholds for criteria air pollutants are based on levels by which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants. Therefore, because the proposed project's construction and operational emissions would not exceed the project-level thresholds for criteria air pollutants, the proposed project would not result in a cumulatively considerable contribution to regional air quality impacts. This impact would be less than significant and no mitigation measures would be required.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact	Not Applicable
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Greenhouse gas (GHG) emissions and global climate change represent cumulative impacts. GHG emissions cumulatively contribute to the significant adverse environmental impacts of global climate change. No single project could generate enough GHG emissions to noticeably change the global average temperature; instead, the combination of GHG emissions from past, present, and future projects have contributed and will continue to contribute to global climate change and its associated environmental impacts.

The Bay Area Air Quality Management District (BAAQMD) has prepared guidelines and methodologies for analyzing GHGs. These guidelines are consistent with CEQA Guidelines Sections 15064.4 and 15183.5 which address the analysis and determination of significant impacts from a proposed project's GHG emissions. CEQA Guidelines Section 15064.4 allows lead agencies to rely on a qualitative analysis to describe GHG emissions resulting from a project. CEQA Guidelines Section 15183.5 allows for public agencies to analyze and mitigate GHG emissions as part of a larger plan for the reduction of GHGs and describes the required contents of such a plan. Accordingly, San Francisco has prepared *Strategies to Address Greenhouse Gas Emissions*⁴⁰ which presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's qualified GHG reduction strategy in compliance with the CEQA guidelines. These GHG reduction actions have

⁴⁰ San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, 2010. This document is available online at: <http://www.sf-planning.org/index.aspx?page=2627>.

resulted in a 23.3 percent reduction in GHG emissions in 2012 compared to 1990 levels,⁴¹ exceeding the year 2020 reduction goals outlined in the BAAQMD's *Bay Area 2010 Clean Air Plan*, Executive Order (EO) S-3-05, and Assembly Bill (AB) 32 (also known as the Global Warming Solutions Act).⁴² Given that the City' has met the State and region's 2020 GHG reduction targets and San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under EO S-3-05⁴³, EO B-30-15,^{44,45} and Senate Bill (SB) 32^{46,47} the City's GHG reduction goals are consistent with EO S-3-05, EO B-30-15, AB 32, SB 32 and the *Bay Area 2010 Clean Air Plan*. Therefore, proposed projects that are consistent with the City's GHG reduction strategy would be consistent with the aforementioned GHG reduction goals, would not conflict with these plans or result in significant GHG emissions, and would therefore not exceed San Francisco's applicable GHG threshold of significance.

⁴¹ ICF International, *Technical Review of the 2012 Community-wide GHG Inventory for the City and County of San Francisco*, January 21, 2015. Available at http://sfenvironment.org/sites/default/files/fliers/files/icf_verificationmemo_2012sfcommunityinventory_2015-01-21.pdf, accessed March 16, 2015.

⁴² Executive Order S-3-05, Assembly Bill 32, and the *Bay Area 2010 Clean Air Plan* set a target of reducing GHG emissions to below 1990 levels by year 2020.

⁴³ Office of the Governor, Executive Order S-3-05, June 1, 2005. Available at <http://www.pcl.org/projects/2008symposium/proceedings/Coalsworth12.pdf>, accessed March 16, 2016. Executive Order S-3-05 sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million metric tons of carbon dioxide equivalents (MTCO₂E)); by 2020, reduce emissions to 1990 levels (approximately 427 million MTCO₂E); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO₂E). Because of the differential heat absorption potential of various GHGs, GHG emissions are frequently measured in "carbon dioxide-equivalents," which present a weighted average based on each gas's heat absorption (or "global warming") potential.

⁴⁴ Office of the Governor, *Executive Order B-30-15*, April 29, 2015. Available at <https://www.gov.ca.gov/news.php?id=18938>, accessed March 3, 2016. Executive Order B-30-15, issued on April 29, 2015, sets forth a target of reducing GHG emissions to 40 percent below 1990 levels by 2030 (estimated at 2.9 million MTCO₂E).

⁴⁵ San Francisco's GHG reduction goals are codified in Section 902 of the Environment Code and include: (i) by 2008, determine City GHG emissions for year 1990; (ii) by 2017, reduce GHG emissions by 25 percent below 1990 levels; (iii) by 2025, reduce GHG emissions by 40 percent below 1990 levels; and by 2050, reduce GHG emissions by 80 percent below 1990 levels.

⁴⁶ Senate Bill 32 amends California Health and Safety Code Division 25.5 (also known as the California Global Warming Solutions Act of 2006) by adding Section 38566, which directs that statewide greenhouse gas emissions to be reduced by 40 percent below 1990 levels by 2030.

⁴⁷ Senate Bill 32 was paired with Assembly Bill 197, which would modify the structure of the State Air Resources Board; institute requirements for the disclosure of greenhouse gas emissions criteria pollutants, and toxic air contaminants; and establish requirements for the review and adoption of rules, regulations, and measures for the reduction of greenhouse gas emissions.

The following analysis of the proposed project's impact on climate change focuses on the project's contribution to cumulatively significant GHG emissions. Because no individual project could emit GHGs at a level that could result in a significant impact on the global climate, this analysis is in a cumulative context, and this section does not include an individual project-specific impact statement.

Impact C-GG-1: The proposed project would generate greenhouse gas emissions, but not at levels that would result in a significant impact on the environment or conflict with any policy, plan, or regulation adopted for the purpose of reducing greenhouse gas emissions. (*Less-Than-Significant Impact*)

Individual projects contribute to the cumulative effects of climate change by directly or indirectly emitting GHGs during construction and operational phases. Direct operational emissions include GHG emissions from new vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers; energy required to pump, treat, and convey water; and emissions associated with waste removal, disposal, and landfill operations.

The proposed project would increase the intensity of use of the site by constructing two residential units on a currently vacant site. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and residential operations that result in an increase in energy use, water use, wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions. The proposed project would be subject to regulations adopted to reduce GHG emissions as identified in the GHG reduction strategy. As discussed below, compliance with the applicable regulations would reduce the project's GHG emissions related to transportation, energy use, waste disposal, wood burning, and use of refrigerants.

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

The proposed project would be required to comply with the energy efficiency requirements of the City's Green Building Code which would promote energy and water efficiency, thereby reducing the proposed project's energy-related GHG emissions.⁴⁸

The proposed project's waste-related emissions would be reduced through compliance with the City's Recycling and Compositing Ordinance, and Construction and Demolition Debris Recovery Ordinance. These regulations reduce the amount of materials sent to a landfill, reducing GHGs emitted by landfill operations. These regulations also promote reuse of materials, conserving their embodied energy⁴⁹ and reducing the energy required to produce new materials.

Compliance with the City's Street Tree Planting requirements would serve to increase carbon sequestration. Other regulations, the Wood Burning Fireplace Ordinance would reduce emissions of GHGs and black carbon, respectively. Regulations requiring low-emitting finishes would reduce volatile organic compounds (VOCs).⁵⁰ Thus, the proposed project was determined to be consistent with San Francisco's GHG reduction strategy.⁵¹

The project sponsor is required to comply with these regulations, which have proven effective as San Francisco's GHG emissions have measurably decreased 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. Other existing regulations, such as those implemented through AB 32, will continue to reduce a proposed project's contribution to climate change. In addition, San Francisco's local GHG reduction targets are consistent with the long-term GHG

⁴⁸ Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump and treat water required for the project.

⁴⁹ Embodied energy is the total energy required for the extraction, processing, manufacture and delivery of building materials to the building site.

⁵⁰ While not a GHG, VOCs are precursor pollutants that form ground level ozone. Increased ground level ozone is an anticipated effect of future global warming that would result in added health effects locally. Reducing VOC emissions would reduce the anticipated local effects of global warming.

⁵¹ San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist for 3516-26 Folsom Street*, February 16, 2017

reduction goals of EO S-3-05, EO B-30-15, AB 32, SB 32 and the *Bay Area 2010 Clean Air Plan*.

Therefore, because the proposed projects is consistent with the City's GHG reduction strategy, it is also consistent with the GHG reduction goals of EO S-3-05, EO B-30-15, AB 32, SB 32 and the *Bay Area 2010 Clean Air Plan*, would not conflict with these plans, and would therefore not exceed San Francisco's applicable GHG threshold of significance. As such, the proposed project would result in a Less-Than-Significant Impact with respect to GHG emissions. No mitigation measures are necessary.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact WS-1: The proposed project would not alter wind in a manner that substantially affects public areas within the vicinity of the project area. (*Less-Than-Significant Impact*)

A proposed project's wind impacts are directly related to its height, orientation, design, location and surrounding development context. Based on wind analyses for other development projects in San Francisco, a building that does not exceed 80 feet generally has little potential to cause substantial changes to ground-level wind conditions. The proposed project would construct two 30-foot-tall buildings that would be about the same height as existing adjacent and nearby buildings. The proposed project would also be oriented towards Folsom Street in a similar manner as buildings surrounding the project site. As such, the proposed project would not alter wind in a manner that substantially affects public areas. This impact would be less than significant, and no mitigation measures would be required.

Impact WS-2: The proposed project would not create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas. (*Less-Than-Significant Impact*)

In 1984, San Francisco voters approved an initiative known as "Proposition K, The Sunlight Ordinance," which was codified as Planning Code Section 295 in 1985. 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. Public open spaces that are not under the jurisdiction of the Recreation and Park Commission as well as private open spaces are not subject to Planning Code Section 295.

Implementation of the proposed project would result in the construction of two 30-foot-tall buildings (including parapets and roof deck railings), which would be similar in size to existing surrounding buildings. The project site is located to the southwest of the Bernal Heights Community Garden. Therefore, a shadow analysis was prepared by the Project Sponsor/Architect. The shadow analysis provides simulations that show that the proposed project would cast new shadow on the Bernal Heights Community Garden, but that shadow would be limited to only certain periods in the winter and summer and the new shadow would only fall on a portion of the southwestern corner of the community garden mainly in the evening after 5:30 pm. In most cases throughout the year, the shadow cast by the proposed project either does not fall on the community garden or is contained within shadow already cast by existing structures on Gates Street.

While the proposed project would cast new shadow on the community garden, it is not expected to substantially affect the use or enjoyment of the Bernal Heights Community Garden such that a significant environmental effect would occur. For these reasons, the proposed project would not create new shadow in a manner that substantially affects outdoor recreation facilities and other public areas. This impact would be less than significant, and no mitigation measures would be required.

Impact C-WS-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative wind or shadow impacts. (*Less-Than-Significant Impact*)

As discussed above, buildings shorter than 80 feet have little potential to cause substantial changes to ground-level wind conditions. Given that the height limit in the project vicinity is 30 feet, none of the nearby cumulative development projects would be tall enough to alter wind in a manner that substantially affects public areas. The proposed project would not shadow any nearby parks or open spaces such that a significant environmental effect would occur. Therefore, the proposed project would not contribute to any potential cumulative shadow impact on parks and open spaces. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative wind or shadow impact.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact	Not Applicable
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact RE-1: The proposed project would not 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. (*Less-Than-Significant Impact*)

The neighborhood parks or other recreational facilities closest to the project site are the Bernal Heights Community Garden (60 feet northeast of the project site) and Bernal Heights Park (120 feet north). The proposed project would increase the population of the project site by about five residents. This residential population growth would increase the demand for recreational facilities. The project

residents may use parks, open spaces, and other recreational facilities in the project vicinity. The Bernal Heights Community Garden has a controlled membership and may not be available for use by residents of the proposed project. The additional use of these recreational facilities is expected to be modest based on the size of the projected population increase and would not result in the substantial physical deterioration of recreational facilities. Therefore this impact would be less than significant and no mitigation measures would be required.

Impact RE-2: The proposed project would not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. (*Less-Than-Significant Impact*)

The project site is within walking distance to parks, open spaces, or other recreational facilities, as discussed above. It is anticipated that these existing recreational facilities would be able to accommodate the increase in demand for recreational resources generated by the project residents. For these reasons, the construction of new or the expansion of existing recreational facilities, both of which might have an adverse physical effect on the environment, would not be required. This impact would be less than significant and no mitigation measures would be required.

Impact RE-3: The proposed project would not physically degrade existing recreational resources. (*Less-Than-Significant Impact*)

The proposed project would not result in the physical alteration or degradation of any recreational resources in the project vicinity or the City as a whole. Project-related construction activities would occur within the boundaries of the project site, which does not include any existing recreational resources. This impact would be less than significant and no mitigation measures would be required.

Impact C-RE-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact on recreational facilities or open space resources. (*Less-Than-Significant Impact*)

Cumulative development in the project vicinity would result in a minor intensification of land uses and a cumulative increase in the demand for recreational facilities and resources. The City has accounted for such growth as part of the Recreation and Open Space Element of the General Plan. In

addition, San Francisco voters passed two bond measures, in 2008 and 2012, to fund the acquisition, planning, and renovation of the City's network of recreational resources. As discussed above, there are open spaces and other recreational facilities within less than 1/4 mile of the project site. It is expected that these existing recreational facilities would be able to accommodate the increase in demand for recreational resources generated by the proposed project and nearby cumulative development projects. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future project in the project vicinity to create a significant cumulative impact on recreational facilities or resources. This impact would be less than significant and no mitigation measures would be required.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, State, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is within an urban area that is served by utility service systems, including water, wastewater and stormwater collection and treatment, and solid waste collection and disposal. The proposed project would add new daytime and nighttime population to the site that would increase the demand for utilities and service systems on the site, but not in excess of amounts expected and provided for in the project area.

Impact UT-1: Implementation of the proposed project would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board, would not exceed the capacity of the wastewater treatment provider that would serve the project, and would not require the construction of new or expansion of existing wastewater treatment or stormwater drainage facilities. (*Less-Than-Significant Impact*)

Project-related wastewater and stormwater would flow to the City's combined stormwater/sewer system and would be treated to standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant prior to discharge into San Francisco Bay. The NPDES standards are set and regulated by the San Francisco Bay Area Regional Water Quality Control Board (RWQCB). Therefore, the proposed project would not conflict with RWQCB requirements related to wastewater discharge.

For the reasons specified above, the proposed project would not generate wastewater or stormwater discharges that have the potential to degrade water quality or contaminate a public water supply. Additionally, the proposed project is required to comply with the Stormwater Management Ordinance, which requires the project to maintain or reduce the existing volume and rate of stormwater runoff at the site by retaining runoff onsite, promoting stormwater reuse, and limiting site discharges before entering the combined sewer collection system.

The proposed project would also be required to comply with requirements of the Construction Site Runoff Ordinance, which regulates the discharge of sediment or other pollutants from construction sites and prevents erosion and sedimentation due to construction activities. Furthermore, before the street improvement permit can be finalized, SFPUC must review and approve the proposed plans.

Therefore, the proposed project would not have significant environmental impacts related to water quality.

For the reasons discussed above, the proposed project would incrementally increase demand for and use of these services, but not in excess of amounts expected and provided for in this area. The proposed project would not exceed any applicable wastewater treatment requirements or otherwise conflict with RWQCB requirements, and the minor population increase associated with the proposed project would not exceed the capacity of the existing wastewater treatment provider or substantially increase the demand for wastewater treatment or stormwater drainage facilities requiring the construction of new facilities or expansion of existing facilities. This impact would be less than significant and no mitigation measures are required.

Impact UT-2: The proposed project would not require expansion or construction of new water supply or treatment facilities. (*Less-Than-Significant Impact*)

The proposed project would add two residential units to the project site, which would increase the demand for water on the site compared to existing conditions, but not in excess of amounts expected and provided for in the project area. Although the proposed project would incrementally increase the demand for water in San Francisco, the estimated increase in demand could be accommodated within anticipated water use and supply for the City.⁵² The proposed project would also be designed to incorporate water-conserving measures, such as low-flush toilets and urinals, as required by the San Francisco Green Building Ordinance. The project site is not located within a designated recycled water use area, as defined in the Recycled Water Ordinance 390-91 and 393-94; thus, the project is not required to install a recycled water system. Since the proposed project's water demand could be accommodated by the existing and planned supply anticipated under the San Francisco Public Utilities Commission's (SFPUC's) 2010 Urban Water Management Plan (UWMP), as updated by the

⁵² San Francisco Public Utilities Commission, *2010 Urban Water Management Plan*, June 2011. This document is available for review at: www.sfwater.org/Modules/ShowDocument.aspx?documentID=1055.

SFPUC's 2013 Water Availability Study, the proposed project would result in less-than-significant impacts related to water services and no mitigation measures would be required.

Impact UT-3: The proposed project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs. (*Less-Than-Significant Impact*)

In September 2015, the City entered into a landfill disposal agreement with Recology, Inc. for disposal of all solid waste collected in San Francisco at the Recology Hay Road Landfill in Solano County for nine years or until 3.4 million tons have been disposed whichever occurs first. The City would have an option to renew the agreement for a period of six years or until an additional 1.6 million tons have been disposed, whichever occurs first.⁵³ The Recology Hay Road Landfill is permitted to accept up to 2,400 tons per day of solid waste, at that maximum rate the landfill would have capacity to accommodate solid waste until approximately 2034. At present, the landfill receives an average of approximately 1,850 tons per day from all sources, with approximately 1,200 tons per day from San Francisco; at this rate landfill closure would occur in 2041. The City's contract with the Recology Hay Road Landfill is set to terminate in 2031 or when 5 million tons have been disposed, whichever occurs first. At that point, the City will either further extend the Recology Hay Road Landfill contract or find and entitle another landfill site. The proposed project, which would include construction waste and operational waste associated with the residential use, would generate a minimal amount of solid waste to be deposited at the landfill. Therefore, the proposed project would be served by landfills with sufficient permitted capacity to accommodate its solid waste disposal needs. This impact would be less than significant and no mitigation measures would be required.

⁵³ San Francisco Planning Department, *Agreement for Disposal of San Francisco Municipal Solid Waste at Recology Hay Road Landfill in Solano County Final Negative Declaration*, Planning Department Case No. 2014.0653, May 21, 2015. Available online at: sfmea.sfplanning.org/2014.0653E_Revised_FND.pdf.

Impact UT-4: Construction and operation of the proposed project would comply with all applicable statutes and regulations related to solid waste. (*Less-Than-Significant Impact*)

The California Integrated Waste Management Act of 1989 (AB 939) requires municipalities to adopt an Integrated Waste Management Plan (IWMP) to establish objectives, policies, and programs relative to waste disposal, management, source reduction, and recycling. Reports filed by the San Francisco Department of the Environment showed the City generated approximately 870,000 tons of waste material in 2000. By 2010, that figure decreased to approximately 455,000 tons. Waste diverted from landfills is defined as recycled or composted.⁵⁴ San Francisco has a goal of 75 percent landfill diversion by 2010 and 100 percent by 2020. As of 2012 (the most recent year reported), 80 percent of San Francisco's solid waste was being diverted from landfills, indicating that San Francisco met the 2010 diversion target.⁵⁵

In September, 2015, the City approved an Agreement with Recology, Inc., for the transport and disposal of the City's municipal solid waste at the Recology Hay Road Landfill in Solano County. The City began disposing its municipal solid waste at Recology Hay Road Landfill in January, 2016, and that practice is anticipated to continue for approximately nine years, with an option to renew the Agreement thereafter for an additional six years. San Francisco had a goal of 75% solid waste diversion by 2010, which it exceeded at 80% diversion, and has a goal of 100% solid waste diversion or "zero waste" to landfill or incineration by 2020. San Francisco Ordinance No. 27-06 requires mixed construction and demolition debris be transported by a Registered Transporter and taken to a Registered Facility that must recover for reuse or recycling and divert from landfill at least 65% of all received construction and demolition debris. The San Francisco Green Building Code also requires certain projects to submit a Recovery Plan to the Department of the Environment

⁵⁴ CalRecycle, Jurisdiction Diversion/Disposal Rate Detail. Available online at: www.calrecycle.ca.gov/LGCentral/Reports/Viewer.aspx?P=OriginJurisdictionIDs%3d438%26ReportYear%3d2013%26ReportName%3dReportEDRSJurisDisposalByFacility.

⁵⁵ San Francisco Department of the Environment, Zero Waste Program, "San Francisco Sets North American Record for Recycling and Composting with 80 Percent Diversion Rate." Available online at www.sfenvironment.org/news/press-release/mayor-lee-announces-san-francisco-reaches-80-percent-landfill-waste-diversion-leads-all-cities-in-north-america.

demonstrating recovery or diversion of at least 75% of all demolition debris. San Francisco's Mandatory Recycling and Composting Ordinance No. 100-09 requires all properties and everyone in the city to separate their recyclables, compostables, and landfill trash.

Therefore, given the above, the construction and operation of the project would result in a Less-Than-Significant Impact regarding compliance with all applicable statutes and regulations related to solid waste and no mitigation measures would be required.

Impact C-UT-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact related to utilities or service systems. (*Less-Than-Significant Impact*)

Cumulative development in the project site vicinity would incrementally increase demand on citywide utilities and service systems, but not beyond levels anticipated and planned for by public service providers. The SFPUC has accounted for such growth in its water demand and wastewater service projections, and the City has implemented various programs to divert 80 percent of its solid waste from landfills. Nearby cumulative development projects would be subject to the same water conservation, wastewater discharge, recycling and composting, and construction demolition and debris ordinances applicable to the proposed project. Compliance with these ordinances would reduce the effects of nearby cumulative development projects to Less Than Significant levels. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact on utilities and service systems.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The proposed project's impacts on parks and recreation are discussed under Section 11.9, Recreation. Impacts to other public services are discussed below.

Impact PS-1: The proposed project would not result in a substantial adverse physical impact associated with the provision of police services. (*Less-Than-Significant Impact*)

The project site currently receives police services from the San Francisco Police Department (SFPD). The proposed project would result in the addition of two residential units on the currently unoccupied project site and is unlikely to result in an increase in demand for police service calls in the project area. Police protection is provided by the Ingleside Police Station located at 1 Sgt John V Young Lane, approximately 2.5 miles east of the project site. The Ingleside Station would be able to provide the necessary police services and crime prevention in the area. Meeting the service demand associated with two residential units at the project site would not require the construction of new police facilities that could cause significant environmental impact. As such, the impact would be less than significant, and no mitigation measures would be required.

Impact PS-2: The proposed project would not result in a substantial adverse physical impact associated with the provision of fire services. (*Less-Than-Significant Impact*)

The project site receives fire protection services from the San Francisco Fire Department (SFFD). Fire stations located nearby include Station 32, at 194 Park Street approximately 0.8 miles southwest of the project site; and Station 9 at 2245 Jerrold Avenue approximately 1.5 miles from the project. The proposed project would result in the addition of two residential units on the currently unoccupied

project site and is unlikely to result in an increase in demand for fire service calls in the project area. Moreover, the proposed project would be required to comply with all applicable building and fire code requirements, which identify specific fire protection systems, including, but not limited to, the provision of State-mandated smoke alarms, fire alarm and sprinkler systems, fire extinguishers, fire-rated walls, the required number and location of egress with appropriate distance separation, and emergency response notification systems. Compliance with all applicable building and fire codes, would further reduce the demand for Fire Department service and oversight.

Given that the proposed project would not result in a fire service demand beyond the projected growth for the area or the city, the proposed project would not result in the need for new fire protection facilities, and would have no adverse impact on the physical environment related to the construction of new or physically altered fire protection facilities. This impact would be less than significant and no mitigation measures would be required.

Impact PS-3: The proposed project would not result in a substantial adverse physical impact associated with the provision of school services. (*Less-Than-Significant Impact*)

The San Francisco Unified School District (SFUSD) provides public primary and secondary education in the City and County of San Francisco. Junipero Serra Elementary School at 625 Holly Park Circle Street is approximately 0.7 mile southwest of the project site. Willie L Brown Jr Middle School at 2055 Silver Avenue is located approximately 1.5 miles southeast of the site. The nearest high school to the project site is Thurgood Marshall High School at 45 Conkling Street, approximately 1.4 miles southeast of the project site.

Based on a student generation rate employed by SFUSD of 0.203 students per dwelling unit, the two residential units that would be built as part of the proposed project could generate approximately one K-12 student. Similar to other City-wide developments, the proposed project would be assessed \$2.42 per gross square foot of residential space as a school impact fee. The estimated one additional new student would not require the construction or expansion of school facilities. It is anticipated that the new student could be accommodated by existing schools under the jurisdiction of the SFUSD since the SFUSD is currently not experiencing high growth rates, and public school facilities throughout

the City and County of San Francisco are generally underutilized. The SFUSD is not planning to construct new schools near the project site.

Given that SFUSD has adequate facilities to accommodate growth, the new student generated by the proposed project would not substantially increase demand for school facilities in San Francisco and would not result in a significant impact. In addition, as with all new development, the project sponsor would be required to pay one-time school impact fees under Government Code Section 65995(b)(3), as stated above, which could be used by SFUSD for costs associated with providing facilities for new students.

In addition, The Leroy F. Greene School Facilities Act of 1998, or Senate Bill 50 (SB 50), restricts the ability of local agencies, such as the City of San Francisco, to deny land use approvals on the basis that public school facilities are inadequate. SB 50 establishes the base amount of allowable developer fees for school facilities at \$2.24 per square foot of residential construction and \$0.21 per square foot of commercial construction as of 2006. These fees are intended to address local school facility needs resulting from new development. Public school districts may, however, impose higher fees provided they meet the conditions outlined in the act.

Based on the foregoing, the proposed project would not result in a substantially increased demand for school facilities, and would not require new or expanded school facilities. Therefore, this impact would be less than significant and no mitigation measures would be required.

Impact PS-4: The proposed project would not result in a substantial adverse physical impact associated with the provision of other public services, such as libraries. (*Less-Than-Significant Impact*)

Implementation of the proposed project would add approximately five residents to the project site which would increase the demand for other public services such as libraries. This increase in demand would not be substantial given the overall demand for library services on a citywide basis. The San Francisco Public Library (SFPL) operates 29 branches throughout the City and it is anticipated that the Bernal Heights Branch Library, which is located 0.4 miles south of the project site, would be able to accommodate the minor increase in demand for library services generated by the proposed project.

For these reasons, the proposed project would not require the construction of new or alteration of existing governmental facilities. This impact would be less than significant and no mitigation measures would be required.

Impact PS-5: The proposed project, in combination with past, present, and reasonably foreseeable projects, would not result in a cumulative impact on public services. (*Less-Than-Significant Impact*)

Cumulative development in the project vicinity would result in a minor intensification of land uses and a cumulative increase in the demand for fire protection, police protection, school services, and other public services. The Fire Department, the Police Department, the SFUSD, SFPL, and other City agencies have accounted for such growth in providing public services to the residents of San Francisco. Nearby cumulative development projects would be subject to many of the same development impact fees applicable to the proposed project. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact on public services. This impact would be less than significant and no mitigation measures would be required.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>

The project site is located within a built environment and does not contain riparian habitat or other sensitive natural communities as defined by the California Department of Fish and Wildlife and the United States Fish and Wildlife Service; therefore, Topic 12.b is not applicable to the proposed project. In addition, the project area does not contain wetlands as defined by Section 404 of the Clean Water Act; therefore, Topic 12.c is also not applicable. Finally, there are no adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, State, or regional habitat conservation plans applicable to the project site. Therefore, implementation of the proposed project could not conflict with the provisions of any such plan and Topic 12.f is not applicable to the proposed project.

Impact BI-1: The proposed project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species, riparian habitat or sensitive natural communities, and would not interfere substantially with 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. (*Less-Than-Significant Impact*)

The project site is an undeveloped lot in a built urban environment and does not include any candidate, sensitive, or special-status species, any riparian habitat, or other sensitive natural community identified in regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service, nor would it interfere substantially with any native resident or migratory species, or species movement or migratory corridors.

A sensitive plant species, hummingbird sage (*Salvia spathacea*) is present on the northern portion of Public Works' property adjacent to the project site, to the north, along Bernal Heights Boulevard. The proposed stairway between Folsom Street and Bernal Heights Boulevard would be located at least 15 feet downhill from where the plants are located and would not run through or otherwise disturb the existing hummingbird sage. The proposed alignment would both avoid the sensitive species during construction and direct pedestrians along a route that would avoid contact with the plants.

Migrating birds do pass through San Francisco. Nesting birds, their nests, and eggs are fully protected by *California Fish and Game Code* (Sections 3503, 3503.5) and the federal Migratory Bird Treaty Act (MBTA). Although the proposed project would be subject to the MBTA, the site does not contain habitat supporting migratory birds.

San Francisco is within the Pacific Flyway, a major north-south route of travel for migratory birds along the western portion of the Americas. Planning Code Section 139, Standards for Bird-Safe Buildings, establishes building design standards to reduce avian mortality rates associated with bird strikes. This ordinance focuses on location-specific hazards and building feature-related hazards. Location-specific hazards apply to buildings in, or within 300 feet of and having a direct line of sight to, an Urban Bird Refuge, which is defined as an open space "two acres and larger dominated by vegetation, including vegetated landscaping, forest, meadows, grassland, or wetlands, or open water." Although the project site is within 300 feet of an Urban Bird Refuge, Bernal Heights Park,

Planning Code Section 139 exempts projects that are less than 45 feet in height and have an exposed façade comprised of less than 50% glass, such as the proposed project, from the requirement to implement birdsafe design standards. Even though the Planning Code deems structures such as the proposed project too small to require birdsafe design, the likelihood of even occasional bird strikes to the proposed project having a substantial adverse impact on candidate, sensitive, or special-status bird species is very low.

Given the above, implementation of the proposed project would not modify any natural habitat and this impact would be Less Than Significant.

Impact BI-2: The proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. (No Impact)

The City's Urban Forestry Ordinance, *Public Works Code* Sections 801 et. seq., requires a permit from San Francisco Public Works to remove any protected trees. There are no existing trees or other vegetation on the project site that would be removed as part of the proposed project, and as previously discussed, the proposed project includes one street tree per unit, and the subsequent street improvement would include the planting of additional street trees, upon approval by Public Works. The proposed project would not conflict with any local policies or ordinances that protect biological resources, and no impact would occur. Also, as mentioned above, a sensitive plant species, hummingbird sage (*Salvia spathacea*) is present on the northern portion of Public Works property adjacent to the north of the project site, along Bernal Heights Boulevard. The proposed stairway between Folsom Street and Bernal Heights Boulevard would be located at least 15 feet downhill from where the plants are located, and would not run through or otherwise disturb the existing hummingbird sage.

Impact C-BI-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact related to biological resources. (Less-Than-Significant Impact)

Cumulative development in the project vicinity would result in the construction of multi-story buildings that can injure or kill birds in the event of a collision and would result in the removal of

existing street trees or other vegetation. Moreover, while there is a sensitive plant species on a property adjacent to the project site, the property is publically-owned and the proposed project's stairway alignment would be downhill from the plant and would direct future pedestrian traffic around it. No other candidate, sensitive or special-status species, any riparian habitat, or other sensitive natural community in the project vicinity. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact on biological resources. This impact would be less than significant and no mitigation measures would be required.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
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:					
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site would be connected to the City's existing sewer system and would not require use of septic systems. Therefore, Topic 13.e would not be applicable to the project site.

The analysis in this section is based, in part, on the Geotechnical Investigations prepared for the proposed project.⁵⁶ The project site is underlain by three to four feet of soil overlying chert bedrock. The soil is characterized as very stiff, lean clay at one boring location, and very stiff, silty clayey sand overlying sandy lean clay at another boring location. Groundwater was not encountered at the maximum boring depth of five feet. The proposed project includes a maximum depth of excavation of ten feet for installation of the spread footing foundations for the proposed residences.

Impact GE-1: The proposed project would not result in exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, seismic groundshaking, liquefaction, lateral spreading, or landslides. (Less-Than-Significant Impact)

The project site is not located within an Earthquake Fault Zone as defined by the Alquist-Priolo Earthquake Fault Zoning Act and no known or potentially active fault exists on the site.⁵⁷ No active faults have been mapped on the project site by the United States Geological Survey (USGS) or the California Geological Survey (CGS).⁵⁸ In a seismically active area, such as the San Francisco Bay Area, the possibility exists for future faulting in areas where no faults previously existed. However, since faults with known surface rupture have been mapped in California, and no evidence of active faulting on the site has been found, the potential for impacts to the proposed project due to fault rupture are less than significant.

However, although the project site is not located within a seismic hazard zone, it may be subject to ground shaking in the event of an earthquake on regional fault lines like the entire San Francisco Bay

⁵⁶ H. Allen Gruen, Geotechnical Engineer, Geotechnical Investigation, Planned Development at 3516 Folsom Street, San Francisco, California, August 3, 2013. H. Allen Gruen, Geotechnical Engineer, Geotechnical Investigation, Planned Development at 3526 Folsom Street, San Francisco, California, August 3, 2013.

⁵⁷ California Department of Conservation, California Geological Survey, Alquist-Priolo Fault Zones in Electronic Format, 2010. This document is available for review at www.quake.ca.gov/gmaps/ap/ap_maps.htm

⁵⁸ U.S. Geological Survey and California Geological Survey, Quaternary Fault and Fold Database for the United States, 2010. This document is available for review at www.earthquake.usgs.gov/hazards/qfaults.

Area would.⁵⁹ The site is located approximately six miles northeast of the San Andreas Fault. The 2007 Working Group on California Earthquake Probabilities estimates that there is a 63 percent chance that a magnitude 6.7 or greater earthquake will occur in the San Francisco Bay Area within 30 years. The Association of Bay Area Governments (ABAG) has classified the Modified Mercalli Intensity Shaking Severity Level of ground shaking in the project vicinity due to an earthquake on the North Golden Gate segment of the San Andreas Fault System as “VIII-Very Strong.”⁶⁰ Therefore, it is likely that the site would experience periodic minor or major earthquakes associated with a regional fault, resulting in strong to very strong ground shaking.

Ground shaking associated with an earthquake on one of the regional faults around the project site may result in ground failure, such as that associated with soil liquefaction, lateral spreading, and differential compaction. The project site does not lie within a liquefaction potential zone as mapped by the California Division of Mines and Geology, and borings at the site indicate that the liquefaction potential at the site is low. Because the project site’s liquefaction potential is low, lateral spreading would be unlikely to occur. Risks associated with liquefaction and differential compaction would be reduced with implementation of standard building engineering and design measures.

As shown on the official State of California Seismic Hazards Zone Map for San Francisco prepared under the Seismic Hazards Mapping Act of 1990,⁶¹ the project site is not located within an area subject to landslides (see Map 5 of the Community Safety Element). Therefore, the proposed project would result in Less Than Significant landslide-related impacts.

⁵⁹ California Division of Mines and Geology, State of California Seismic Hazard Zones, City and County of San Francisco Official Map, November 17, 2000. This document is available for review at gmw.consrv.ca.gov/shmp/download/pdf/ozn_sf.pdf.

⁶⁰ Association of Bay Area Governments, Earthquake Shaking Hazard Map, San Francisco Scenario, North Golden Gate Segment of the San Andreas Fault System, 2003. This document is available for review at resilience.abag.ca.gov/earthquakes and at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2015-011274ENV.

⁶¹ The Seismic Hazards Mapping Act was developed to protect the public from the effects of strong ground shaking, liquefaction, landslides, or other ground failure, and from other hazards caused by earthquakes. This Act requires the State Geologist to delineate various seismic hazard zones and requires cities, counties, and other local permitting agencies to regulate certain development projects within these zones.

Given the above, the proposed project would not result in exposure of people or structures to potential substantial adverse effects, nor would it aggravate existing seismic hazards, including the risk of loss, injury, or death involving rupture of a known earthquake fault, seismic groundshaking, liquefaction, lateral spreading, or landslides. This impact would be less than significant and no mitigation measures would be required.

Impact GE-2: The proposed project would not result in substantial loss of topsoil or erosion. (*Less-Than-Significant Impact*)

The proposed project is currently underdeveloped, and is covered with pervious surf top soil. Although excavation would occur as part of the proposed project, compliance with the City's Construction Site Water Pollution Prevention Program⁶² would require the project sponsor to prepare and implement an erosion and sediment-control plan subject to review by the City. Compliance with this regulation would reduce and control site runoff during construction activities and reduce the potential for erosion to a Less Than Significant level. No mitigation measures would be required and the effect is Less Than Significant.

Impact GE-3: The proposed project would not be located on a geologic unit 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. (*Less-Than-Significant Impact*)

The project site and vicinity do not include any hills or cut slopes that could cause or be subject to a landslide. Temporary slopes would be necessary during site excavations. If excavations undermine or remove support from the existing and adjacent structures, it may be necessary to underpin those structures. The final design of the foundation system would be included in a design-level geotechnical investigation that is based on site-specific data in accordance with building code requirements. According to the Geotechnical Investigation, soils at the site are capable of supporting a conventional spread footing foundation in accordance with industry standards and building code requirements. Drilled piers may also be utilized to support the foundation or for shoring and

⁶² San Francisco Municipal Code (Public Works Code) Part II, Chapter 10, Article 4.1, 40 GF Section 403.

underpinning. Excavation activities would require the use of shoring and underpinning in accordance with the recommendations of the geotechnical report and *San Francisco Building Code* requirements. Groundwater is not anticipated to be encountered during excavation and grading activities.

Adherence to San Francisco Building Code requirements would ensure that the project applicant include analysis and avoidance of any potential impacts related to unstable soils as part of the design-level geotechnical investigation prepared for the proposed project; therefore, any potential impacts related to unstable soils would be less than significant and no mitigation measures would be required.

Impact GE-4: The proposed project could be located on expansive soil, as defined in the California Building Code, but would not create substantial risk to life or property. (*Less-Than-Significant Impact*)

Expansive soils expand and contract in response to changes in soil moisture, most notably when near surface soils vacillate between a saturated, low-moisture, and a saturated, high-moisture content condition. The presence of expansive soils is typically determined based on site specific data. As noted above, the site is underlain by firm to very stiff, sandy lean clay as well as firm to hard, lean clay with varying amounts of sand. Expansive soils may be encountered at the site; the San Francisco Building Code includes a requirement that the project applicant include analysis of the potential for soil expansion as part of the design-level geotechnical investigation prepared for the proposed project. Compliance with existing building code requirements (which the design-level geotechnical report would be required to comply with), would ensure that any potential impacts related to expansive soils would be less than significant. No mitigation measures would be required and the effects of the proposed project would be Less Than Significant.

Impact GE-5: The proposed project would not substantially change the topography of the site or any unique geologic or physical features of the site. (*Less-Than-Significant Impact*)

The project site is located on a steep slope of approximately 28 percent. Although minor excavations would be required to support the building foundation, the proposed project would follow the

recommendations in the geotechnical report and have Less-Than-Significant Impacts with respect to alterations to topographical features. The hillside would remain intact and the proposed project would be required to follow the City's stormwater management requirements for the new construction and the roadway extension to provide adequate drainage to the site. The proposed project would not include any work that would significantly alter the grade of the hillside or the character of the project site as part of a hillside residential area. Structures in the immediate vicinity of the proposed project are similarly built into the hillside. This impact would be less than significant and no mitigation measures would be required.

Impact GE-6: The proposed project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. (*Less-Than-Significant Impact*)

Paleontological resources include fossilized remains or traces of animals, plants, and invertebrates, including their imprints, from a previous geological period. Collecting localities and the geologic formations containing those localities are also considered paleontological resources as they represent a limited, non-renewable resource and once destroyed, cannot be replaced.

The project site is underlain by fill and sandy to clayey soils on top of chert bedrock. The likelihood of discovery of paleontological resources or unique geological features as a result of the proposed project is low. Therefore, there would be a Less-Than-Significant Impact and no mitigation measures would be required.

Impact C-GE-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact related to geology and soils. (*Less-Than-Significant Impact*)

The proposed project would result in Less-Than-Significant Impacts related to topographical features and risk of injury or death involving landslides. Impacts related to rupture of an earthquake fault, seismic ground shaking or ground failure, unstable soil, or the loss of top soil would be less than significant. Impacts to paleontological resources and geologic features would also be less than significant. Geology and soils impacts are generally site-specific and localized and do not have cumulative effects with other projects. These impacts are specific to the project and would not

combine with similar impacts associated with past, present, and reasonably foreseeable future projects in the site vicinity. These impacts would be less than significant and no mitigation measures would be required.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 of siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>	<input checked="" type="checkbox"/>

<u>Topics:</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less-Than-Significant Impact</u>	<u>No Impact</u>	<u>Not Applicable</u>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project is located well inland from both the San Francisco Bay and the Pacific Ocean, and is not subject to seiche or potential inundation in the event of a levee or dam failure or tsunami occurring along the San Francisco coast (Maps Five, Six and Seven of the Community Safety Element of the General Plan).⁶³ In addition, the developed area of the project site would not be subject to mudflow. Therefore, Topic 14.j does not apply. The project site is also not located within a 100-year flood hazard area designated on the City's interim floodplain map, and would not place housing or structures within a 100-year flood hazard area that would impede or redirect flood flows.⁶⁴ Therefore, Topics 14.g, 14.h, and 14.i are also not applicable.

Impact HY-1: The proposed project would not violate water quality standards or otherwise substantially degrade water quality. (Less-Than-Significant Impact)

Wastewater and stormwater flows generated on the project site flow into the City's combined sewer system and into the Southeast Water Pollution Control Plant, where they are treated prior to discharge into San Francisco Bay. Treatment is undertaken consistent with the effluent discharge standards established by the plant's National Pollutant Discharge Elimination System (NPDES) permit. In accordance with the permit, discharges of treated wastewater and stormwater into San Francisco Bay meet the requirements of the Clean Water Act, Combined Sewer Overflow Control

⁶³ San Francisco, City and County of, *San Francisco General Plan, Community Safety Element*, April 2007. This document is available for review at the Planning Department in Case File No. 2011.0409E.

⁶⁴ FEMA Preliminary Flood Insurance Rate Map, 2016. Available online at: sfgsa.org/sites/default/files/Document/SF_NE.pdf.

Policy, and associated State requirements in the Water Quality and Control Plan for the San Francisco Bay Basin and do not violate water quality standards.

The construction and operation of two single-family homes, built consistent with the Planning Code and Building Code, in a residential area would not be expected result in wastewater or stormwater flows that would degrade water quality nor violate water quality standards. This impact would be less than significant and no mitigation measures would be required.

Impact HY-2: The proposed project would not 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. (*Less-Than-Significant Impact*)

The proposed project includes the construction of two single family homes and street improvements to serve those homes. The proposed project does not include any elements that would tap into, or remove, existing ground water. The two residential units would be constructed consistent with the Building Code and any subsequent street improvement would be required to include design elements to minimize impervious surfaces and to not interfere with groundwater recharge. Existing city regulations would ensure that the project would not 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. This impact would be less than significant and no mitigation measures would be required.

Impact HY-3: The proposed project would not result in altered drainage patterns that would cause substantial erosion or flooding. (*Less-Than-Significant Impact*)

The project site is currently an unimproved hillside and stormwater flows are currently uncontrolled. The proposed project would include drainage elements that would control stormwater runoff and direct it into the City's combined stormwater/sewer system. The proposed project would be required to comply with SFPUC's Stormwater Management Requirements and Design Guidelines, which include meeting specific performance measures for impervious surfaces and stormwater run-off rate, the approval of a Preliminary Stormwater Control Plan before receiving a Site or Building Permit, and the approval of a Final Stormwater Control Plan before receiving the Certificate of Final

Completion.⁶⁵ Therefore, the proposed project would not be expected to result in substantial erosion or flooding associated with changes in drainage patterns. This impact would be less than significant and no mitigation measures would be required.

Impact HY-4: The proposed project would not contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. (*Less-Than-Significant Impact*)

During operation of the proposed project, all wastewater and stormwater runoff from the project site would be treated at the Southeast Water Pollution Control Plant. Treatment would be provided pursuant to the effluent discharge standards contained in the City's NPDES permit for the plant. During construction and operation, the proposed project would be required to comply with all local wastewater discharge and water quality requirements, which would ensure that all stormwater generated by the proposed project is managed on-site such that the project would not contribute additional volumes of polluted runoff to the City's stormwater infrastructure. Therefore, the proposed project would not exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. As such, this impact would be less than significant, and no mitigation measures would be required.

Impact C-IIY-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, would result in Less Than Significant cumulative impacts to hydrology and water quality. (*Less-Than-Significant Impact*)

As stated above, the proposed project would result in no impacts or Less-Than-Significant Impacts related to water quality, groundwater levels, alteration of drainage patterns, capacity of drainage infrastructure, 100-year flood zones, failure of dams or levees, and/or seiche, tsunamis, and/or mudflow hazards. The proposed project would adhere to the same water quality and drainage control requirements that apply to all land use development projects in San Francisco. Since all development projects would be required to follow the same drainage, dewatering and water quality

⁶⁵ San Francisco Public Utilities Commission, *How Do I Comply with the Stormwater Management Requirements*, <http://sfwater.org/index.aspx?page=1006>. Accessed: May 25, 2017.

regulations, peak stormwater drainage rates and volumes for the design storm would gradually decrease over time with the implementation of new, conforming development projects. Thus, no substantial adverse cumulative effects with respect to drainage patterns, water quality, stormwater runoff, or stormwater capacity of the combined sewer system would occur.

Further, San Francisco's limited use of groundwater would preclude any significant adverse cumulative effects to groundwater levels, and the proposed project would not contribute to any cumulative effects with respect to groundwater. In general, hazards related to 100-year flood zones, failure of dams or levees, and/or seiche, tsunami, and/or mudflows are extremely unusual and are not considered to be substantive impacts in San Francisco such that any cumulative significant impacts would be anticipated, particularly in the interior areas of the city where the project site is located. Given that cumulative impacts are not anticipated since all development projects would be required to follow the same drainage, dewatering and water quality regulations as the proposed project, the proposed project would not contribute to any such cumulative effects. Thus, cumulative hydrology and water quality impacts would be less than significant and no mitigation measures would be required.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact	Not Applicable
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is not located within an airport land use plan area or in the vicinity of a private airstrip. Therefore, Questions 15.e and 15.f are not applicable.

As discussed above under Impact NO-3, construction of the proposed project would result in ground vibration that could potentially affect the integrity of PG&E's gas Pipeline 109. The discussion above describes those impacts and sets forth vibration-related mitigation measures to reduce those potential impacts to less than significant.

Impact HZ-1: The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. (*Less-Than-Significant Impact*)

Construction activities would require the use of limited quantities of hazardous materials such as fuels, oils solvents, paints, and other common construction materials. The City would require the project sponsor and its contractor to implement Best Management Practices (BMPs) as part of their construction activities, including hazardous materials management measures, which would reduce

the hazards associated with short-term construction-related transport, and use and disposal of hazardous materials to Less Than Significant levels.

The proposed project's residential uses would involve the use of relatively small quantities of hazardous materials such as cleaners and disinfectants for routine purposes. These products are labeled to inform users of potential risks and to instruct them in appropriate handling procedures. Most of these materials are consumed through use, resulting in relatively little waste. For these reasons, the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. This impact would be less than significant and no mitigation measures would be required.

Impact HZ-2: The proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable conditions involving the release of hazardous materials into the environment. (*Less-Than-Significant Impact*)

The project site is not currently located in a Maher Area, meaning that it is not known or suspected to contain contaminated soils and/or groundwater.⁶⁶ Based on mandatory compliance with existing regulatory requirements, the proposed project would not result in a significant hazard to the public or environment from contaminated soil and/or groundwater, asbestos, or lead-based paint, and the proposed project would result in a Less-Than-Significant Impact with respect to these hazards and no mitigation would be required.

⁶⁶ San Francisco Planning Department, Expanded Maher Map Area, March 2015. This document is available for review at: www.sf-planning.org/ftp/files/publications_reports/library_of_cartography/Maher%20Map.pdf.

Impact HZ-3: The proposed project would not result in hazardous emissions or in the handling of hazardous or acutely hazardous materials, substances, or waste within 0.25 of a mile of an existing school. (*Less-Than-Significant Impact*)

There are no schools within a quarter-mile of the project site. As such, the proposed project would have a Less-Than-Significant Impact related to hazardous emissions or the handling of hazardous materials within a quarter mile of a school and this impact would be less than significant.

Impact HZ-3: The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and the proposed project would 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. (*Less-Than-Significant Impact*)

The project site is not included on a list of hazardous materials sites compiled by the California Department of Toxic Substance Control pursuant to Government Code Section 65962.5 and, as previously discussed, the project site is not located in a Maher Area. As such, the proposed project is not included on a list of hazardous materials sites and the proposed project would not result in the accidental release of hazardous materials into the environment. This impact would be less than significant and no mitigation measures would be required.

Impact HZ-4: The proposed project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan and would not expose people or structures to a significant risk of loss, injury, or death involving fires. (*Less-Than-Significant Impact*)

The proposed project would develop residential uses on an existing "paper street" segment of Folsom Street and would not alter the existing street grid. The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

The City requires that existing and new buildings meet fire safety standards through compliance with the applicable provisions of the Building Code and Fire Code. Therefore, the proposed project's compliance with Building Code and Fire Code requirements would result in a Less-Than-Significant Impact related to the exposure of persons or structures to fire risks.

Impact C-HZ-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, would result in Less Than Significant cumulative impacts related to hazards and hazardous materials. (Less-Than-Significant Impact)

Hazards-related impacts are generally site-specific and typically do not combine with impacts from other planned and foreseeable projects to result in significant cumulative impacts. New developments in the vicinity of the project site would be subject to similar regulatory requirements and mitigation measures as the proposed project. Therefore, large, unexpected releases of hazardous materials of the type that would contribute to significant cumulative impacts are not expected. Compliance with existing regulations pertaining to the treatment and management of hazardous materials would ensure that the proposed project would not make a significant cumulative contribution to the release of hazardous materials. Therefore, cumulative hazards impacts would be less than significant and no mitigation would be required.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</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 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

All land in the City of San Francisco, including the project site, is designated by the CGS as Mineral Resource Zone Four (MRZ-4) under the Surface Mining and Reclamation Act of 1975. The MRZ-4 designation indicates that adequate information does not exist to assign the area to any other MRZ; thus, the area is not designated to have significant mineral deposits. The area surrounding the project site has previously been developed, and future evaluations of the presence of minerals at this

site would therefore not be affected by the proposed project. Further, the development and operation of the proposed project would not have an impact on any off-site operational mineral resource recovery sites. Therefore, Topics 16.a and 16.b are not applicable to the proposed project.

Impact ME-1: The proposed project would not encourage activities which would result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner. (*Less-Than-Significant Impact*)

Development of new residential uses as part of the proposed project would not result in the consumption of large amounts of fuel, water, or energy. As two new buildings in San Francisco, the proposed project is required to conform to energy conservation standards specified by the San Francisco Building Code, including the San Francisco Green Building Ordinance. The measures required by the San Francisco Green Building Ordinance are intended to reduce greenhouse gas emissions associated with new construction and rehabilitation activities, increase energy efficiency, reduce water use, and realize other environmental gains. Compliance with the San Francisco Green Building Ordinance would reduce the use of energy and water by the proposed project.

Based on the above information, the proposed project would not result in the consumption of large amounts of fuel, water, or energy. This impact would be less than significant and no mitigation measures would be required.

Impact C-ME-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, would result in Less Than Significant cumulative impacts to minerals and energy. (*Less-Than-Significant Impact*)

As described above, no known mineral resources exist at the project site, and therefore the proposed project would not contribute to any cumulative impacts related to mineral resources. Compliance with current State and local standards regarding energy consumption and conservation, including Title 24 of the California Code of Regulations and the San Francisco Green Building Ordinance, would ensure that the project would not in and of itself require a major expansion of power facilities. Therefore, the energy demand associated with the proposed project would result in a Less Than Significant physical environmental effect. The proposed project would not contribute to cumulatively considerable impacts related to energy and natural resources. Overall, the proposed project would

not result in cumulatively considerable impacts related to mineral and energy resources. This impact would be less than significant and no mitigation measures would be required.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<p>17. AGRICULTURE AND FOREST RESOURCES In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.</p> <p>—Would the project:</p>					
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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 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 type="checkbox"/>	<input checked="" type="checkbox"/>

The project site is located within an urbanized area of San Francisco. No land in San Francisco County has been designated by the California Department of Conservation's Farmland Mapping and Monitoring Program as agricultural land. The project site does not contain agricultural uses and is not zoned for such uses. As such, the proposed project would not require the conversion of any land designated as prime farmland, unique farmland, or Farmland of Statewide Importance to non-agricultural use. The proposed project would not conflict with any existing agricultural zoning or

Williamson Act contracts and the California Department of Conservation designates the project site as "Urban and Built-Up Land." No land in San Francisco is designated as forest land or timberland by the State Public Resource Code. Therefore, the proposed project would not conflict with zoning for forest land, cause a loss of forest land, or convert forest land to a different use. For these reasons, Topics 17.a, 17.b, 17.c, 17.d, and 17.e are not applicable to the proposed project.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
18. MANDATORY FINDINGS OF SIGNIFICANCE— Would the project:					
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that would be individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a) As discussed, the proposed project is anticipated to have Less-Than-Significant Impacts or Less-Than-Significant Impacts with mitigation incorporated on the environmental topics identified in this Initial Study.					
b) The proposed project in combination with past, present and foreseeable projects as described in Section E, would not result in cumulative impacts to land use, population and housing, cultural resources, transportation and circulation, noise and vibration, air quality, wind and shadow, GHG emissions, recreation, utilities and service systems, public services, biological resources, geology and soils, hydrology and water quality, hazards and hazardous materials, mineral and energy resources, and agricultural and forest resources.					
c) The proposed project with mitigation incorporated, as discussed above, would not result in significant adverse impacts on human beings, either directly or indirectly.					

I. MITIGATION MEASURES

The following mitigation measure has been identified to reduce potentially significant environmental impacts resulting from the proposed project to Less Than Significant levels.

Mitigation Measure M-NO-3, Vibration Management Plan:

The Project Sponsor shall retain the services of a qualified structural engineer to develop, and the Project Sponsor shall adopt, a vibration management and continuous monitoring plan to cover any construction equipment operations performed within 20 feet of PG&E Pipeline 109. The vibration management and monitoring plan shall be submitted to PG&E and Planning Department staff for review and approval prior to issuance of any construction permits. The vibration management plan shall include:

- **Vibration Monitoring:** Continuous vibration monitoring throughout the duration of the major structural project activities to ensure that vibration levels do not exceed the established standard.
- **Maximum PPV Vibration Levels:** Maximum PPV vibration levels for any equipment shall be less than 2 inches per second (in/sec). Should maximum PPV vibration levels exceed 2 in/sec, all construction work shall stop and PG&E shall be notified to oversee further work.
- **Standby Inspection:** A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity within 10 feet of the gas pipeline(s). This includes all grading, trenching, gas line depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection would be coordinated through the Underground Service Alert (USA) service at 811 or 1-800-227-2600. A minimum notice of 48 hours is required.
- **Grading/Excavation:** Any excavations, including grading work, above or around Pipeline 109 must be performed with a PG&E inspector present. This includes all laterals, subgrades, and gas line depth verifications (potholes). Work in the vicinity of Pipeline 109 must be completed consistent with PG&E Work Procedure TD-4412P-05 "Excavation Procedures for Damage Prevention." Any plans to expose and support Pipeline 109 across an open excavation must be approved by PG&E Pipeline Engineering in writing prior to performing the work. Any grading or digging within two (2) feet of Pipeline 109

shall be dug by hand. Water jetting to assist vacuum excavating must be limited to 125 pounds per square inch gage (psig).

- **Pipeline Markers:** Prior to the commencement of project activity, pipeline markers must be placed along the pipeline route. With written PG&E approval, any existing markers can be temporarily relocated to accommodate construction work, but must be reinstalled once construction is complete.
- **Fencing:** No parallel fencing is allowed within 10 feet of Pipeline 109 and any perpendicular fencing shall require 14 foot access gates to be secured with PG&E corporation locks.
- **Structures:** Permanent structures must be located a minimum distance of 10 feet from the edge of Pipeline 109. A total width of 45 feet shall be maintained for pipeline maintenance. No storage of construction or demolition materials is permitted within this 45 foot zone.
- **Construction Loading:** To operate or store any construction equipment within 10 feet of Pipeline 109 that exceeds the half-axle wheel load (half axle weight is the gross weight upon any one wheel, or wheels, supporting one end of an axle) in the table below, approval from a PG&E gas transmission pipeline engineer is required. Pipeline 109 may need to be potholed by hand in to confirm the depth of the existing cover. These weight limits also depend on the support provided by the Pipeline's internal gas pressure. If PG&E's operating conditions require the Pipeline to be depressurized, maximum wheel loads over the pipeline will need to be further limited. For compaction within two feet of Pipeline 109, walk-behind compaction equipment shall be required. Crane and backhoe outriggers shall be set at least 10 feet from the centerline of Pipeline 109. Maximum PPV vibration levels for any equipment shall be less than 2 in/sec.

Depth of Cover to Top of Pipe (ft.)	Maximum Half-Axle Wheel Loading (lbs)
2	4,580
3	6,843
4	7,775
5	7,318

J. PUBLIC NOTICE AND COMMENT

This Mitigated Negative Declaration has been prepared by the Planning Department pursuant to the Department's rescinding of a July 8, 2016 Categorical Exemption determination to allow for further analysis of potential environmental impacts. The Categorical Exemption was rescinded prior to a scheduled CEQA appeal hearing before the Board of Supervisors in December 2016. The Appellants included individual neighbors and nearby neighborhood organizations, and supporters of the appeal included dozens of individuals, the Sierra Club, and the Bernal Heights Democratic Club. The proposed project was also the subject of Discretionary Review requests by nine individuals and two neighborhood organizations, with the support of neighbors and organizations similar to those supporting the CEQA appeal.

In the course of both the Discretionary Review process and the appeal filed on the July 2016 Categorical Exemption, public comments included concerns about the appropriateness of a Categorical Exemption for the proposed project due to the unique nature of the project site; concerns about cumulative impacts of the development of the remaining lots; concerns about the integrity and safety of PG&E Pipeline 109; emergency access; traffic; and public vistas.

As a result of these public comments, the Planning Department decided to rescind the Categorical Exemption and issue a Mitigated Negative Declaration for the proposed project to ensure that potential environmental impacts to these and other resource areas are properly analyzed, and mitigations instituted, if appropriate.

K. DETERMINATION.

On the basis of this Initial Study:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental documentation is required.

DATE

7/11/2017



Lisa Gibson
Environmental Review Officer
for
John Rahaim
Director of Planning

L. INITIAL STUDY PREPARERS

REPORT AUTHORS

**Planning Department, City and County of San Francisco
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Environmental Planner: Justin Horner

PROJECT SPONSOR

Bluorange Designs

Project Sponsor: Fabien Lannoye

EXHIBIT B



**SAN FRANCISCO
PLANNING DEPARTMENT**

Planning Commission Motion No. [XXXX]

HEARING DATE: June 15, 2017

Case No.: 2013.1383ENV
Project Title: 3516 and 3526 Folsom Street
Zoning: RTI-1 (Residential—House, One Family) Use District
 40-X Height and Bulk District
 Bernal Heights Special Use District
Block/Lot: 5626/013 and 5626/014
Lot Size: 1,750 square feet (each lot)
Project Sponsor: Fabien Lannoye, Bluorange Designs
 415-626-8868
 Fabien@bluorange.com
Staff Contact: Justin Horner – (415) 575-9023
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ADOPTING FINDINGS RELATED TO THE APPEAL OF THE PRELIMINARY MITIGATED NEGATIVE DECLARATION, FILE NUMBER 2013.1383E FOR THE PROPOSED DEVELOPMENT ("PROJECT") AT 3516-26 FOLSOM STREET.

MOVED, that the San Francisco Planning Commission (hereinafter "Commission") hereby AFFIRMS the decision to issue a Mitigated Negative Declaration, based on the following findings:

1. On September 25, 2013, pursuant to the provisions of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code, the Planning Department ("Department") received an Environmental Evaluation Application form for the Project, in order that it might conduct an initial evaluation to determine whether the Project might have a significant impact on the environment.
2. On April 26, 2017 the Department determined that the Project, as proposed, could not have a significant effect on the environment.
3. On April 26, 2017 a notice of determination that a Mitigated Negative Declaration would be issued for the Project was duly published in a newspaper of general circulation in the City, and the Mitigated Negative Declaration posted in the Department offices, and distributed all in accordance with law.
4. On May 16, 2017 an appeal of the decision to issue a Mitigated Negative Declaration was timely filed by Kathy Angus for the Bernal Heights South Slope Organization ("appellant").
5. A staff memorandum, dated June 8, 2017, addresses and responds to all points raised by appellant in the appeal letter. That memorandum is attached as Exhibit A and staff's findings as to those points are incorporated by reference herein as the Commission's own findings. Copies of that memorandum

Motion No. XXXXXX
Hearing Date: June 15, 2017

Case No. 2013.1383E
3516-26 Folsom Street Street

have been delivered to the City Planning Commission, and a copy of that memorandum is on file and available for public review at the San Francisco Planning Department, 1660 Mission Street, Suite 500.

6. On June 15, 2017 the Commission held a duly noticed and advertised public hearing on the appeal of the Preliminary Mitigated Negative Declaration, at which testimony on the merits of the appeal, both in favor of and in opposition to, was received.
7. All points raised in the appeal of the Preliminary Mitigated Negative Declaration at the June 15, 2017 San Francisco Planning Commission hearing have been responded to either in the Memorandum or orally at the public hearing.
8. After consideration of the points raised by appellant, both in writing and at the June 15, 2017 hearing, the San Francisco Planning Department reaffirms its conclusion that the proposed project could not have a significant effect upon the environment.
9. In reviewing the Preliminary Mitigated Negative Declaration issued for the Project, the Planning Commission has had available for its review and consideration all information pertaining to the Project in the Planning Department's case file.
10. The Planning Commission finds that Planning Department's determination on the Mitigated Negative Declaration reflects the Department's independent judgment and analysis.

The San Francisco Planning Commission HEREBY DOES FIND that the proposed Project, could not have a significant effect on the environment, as shown in the analysis of the Mitigated Negative Declaration, and HEREBY DOES AFFIRM the decision to issue a Mitigated Negative Declaration, as prepared by the San Francisco Planning Department.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission on June 15, 2017.

Jonas P. Ionin

Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED:

EXHIBIT C



June 14, 2017

SF Board of Supervisors
San Francisco City Hall
1 Dr Carlton B Goodlett Pl #244
San Francisco, CA 94102

Subject: Review of Proposed Pipeline Impacts
3516 & 3526 Folsom Street
San Francisco, California

Dear President Breed and Honorable Members of the Board of Supervisors,

I have reviewed the analyses upon which the proposed mitigation options¹ relative to PG&E's natural gas Line 109 (the "Transmission Line") have been generated. In my opinion, the analyses are inadequate, incomplete, and fall short of a rigorous evaluation of pipeline integrity and assurance of public safety given the potential harm as a result of rupture and ignition of natural gas from this transmission pipeline. As a result, a reasonable possibility of a significant effect still exists with respect to degradation of the Transmission Line integrity and the adequacy and feasibility of the proposed mitigation actions are very much in question.

While an assessment of a potential suite of ground velocities has been completed, no direct assessment of pipeline integrity impacts have been evaluated. The analyses presented associated with this negative declaration are indirect. The current analysis infers that peak particle velocities (PPV) below a certain threshold will not degrade pipeline integrity. Inference is not equivalent to a data-driven validated relationship by PG&E that explicitly establishes a direct correlation between peak particle velocity and degradation of pipeline integrity.

The American Society of Mechanical Engineers (ASME) has a standard (ASME B31.8S) that presents guidance on evaluation of gas pipeline integrity². A multitude of factors that impact pipeline integrity are presented in this document. These factors include: pipe wall thickness, diameter, seam type and joint factor, year of installation, bending method, joining method and process of inspection, depth of cover, field coating methods, soil backfill, cathodic protection, coating type, nominal maximum and minimum operating pressures, leak/failure history, pipe wall temperature, OD/ID corrosion monitoring, pressure fluctuations, encroachments, vandalism, and external forces. It is unclear that all of these factors are fully accounted for in the PPV-Integrity relationship proposed by PG&E.

Further, ASME B31.8S recommends that validation of any assessment process is vital. "Validation of risk analysis results is one of the most important steps in any assessment process. This shall be done to assure that the methods used have produced results that are usable and are consistent with the operator's and industry's experience... A risk validation and process shall be identified and documented in the integrity and management program. Risk result validations can be

¹ San Francisco Planning Department, Mitigated Negative Declaration (April 19, 2017; amended June 8, 2017)

² ASME B31.8S-2004 "Managing System Integrity of Gas Pipelines"



3516 & 3526 Folsom Street
June 14, 2017

successfully performed by conducting inspections, examinations, and evaluations at locations that are indicated as either high risk or low risk to determine if methods are correctly characterizing the risks." No such validation has been provided or referenced.

Based on the facts and new analyses associated with the proposed development, it is my expert opinion that a reasonable possibility of a significant effect still exists with respect to degradation of the Transmission Line Integrity.

Given the uncertainties of actual pipe integrity, strong consideration should be given to replacing the segment of pipeline to ensure maximum integrity and minimal exposure of residents to potential undue injury or death as a result of the anticipated heavy excavation and ground disturbance activities.

No payments for services have been received and no future promises of compensation have been offered.

I reserve the right to update my independent review based on new information.

Please contact me with any questions or comments by phone at (510) 225-5389 or via email at rune@storesundconsulting.com.



Sincerely,

STORESUND CONSULTING

Rune Storesund, D.Eng., P.E., G.E.
Consulting Engineer

UC Berkeley Center for Catastrophic Risk Management
Executive Director

EXHIBIT D



June 5, 2017

SF Board of Supervisors
San Francisco City Hall
1 Dr Carlton B Goodlett Pl #244
San Francisco, CA 94102

Subject: Independent Project Review
3516 & 3526 Folsom Street
San Francisco, California

Dear President Breed and Honorable Members of the Board of Supervisors,

This letter is in response to additional evaluations performed with regards to potential construction-induced degradation of the integrity and safety of PG&E's natural gas Line 109. I reviewed a memorandum prepared by Illingworth & Rodkin, Inc. (dated March 24, 2017), a letter prepared by Illingworth & Rodkin, Inc. (dated April 14, 2017), and a letter prepared by Mr. John Dolcini of Pacific Gas and Electric Company dated March 30, 2017.

In previous letters, I noted that construction-related stressing, as well as accidental 3rd party damage, has the potential to degrade the integrity of the PG&E natural gas transmission line, exposing the surrounding neighbors to increased risk of death and injury from the potential of construction-induced puncture or degradation of pipeline integrity.

As noted earlier, unlike lots further west and further east (Gates Street, Banks Street) that are not immediately adjacent to a transmission line, these specific parcels are unique in their proximity to a significant hazard. As a result of the increased risk exposure, this site should receive more scrutiny.

I raised the concern about impact to pipeline integrity. While a discussion was presented by Illingworth & Rodkin, Inc. about anticipated Peak Particle Velocities (PPVs), there was no explicit analysis of actual impact to the pipeline integrity. Illingworth & Rodkin, Inc. infer in their analyses that typical PPV thresholds apply to Line 109. However, there are a number of site-specific factors that make this site unique that do not appear to have been accounted for in the analyses. For example, the pipeline is situated on an incline with a 90-degree bend at the top of the hill. Most conventional pipelines are horizontal in utility trenches on much flatter ground. Ground vibrations will have a different extensional effect on an inclined pipe than a horizontal pipe. The only reliable method to ascertain the impact of these simplifications and generalizations is to calculate pipeline integrity model bias (comparison of predicted value vs actual value). No model bias value for this site was presented.

Mr. Dolcini's letter actually illustrates that PG&E's requirement of a minimum of 36 inches of soil cover is very likely violated at this location, with a PG&E-estimated 24 inches of soil cover. This 'discovery' would only have occurred through our strong suggestion that PG&E certify the integrity of the pipeline. It would not be surprising if a site-specific assessment will find additional



deviations to be discovered that reveal a lower actual pipeline integrity vs an assumed pipeline integrity.

PG&E is the only organization in a position to analyze the additional fatigue expected to be exerted on the pipeline from the bedrock excavation activity and certify that no appreciable degradation will occur. This pipeline has the potential to catastrophically fail and result in deaths within the blast radius of the pipeline. To date, no such certification has been provided by PG&E.

Based on the facts and new analyses associated with the proposed development, it is my expert opinion that a reasonable possibility of a significant effect still exists with respect to degradation of the Transmission Line integrity as a result of the required rock excavation to achieve the delineated site grades shown in the project plans.

Given the uncertainties of actual pipe integrity, strong consideration should be given to replacing the segment of pipeline to ensure maximum integrity and minimal exposure of residents to undue injury or death as a result of the anticipated heavy excavation and ground disturbance activities.

My qualifications are presented in the attached resume. I am a practicing Geotechnical Engineer (CA License Number 2855), I provide gas pipeline risk reviews for the State of California Department of Education, and have participated in forensic engineering projects over the last 10 years with damage claims in excess of \$2 billion and more than 8,000 hour of direct forensic analyses. My most recent engagement was a geotechnical forensic evaluation of the March 2014 Oso Landslide in Washington State, which resulted in the tragic loss of 43 individuals. In addition to private consulting, I am the Executive Director of the Center for Catastrophic Risk Management at UC Berkeley.

No payments for services have been received and no future promises of compensation have been offered.

I reserve the right to update my independent review based on new information.

Please contact me with any questions or comments by phone at (510) 225-5389 or via email at rune@storesundconsulting.com.



Sincerely,

STORESUND CONSULTING

Rune Storesund, D.Eng., P.E., G.E.
Consulting Engineer

UC Berkeley Center for Catastrophic Risk Management
Executive Director

EXHIBIT E



582 MARKET ST. SUITE 1800
SAN FRANCISCO, CA 94104

T: 415.391.9633

F: 415.391.9647

www.garavaglia.com

12 December 2016

RE: 3516 / 26 Folsom Street

To whom it may concern,

The rendering (Exhibit A) depicting the North side of 3516 Folsom Street (view looking South) was prepared in an appropriate manner. Fixed-length story poles were used to establish the proposed building height in a photograph (Exhibit B) and then a sketch of the proposed project was overlaid to provide an accurate rendition of the project as it would be seen from Bernal Heights Blvd. The story poles were placed by measuring off known property corners. All dimensions were taken from the Project Sponsors drawings.

The proposed design will block a public viewshed from a public street and over City- owned property- one of the last panoramic views of the Bay and valley from the South side of Bernal Heights Blvd.

It is interesting to note that the Project's grading / topography and building height elevation data points coincide with a Department of Public Works topographic map (Exhibit C) for the area. The elevation of Bernal Heights Blvd. adjacent to the proposed project aligns with or is below the top of the new building - thus blocking the view from a vantage point on Bernal Heights Blvd. adjacent to the new building.

Also, from my review of the drawings, the driveway design will not be maneuverable for most cars across this area w/o bottoming out. The uphill side of the driveway slopes down at a 38% grade - the City's DPW recommends (or may limit) that to 25%. This would also need transition ramps of about 10%. If they were to raise the building out of the ground they may be better able to accomplish getting cars into the garage. This of course will make the building even higher. Being auto access is so limited by the steep slopes and extreme warping, the project ostensibly is not providing parking. The Folsom Street extension itself calcs out to about a 36% grade - one of the steepest in San Francisco.

Sincerely,

Michael Garavaglia, A.I.A., LEED AP BD+C
President, Garavaglia Architecture, Inc.

MICHAEL GARAVAGLIA, AIA, LEED AP BD+C

PRINCIPAL-IN-CHARGE, PRESERVATION ARCHITECT (LIC. C14833)

Exceeds Secretary of the Interior Professional Qualifications Standards – Historic Architecture

With more than 30 years of experience in the architectural profession and as principal, Mr. Garavaglia leads the firm with preservation architectural services that respond to the specific needs of cultural resources and their environment. He believes strongly in the role of sustainability in historical rehabilitation, its merit in economic development, and the significance of retaining cultural resources for local communities. He seeks opportunities for creative teaming in his staff and consultants to create the most responsive team for each unique project and client. He directs his firm to constantly evolve its preservation services and work products to maintain the relevance and quality control of the firm's work. As such, a preservation project delivery methodology integrating historical knowledge in the design process is key. His work with the preservation community, primarily through involvement with the California Preservation Foundation, focuses on organizational involvement, educational programs, and stewardship development.

Mr. Garavaglia received his professional Bachelor of Architecture degree from California State Polytechnic University at San Luis Obispo, which included a special study program in Historic Preservation. He is a LEED Accredited Professional with specialization in Building Design and Construction, a Conservation Assessment Program (CAP) Assessor, and he is listed in the Heritage Preservation database maintained by the National Institute for Conservation. Mr. Garavaglia is licensed to practice architecture in California, is a qualified Historic Architect with the California Historical Resources Information System (CHRIS) and Nevada SHPO, and is a member of the American Institute of Architects (AIA). Mr. Garavaglia has been included in several publications including *Northern California Home & Garden*, *Architectural Record*, and the *San Francisco Chronicle*.

Select projects with his major technical and management involvement for historic building rehabilitation projects and reports include:

- State of California Department of Parks and Recreation, Multiple Projects for the Northern District Service Center, CA
- Angel Island Immigration Station Rehabilitation, Angel Island State Historic Park, CA
- As-Needed Preservation Services for San Francisco City Hall and Civic Center Campus, San Francisco, CA
- Hangar One Conditions Assessment and Rehabilitation Plan, U.S. Naval Air Station, Moffett Field, Mountain View, CA
- Lorenz Hotel, Redding, CA
- Columbia State Historic Park: Cultural Landscape Report and Burns Cottage Condition Assessment Report, Columbia State Historic Park and National Historic Landmark District
- Palo Alto History Museum, Palo Alto, CA
- Bodie Benton Depot, Bodie State Historic Park, CA
- Presidio Post Chapel Feasibility Study, Presidio of San Francisco, CA
- Doyle Drive Building Relocation Study and Historic Structures Reports, Presidio of San Francisco National Landmark District Buildings 201, 204 and 228, San Francisco, CA
- 450 McAllister Street Window Assessment, San Francisco, CA

Exhibit A

BLOCKED PUBLIC VIEW

FROM SIDEWALK SERVING BERNAL HEIGHTS PARK

ELEVATION: 325' 6"

PARAPET: 328"

ELEVATION: 325' 6"

"OVERLOOKS AND OTHER VIEWPOINTS FOR APPRECIATION OF THE CITY AND ITS ENVIRONS SHOULD BE PROTECTED AND SUPPLEMENTED, BY LIMITATIONS OF BUILDINGS AND OTHER OBSTRUCTIONS."
SF GENERAL PLAN URBAN DESIGN ELEMENT, POLICY 1.3, 2nd Paragraph

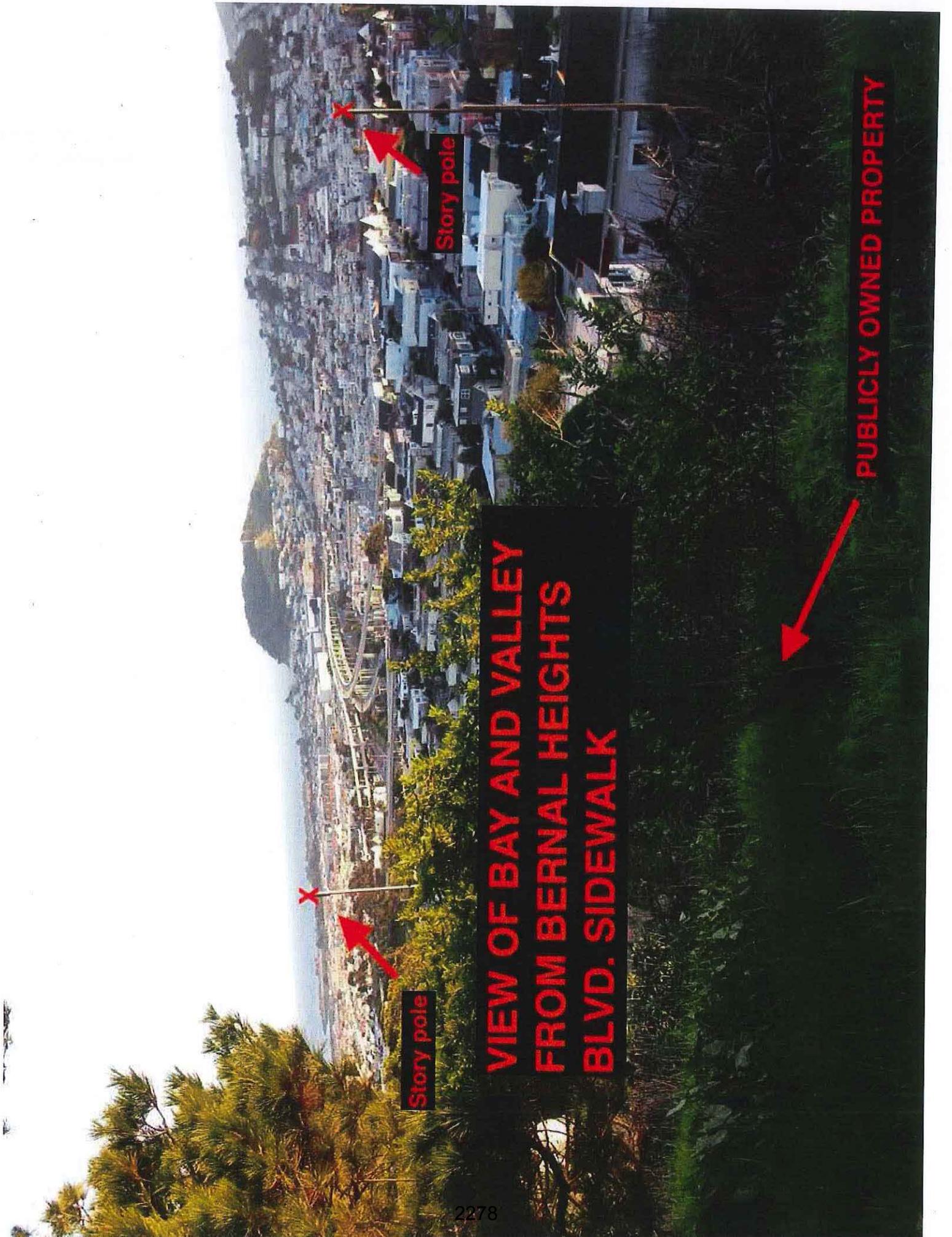
"THE PROPOSED ROOFS OF THE TWO BUILDINGS WOULD SIT BELOW THE ELEVATION OF BERNAL HEIGHTS BLVD."
SF PLANNING DEPT. CATEX, 7/8/2016

Bernal Heights Community Garden

ELEVATION OF SIDEWALK AREA ABOVE PROPERTY SITE: 320' - 325'

PUBLIC LAND

Exhibit B



Story pole

Story pole

**VIEW OF BAY AND VALLEY
FROM BERNAL HEIGHTS
BLVD. SIDEWALK**

PUBLICLY OWNED PROPERTY

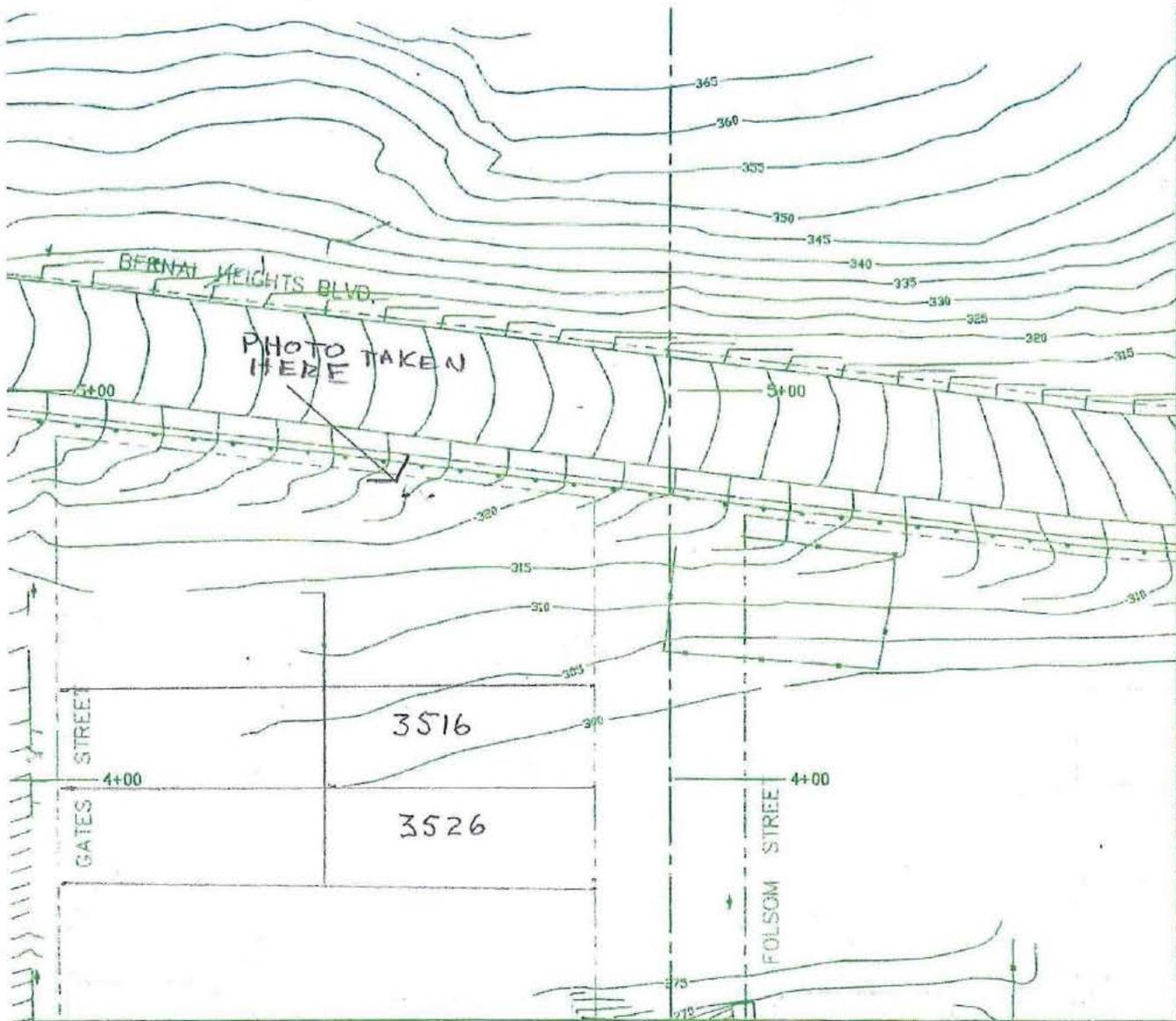
Exhibit C

ELEVATIONS

BERNAL HEIGHTS BLVD

1/2
|

FOLSOM STREET



MATCH LINE "B" SEE SHEET R-5

MATCH LINE "A" SEE SHEET R-4

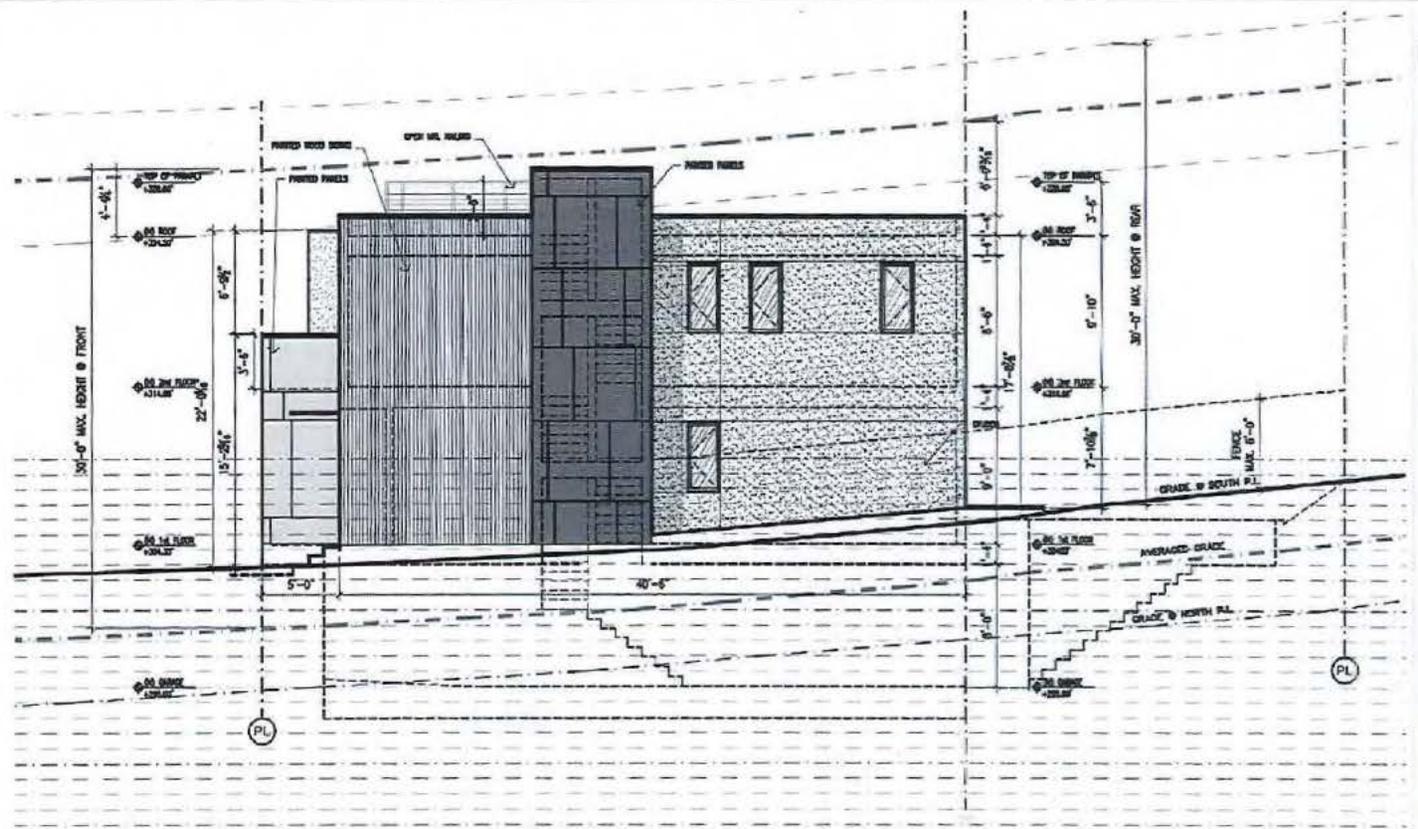


Exhibit D

METHODOLOGY FOR USING STORY POLES ON 3516 NORTH ELEVATION
by Marilyn Waterman

- 1) I REFERRED TO SUBMITTED BLUEPRINTS AND HAD TWO PEOPLE DOUBLE CHECK MEASUREMENTS.
- 2) EASTERN CORNER OF HOUSE OF NORTH ELEVATION WAS MEASURED AT 23' 4".
- 3) WESTERN CORNER OF HOUSE OF NORTH ELEVATION WAS MEASURED AT 19.1"
- 4) WE DID NOT INCLUDE ANY OTHER ASPECT OF HOUSE IN MEASUREMENT EXCEPT NORTH ELEVATION CORNERS AND MADE EVERY ATTEMPT TO BE ACCURATE.
- 5) WE MEASURED 24'6" FROM BACK FENCE AND SET FIRST STORY POLE. WE USED FENCE PROPERTY LINE OF ABUTTING HOUSE AS GUIDE FOR NORTH PROPERTY LINE.
- 6) FIRST STORY POLE WAS HELD APPROXIMATELY FIVE FEET INSIDE PROPERTY LINE TO ACCOUNT FOR BLUE PRINT DESIGN SET BACK - WHILE TRYING NOT TO STEP ON PROPERTY.
- 7) USING FENCE LINE OF ABUTTING HOUSE AS GUIDE, 40'6' WAS MEASURED FROM WESTERN STORY POLE TO EASTERN STORY POLE.
- 8) PICTURE WAS TAKEN WITH STORY POLES.
- 9) GRAPHIC ARTIST USED DEVELOPER'S RENDITION OF NORTH ELEVATION AND SUPERIMPOSED IT OVER PICTURE, USING STORY POLES AS A GUIDE.

Dec. 11, 2016



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LSOM Street - Side (North) ELEVATION

3516 and Site Perr 09/30/20

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Architectural section drawing of a building facade. The drawing shows a multi-story structure with windows and doors. Key annotations include: "OPEN VTL RAILING" at the top; "OUTLINE C" on the left; "30'-0\"/>

17.00 x 11.00 in

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EXHIBIT F



December 11, 2016

SF Board of Supervisors
San Francisco City Hall
1 Dr Carlton B Goodlett Pl #244
San Francisco, CA 94102

Subject: Impact to PG&E Transmission Line 109
3516 & 3526 Folsom Street
San Francisco, California

Dear President Breed and Honorable Members of the Board of Supervisors,

This letter is in response to a request for an independent assessment of potential damage to the PG&E Transmission Line 109 associated with construction activities of the proposed 3516 & 3526 Folsom Street development. I am a practicing Geotechnical Engineer (CA License Number 2855), I provide gas pipeline risk reviews for the State of California Department of Education, and have participated in forensic engineering projects over the last 10 years with damage claims in excess of \$2 billion and more than 8,000 hour of direct forensic analyses. My most recent engagement was a geotechnical forensic evaluation of the March 2014 Oso Landslide in Washington State, which resulted in the tragic loss of 43 individuals. In addition to private consulting, I am the Executive Director of the Center for Catastrophic Risk Management at UC Berkeley.

This geotechnical review is the requested independent assessment and is based on documents included in the Discretionary Review, Full Analysis by San Francisco Planning Department (dated October 4, 2016) as well as a set of geotechnical reports prepared by Mr. H. Allen Gruen (dated August 3, 2013). I also reviewed the "Categorical Exemption Appeal" (3516-3526 Folsom Street), prepared by the San Francisco Planning Department (dated December 5, 2016) and "Appeal of CEQA Categorical Exemption Determination," prepared by Mr. Charles Olson (dated December 2, 2016).

I previously prepared a letter dated December 1, 2016 that presented my initial review of the proposed project, with respect to potential construction impacts to the PG&E Transmission Line.

Based on the facts associated with the proposed development, it is my expert opinion that a reasonable possibility of a significant effect exists with respect to degradation of the Transmission Line integrity as a result of the required rock excavation to achieve the delineated site grades shown in the project plans.

Fact 1: The proposed developments anticipate excavations on the order of 8-10 feet below grade. (see sheet A-3 from 3516 Folsom Street drawings).

Fact 2: Geotechnical soil borings performed at the site show the presence of chert bedrock at a depth of 3 to 5 feet below grade. See geotechnical reports prepared by Mr. H. Allen Gruen (dated August 3, 2013).



Fact 2: The geotechnical soil borings encountered 'refusal' at a depth of 3 to 5 feet. The borings were not advanced to the target depth of the proposed excavation. Typical geotechnical field exploration programs advance borings past the anticipated depth of structure foundations. This demonstrates that the ground conditions are hard bedrock and not softer soil subsurface conditions.

From 3516 Folsom Geotechnical Report (page 6):

"Bedrock was encountered in our borings at a depth of about 3 to 4 feet below the ground surface. We anticipate that excavations in the upper portion of bedrock at the site can be conducted with conventional equipment, although localized ripping may be required. Excavations extending deeper into the bedrock may require extra effort, such as heavy ripping, hoe-rams, or jack-hammering. We anticipated that the bedrock will become harder and more massive with increasing depth."

Fact 3: Bedrock excavations require heavy excavation equipment or rock blasting. These bedrock excavation techniques result in higher peak ground velocities than conventional soil excavation. Higher peak ground velocities result in increased fatigue on pipelines. Increased fatigue degrades pipeline integrity and results in premature failure of pipelines.

Fact 4: Stress concentrations occur at pipeline elbows. Elbows are located on PG&E Transmission Line 109 as the pipeline goes from a north-south alignment up Folsom Street, to an east-west alignment along Bernal Heights Boulevard. This pipeline bend is immediately adjacent to the proposed construction activity and is susceptible to fatigue-induced failure. (See Figure 1 on page 4 of the San Francisco Planning Department's Certificate of Determination, Exemption from Environmental Review, dated July 8, 2016).

Fact 5: PG&E has not 'cleared' the proposed rock excavation work associated with the development. PG&E is the only organization in a position to analyze the additional fatigue expected to be exerted on the pipeline from the bedrock excavation activity and certify that no appreciable degradation will occur. This pipeline has the potential to catastrophically fail and result in deaths within the blast radius of the pipeline.

To date, PG&E has only said the proposed construction activity would "present no particular issues with respect to patrolling and maintaining the pipeline." (Source: last paragraph, page 4, San Francisco Planning Department's Certificate of Determination, Exemption from Environmental Review, dated July 8, 2016). Being able to patrol a pipeline is very different from monitoring the integrity and time to failure of a major transmission pipeline.

PG&E has stated that "PG&E patrols its gas transmission pipeline at least quarterly to look for indicators of missing pipeline markers, construction activity and other factors that may threaten the pipeline. Line 109 through the neighborhood was last patrolled in May 2014 and everything was found to be normal." (source: Austin Sharp Q&A, Question 8).

Note that this does not address pipeline integrity and additional fatigue to the pipeline as a result of the proposed excavation in bedrock to construct these projects.

Further, PG&E notes that there are three integrity assessments. An in-line inspection allows for identification of metal loss or geometric abnormalities. Direct excavation allows for visual



observation of the pipeline. Pressure testing allows for confirmation that the pipeline can sustain prescribed pressure levels. While PG&E has performed evaluations to ascertain corrosion, this is not representative of the full integrity of the pipeline.

Thus, the unusual circumstance warranting more thorough environmental review is the proposed excavation into bedrock, resulting in enhanced ground velocities resulting in additional fatigue on the PG&E transmission line, which has the possibility to fail catastrophically. The actual integrity of Line 109 has not been characterized by PG&E, nor has the useful serviceable life been established. Based on this setting and the associated uncertainties with respect to actual pipeline integrity, it is my expert opinion that a reasonable possibility of a significant effect exists.

No payments for services have been received and no future promises of compensation have been offered.

I reserve the right to update my independent review based on new information.

Please contact me with any questions or comments by phone at (510) 225-5389 or via email at rune@storesundconsulting.com.



Sincerely,

STORESUND CONSULTING

Rune Storesund, D.Eng., P.E., G.E.
Consulting Engineer

UC Berkeley Center for Catastrophic Risk Management
Executive Director

EXHIBIT G



December 1, 2016

SF Board of Supervisors
San Francisco City Hall
1 Dr Carlton B Goodlett Pl #244
San Francisco, CA 94102

Subject: Independent Project Review
3516 & 3526 Folsom Street
San Francisco, California

Dear President Breed and Honorable Members of the Board of Supervisors,

This letter is in response to a request for an independent assessment of the proposed 3516 & 3526 Folsom Street development. My qualifications are presented in the attached resume. I am a practicing Geotechnical Engineer (CA License Number 2855), I provide gas pipeline risk reviews for the State of California Department of Education, and have participated in forensic engineering projects over the last 10 years with damage claims in excess of \$2 billion and more than 8,000 hour of direct forensic analyses. My most recent engagement was a geotechnical forensic evaluation of the March 2014 Oso Landslide in Washington State, which resulted in the tragic loss of 43 individuals. In addition to private consulting, I am the Executive Director of the Center for Catastrophic Risk Management at UC Berkeley.

This geotechnical review is the requested independent assessment and is based on documents included in the Discretionary Review, Full Analysis by San Francisco Planning Department (dated October 4, 2016) as well as a set of geotechnical reports prepared by Mr. H. Allen Gruen (dated August 3, 2013).

The proposed projects are located immediately adjacent to a major PG&E transmission natural gas pipeline (Figure 1, Figure 2, Figure 3). This major pipeline is located immediately below the primary access road for the construction (Figure 4, Figure 5), immediately adjacent to significant proposed new utility work (e.g. gas service, water supply, sewer) as well as removal of existing pipeline soil cover (Figure 6, Figure 7), and immediately adjacent to significant proposed bedrock excavation (depths on the order of 6 to 10 feet per the submitted architectural elevations (such as sheet A-3), as seen in .

Construction-related stressing, as well as accidental 3rd party damage, has the potential to degrade the integrity of the PG&E natural gas transmission line, exposing the surrounding neighbors to increased risk of death and injury from the potential of construction-induced puncture or degradation of pipeline integrity.

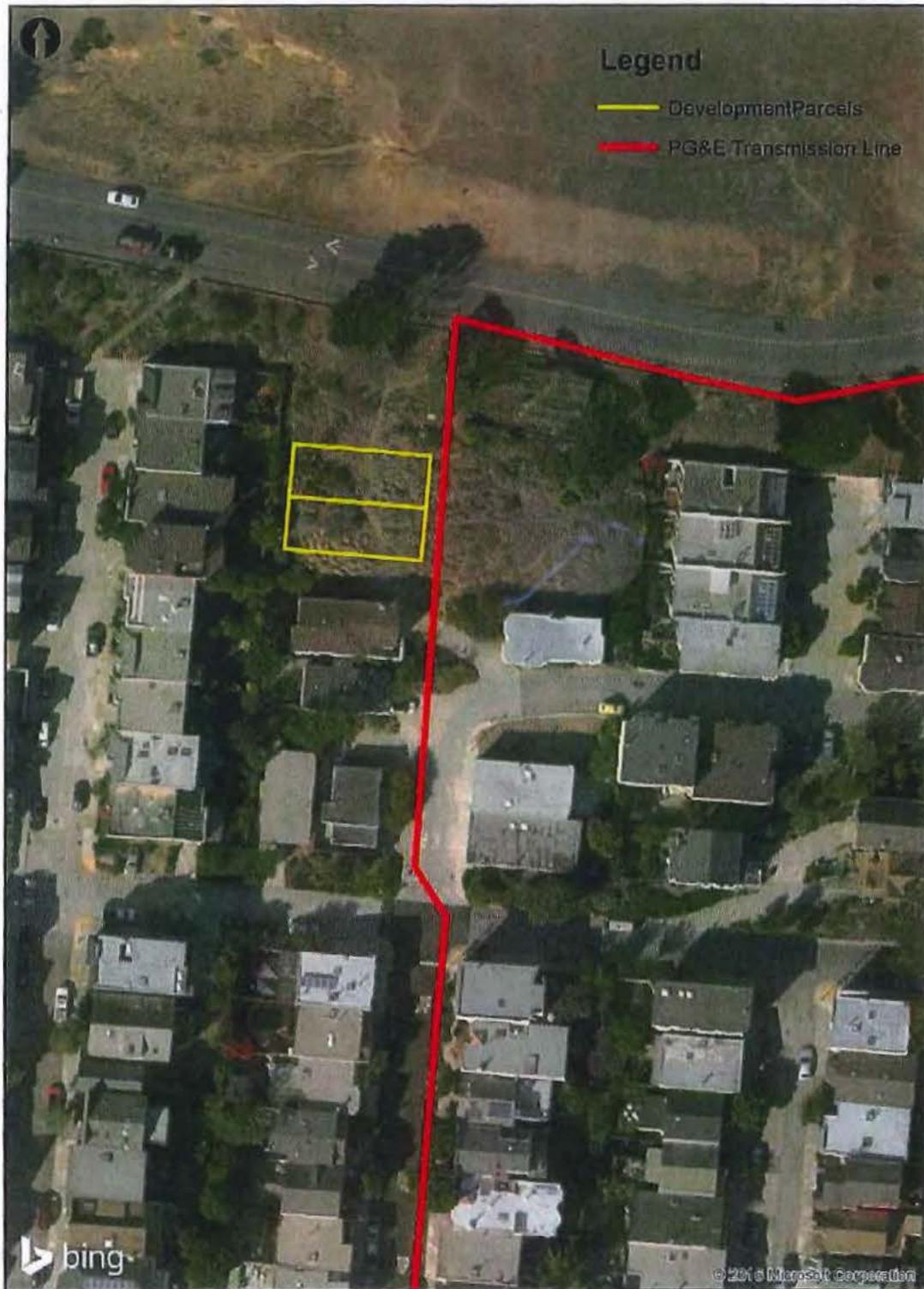
Unlike lots further west and further east (Gates Street, Banks Street) that are not immediately adjacent to a transmission line, these specific parcels are unique in their proximity to a significant hazard.



Major items of concern include at this particular project site:

- Geotechnical borings do not extend to the proposed depth of excavation, providing information on competence of bedrock and anticipated level of effort to excavate;
- No explicit discussion about induced ground vibrations during rock excavation and associated potential degradation of the PG&E transmission line integrity;
- No explicit discussion about negative impacts of construction traffic to the PG&E transmission line integrity; and
- Significant construction operations immediately adjacent to the active PG&E transmission pipeline.

Given the uncertainties of actual pipe integrity, strong consideration should be given to replacing the segment of pipeline to ensure maximum integrity and minimal exposure of residents to undue injury or death as a result of the anticipated heavy excavation and ground disturbance activities.

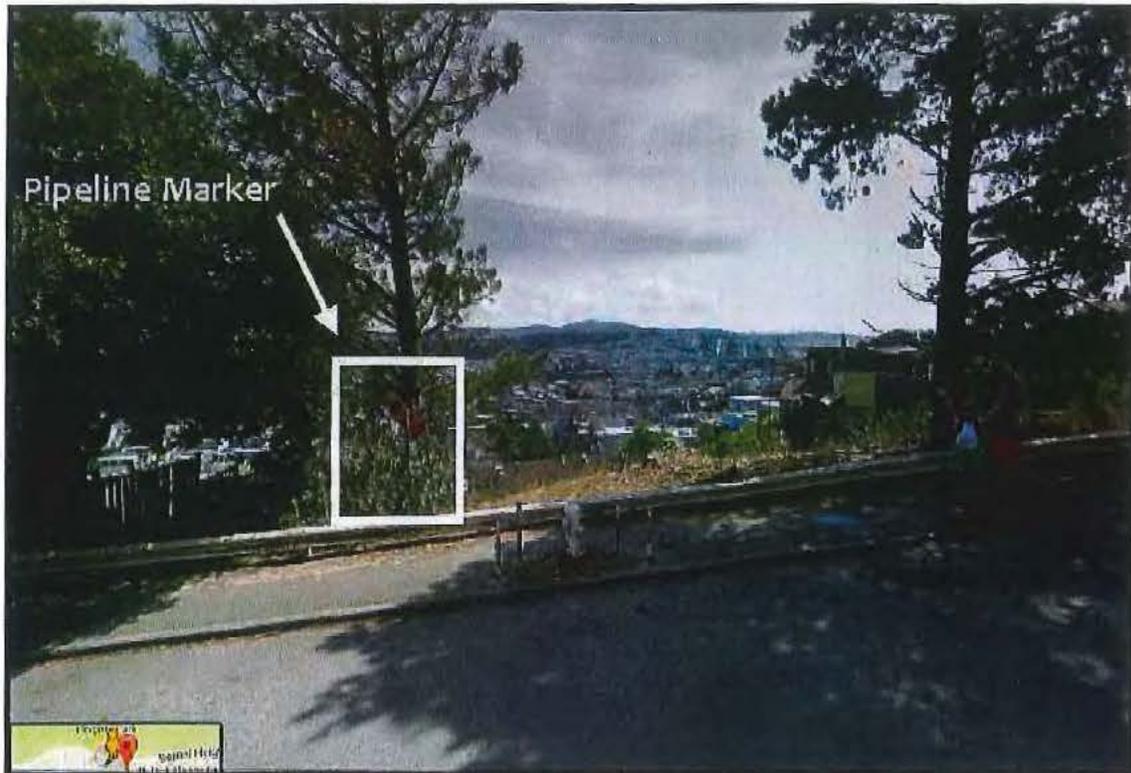


Overview of parcel locations relative to transmission line.

Figure 1: Overview of parcels with proposed development. Note that the PG&E transmission line is directly under the primary access.



Site Photo



View from Bernal Heights Boulevard, near intersection with Folsom Street
(Source: Google Maps, July 2015; Accessed March 23, 2016)

SAN FRANCISCO
PLANNING DEPARTMENT

Discretionary Review Hearing
Case Numbers:
2013.1383DRP-10 & 2013.1768DRP-09
3516 & 3526 Folsom Street

Figure 2: Pipeline marker at Bernal Heights Boulevard.



Site Photo



View of Folsom Street (looking up to Project Site)
(Source: Google Maps, July 2015; Accessed March 18, 2016)

SAN FRANCISCO
PLANNING DEPARTMENT

Discretionary Review Hearing
Case Numbers:
2013.1383DRP-10 & 2013.1768DRP-09
3516 & 3526 Folsom Street

Figure 3: Pipeline marker at corner of Folsom & Chapman.



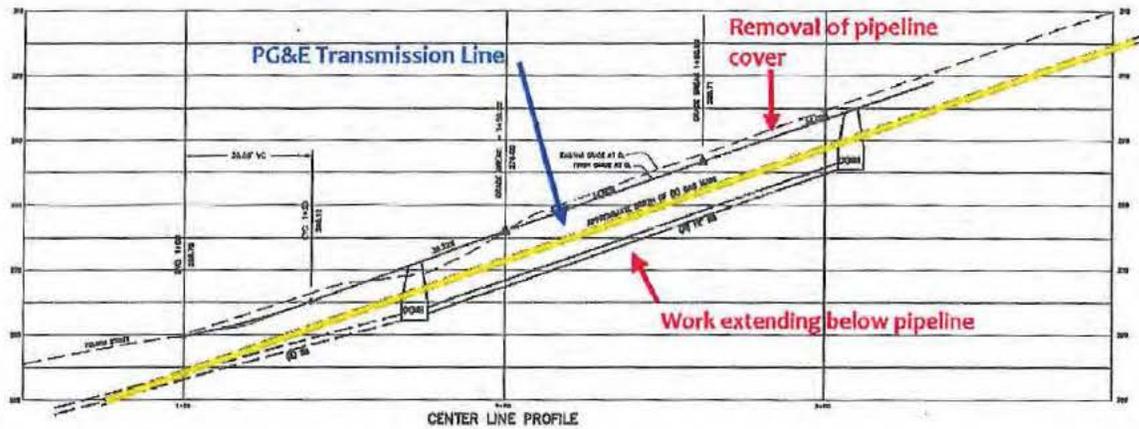
Site plan relative to transmission line.

Figure 4: PG&E transmission line relative to proposed site plan.



CAMERA 5: View from Chapman Street at Folsom Street looking North-West

Figure 5: Approximate PG&E transmission gas line alignment relative to proposed structures.



Profile from sheet C1.0 (August 2016)

Figure 6: Plans call for removal of pipeline cover as well as construction work below the existing pipeline.

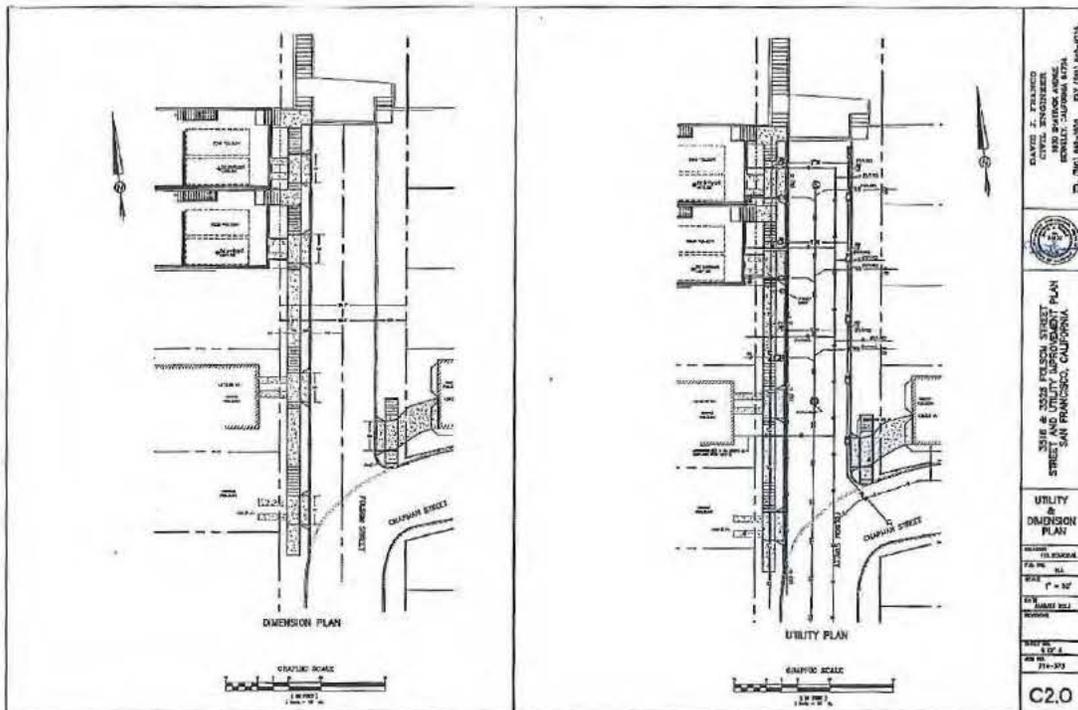


Figure 7: Proposed utilities immediately adjacent to the PG&E transmission line.

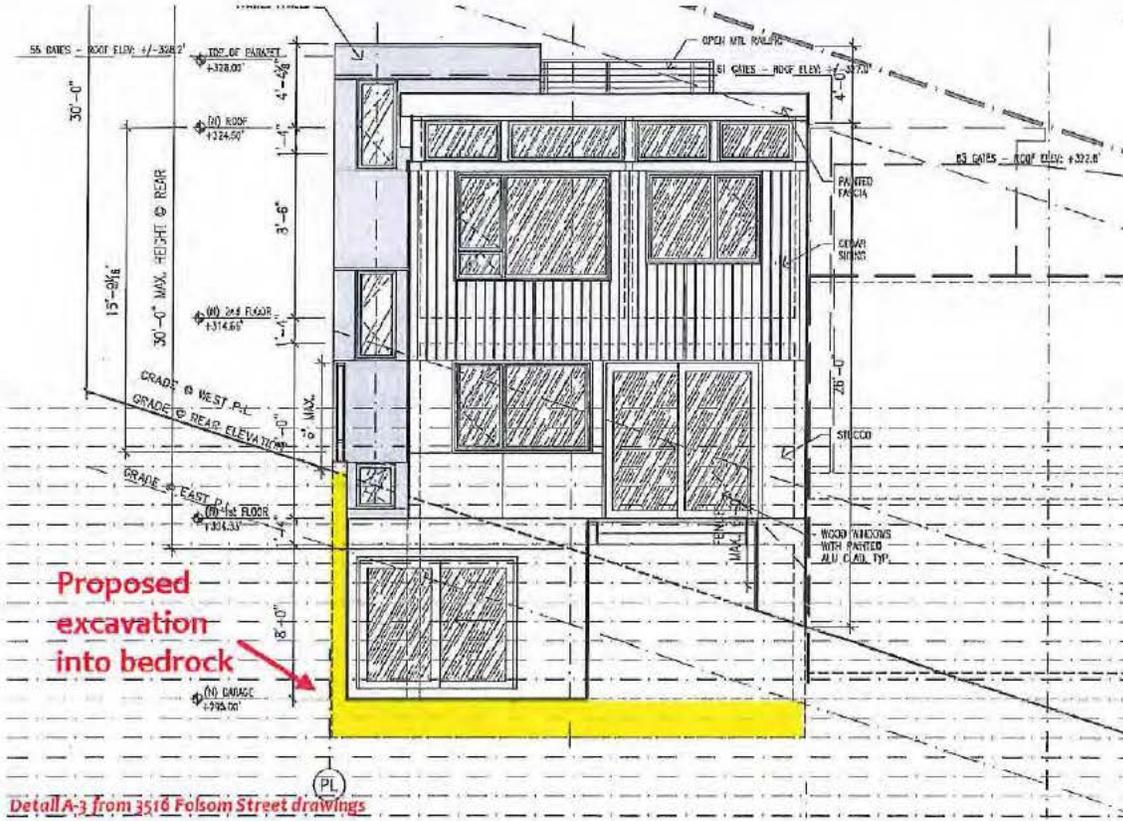


Figure 8: Significant cuts into bedrock resulting in ground vibrations.



No payments for services have been received and no future promises of compensation have been offered.

I reserve the right to update my independent review based on new information.

Please contact me with any questions or comments by phone at (510) 225-5389 or via email at rune@storesundconsulting.com.



Sincerely,

STORESUND CONSULTING

Rune Storesund, D.Eng., P.E., G.E.
Consulting Engineer

UC Berkeley Center for Catastrophic Risk Management
Executive Director

Attachment Dr. Rune Storesund Resume



PROFESSIONAL RESUME

Rune Storesund, D.Eng., P.E., G.E.
Consulting Engineer

EDUCATION:

D. Eng Civil Engineering, University of California, Berkeley, 2004-2009
(*Dissertation: Life-Cycle Reliability-Based River Restoration*)
Management of Technology Certificate Program, HAAS, UC Berkeley, 2007
M.S. Civil Engineering, University of California, Berkeley, 2002 (Geotechnical Engineering)
B.S. Civil Engineering, University of California, Berkeley, 2000
B.A. Anthropology, University of California, Santa Cruz, 2000

QUALIFICATIONS:

- California, Civil Engineer, RCE 64473
- California, Geotechnical Engineer, GE 2855
- Louisiana, Civil Engineer, RCE 35034
- Hawaii, Civil Engineer PE-15439
- Washington, Civil Engineer PE 52924
- California Safety Assessment Program Disaster Service Worker
- NAUI Scuba Diver Openwater I (1994)
- Offshore Survival Certification

EXPERIENCE:

Dr. Storesund has 16 years of planning, design, engineering, and construction experience and has worked on a variety of projects throughout California, the United States, and internationally. Dr. Storesund provides consulting services in all aspects of civil, geotechnical, water resources, ecological, restoration, and sustainability engineering projects. His expertise is on the application of reliability and risk-based approaches to engineering projects (with a specialization in environmental restoration and flood control projects) in order to effectively manage project uncertainties. Dr. Storesund has participated in all aspects of engineering projects; from preliminary reviews to detailed analyses to construction observations and post-project monitoring. He provides expert forensic engineering services for geotechnical and civil infrastructure systems. In addition to traditional engineering services, he provides consultations on field instrumentation and monitoring programs as well as Terrestrial LiDAR field survey services. His doctoral research was on life-cycle, reliability-based river restoration.

Dr. Storesund is the Executive Director of UC Berkeley's Center for Catastrophic Risk Management (risk.berkeley.edu). The Center for Catastrophic Risk Management (CCRM) is a group of academic researchers and practitioners who recognize the need for interdisciplinary solutions to avoid and mitigate tragic events. This group of internationally recognized experts in the fields of engineering, social science, medicine, public health, public policy, and law was formed following the tragic consequences of Hurricane Katrina to formulate ways for researchers and experts to share their lifesaving knowledge and experience with industry and government. CCRM's international membership provides experience across cultures and industries that demonstrate widespread susceptibility to pervasive threats and the inadequacy of popular, checklist-based remedies that are unlikely to serve in the face of truly challenging problems.

Dr. Storesund serves as an on-call expert Geotechnical Engineer to the State of California's Department of Consumer Affairs for their annual examination.



PROFESSIONAL RESUME

Rune Storesund, D.Eng., P.E., G.E.
Consulting Engineer

PROJECTS: Projects Dr. Storesund has worked on are listed below:

Environmental Restoration

Louisiana Coastal Protection and Restoration (LACPR): Working with Environmental Defense, Dr. Storesund provided consultation services on proposed coastal restoration efforts in Louisiana, submitted by the United States Army Corps of Engineers (USACE). Dr. Storesund developed planning and design evaluation metrics by which to evaluate the adequacy of the proposed restoration alternatives. Additionally, Dr. Storesund is performed a technical review of the risk-based design prepared by the USACE.

Yosemite Slough Restoration: Dr. Storesund served as a project engineer, providing geotechnical recommendations during design. Project specifications were developed for this restoration project in San Francisco, California. The USACE SPECSINTACT program was used to develop the specifications.

Hamilton Wetland Restoration Project Shaping Contract, Novato, California: Dr. Storesund served as the geotechnical engineer of record for this earthwork project to shape dredge spoils into habitat features. Four areas (North Seasonal Wetland, Wildlife Corridor, Tidal Panne, and South Seasonal Wetland), each having different habitat requirements, were configured as part of the restoration project. A special low-permeability bottom was developed to minimize water infiltration and maximize salt retention in the seasonal tidal areas (habitat feature).

Redwood Creek, Napa County, California: Dr. Storesund provided topographic as-built and photographic documentation for this in-stream habitat enhancement project. Boulder features were added to provide channel roughness and resting pools for migrating fish.

Upper Napa River Restoration Project, Napa County, California: Dr. Storesund served as the lead engineer providing civil, geotechnical, environmental, hydrological engineering and topographic mapping services for a four-mile stretch of the Napa River south of Calistoga, California. The project was sponsored by the California Land Stewardship Institute.

Sulphur Creek Monitoring, Hayward, California: Dr. Storesund is conducting annual geomorphic monitoring (for a total of 10 years) of this completed restoration project in Hayward, California. The project included slope stabilization and installation of habitat features (rock boulders). The monitoring includes surveys (cross-sectional, thalweg) and photo monitoring.

Kirby Canyon Landfill Mitigation, Santa Clara County, California: Dr. Storesund provided geotechnical engineering recommendations for this dam removal and creek restoration project. The site is located in a very steep canyon, with high gradients. In addition, the dam had been overtopped during previous storms, resulting in very deeply incised ravines forming (which needed to be backfilled).



Waldo Point Wetland Restoration, Marin County, California: This project is a wetland restoration project. Dr. Storesund provided topographic survey and piezometer monitoring services to establish connectivity parameters between San Francisco Bay and the proposed wetland mitigation site.

Huichica Creek Fish Passage: A fish-friendly culvert was designed as part of Caltrans' Highway 36 widening project in Sonoma County, California. Dr. Storesund developed the conceptual and final designs, project specifications, and project cost estimate.

Great Valley Grasslands, Merced County, California: Dr. Storesund served as the project manager and project engineer for this floodplain reconnection project at the Great Valley Grasslands State Park. His evaluations consisted of a site reconnaissance, erosion/scour susceptibility screening, and hydraulic analysis of inundation through a series of existing culverts.

Pond 1 Restoration, Mountain View, California: Storesund Consulting performed a topographic survey of existing conditions to develop a base map for grading to alter onsite flood discharge to minimize inundation times (and prevent die-off of vegetation due to temporary storm water retainage). We developed grading plans, specifications, performed construction staking and performed an as-built survey using Terrestrial LiDAR methods.

ECCC Souzal, Antioch, California: Storesund Consulting performed a high-resolution RTK GPS survey of this wildlife area in order to generate a detailed topo to evaluate micro-watersheds for vernal pool development.

Hess Creek Restoration, Clayton, California: Storesund Consulting performed a high-resolution RTK GPS survey of this incised creek stretch to be restored. The survey results were integrated with available aerial LiDAR topography. We also provided geotechnical recommendations for the restoration plans.

Rancho San Vicente, New Almaden, California: Storesund Consulting provided geotechnical recommendations for this restoration project which involved the removal/stabilization of 16,000 CY of earthen fill dumped into a ravine on County Park Land. The recommendations involved environmental contamination, grading operations, temporary haul roads, slope stability, and earthwork.

Port of Richmond, Operable Unit 2: Dr. Storesund provided geotechnical design on this environmental remediation and restoration project within the Port of Richmond. The mitigation consisted of a subaqueous cap (comprised of Bay Mud) in the inlet, installation of rip-rap along the shoreline revetment zone, and installation of a concrete facing and asphalt concrete cap to isolate in place sediments.

Port of Oakland, Operable Unit 2: Dr. Storesund provided geotechnical design support services to Land Marine Geotechnics on this reclamation and restoration project within the Port of Oakland. Dredged spoils were used to abandon a deep-draft U.S. Navy pier at the Port of Oakland.



PROFESSIONAL RESUME

Rune Storesund, D.Eng., P.E., G.E.
Consulting Engineer

Storm Water Pollution Prevention Plans

Oakley Civic Center Frontage Improvements, State Route 4, Oakley, California: A SWPPP was prepared for this widening project in Oakley. The existing Main Street in the project limits has two westbound lanes and one lane eastbound. The project added pavement, roadway entries/exits, curb, gutter and sidewalks on the south side of Main Street, as well as street lights along both sides of Main Street.

Brentwood Boulevard Widening and Reconstruction From Woodfield Lane to Central Boulevard, Brentwood, California: A SWPPP was prepared for this project which widens the current Brentwood Boulevard (State Route 4) between Woodfield Lane and Central Boulevard from the existing geometry of a three-lane with two way left turn lanes to a four-lane roadway with a raised landscape median and turn pockets at intersections. Project demolition included removal of curb and gutter, sidewalk sections, damaged pavement sections, and removal of select trees.

Mainstreet Roadway Improvement Plans for Subdivision 8916, Oakley, California: A SWPPP was prepared for this roadway improvement project in Oakley, California. The project added pavement curb & gutter and sidewalk to the west side of the existing roadway in order to facilitate future addition of a second eastbound lane.

Sand Creek Road Intersection Improvement Project, Brentwood, California: A SWPPP was prepared for this project which expands an existing intersection and widens the roadway. The project added pavement, curb & gutter, and sidewalks.

Sausalito Yacht Harbor, Sausalito, California: Dr. Storesund developed a design for treatment of storm water runoff in the large parking lot adjacent to the Sausalito Yacht Harbor as part of a bulkhead wall replacement project. The design involved the installation of a permeable rock infiltration zone under a walkway area. This infiltration area was designed to treat storm water runoff before it enters Richardson Bay.

Flood Control

California Rural Levee Repair Criteria Committee: This advisory committee was charged with developing rural levee repair and improvement criteria to be applied for planned or emergency work. The group worked in conjunction with DWR, interested stakeholders, and USACE. Dr. Storesund provided engineering (seismic, geotechnical marine, ecological, water resources) and risk-based decision making input to this group. This committee was active between 2012 and 2014.

USACE West Sacramento Flood Control Project, West Sacramento, California: Dr. Storesund served as a field engineer responsible for field construction quality control program, which consisted of sand cone density testing, nuclear gauge density testing, associated geotechnical laboratory testing, and issuing a final services during construction report.



Warm Springs Dam Control Structure Study, Sonoma County, California: Dr. Storesund served as the project manager and project engineer for this crack evaluation study for the San Francisco US Army Corps of Engineers. The study was performed in conjunction with PB. The vertical control structure for Warm Springs Dam suffered from water infiltration due to cracking of the concrete control structure. A LIDAR imaging and visual observation mapping was conducted of the cracks. Repair recommendations and cost estimate were provided to the US Army Corps of Engineers.

Las Gallinas Coastal Inundation Study, Marin County, California: Dr. Storesund served as a project engineer for this study (for the San Francisco US Army Corps of Engineers) that evaluated overtopping conditions during storm events for an existing flood protection system. Dr. Storesund developed a GIS terrain and inundation maps based on overtopping analyses.

Upper Penitencia Creek, Subsurface Geotechnical Exploration, Santa Clara County, California: Dr. Storesund served as the project engineer for this United States Corps of Engineers project which consists of on-land, subsurface geotechnical exploration along a portion of Upper Penitencia Creek. The requested services include drilling, sampling, field classification, laboratory testing, and Unified Soil Classification System (USCS) for soil borings at select locations along the creek alignment. The purpose of the soil borings was to provide subsurface data for the preliminary design of flood control structures, such as levees, floodwalls, culverts, and weirs along Upper Penitencia Creek. Dr. Storesund coordinated and managed Fugro's field operation exploration program that consisted of 22 soil test borings. Following the field exploration, Dr. Storesund managed the QA/QC review of all field and laboratory data. Dr. Storesund also managed the data report preparation.

Geotechnical Study Northern Borrow Area, Bulge And Pacheco Pond Levees, Hamilton Wetlands Restoration Area, Novato, California: Dr. Storesund served as the project engineer for this project which consisted of a geotechnical study for the Bulge and Pacheco Levees located in the Hamilton Wetlands Restoration Area. The project site is situated at the former Hamilton Army Air Field in Novato, California. The purpose of the geotechnical field exploration and laboratory testing program was to obtain information on subsurface conditions in the Northern Borrow Area in order to estimate the amount and nature of potential borrow material. The scope of services performed included:

- Conducting a field exploration program consisting of 18 test pits to determine the subsurface profile in the Northern Borrow Area;
- Conducting a laboratory testing program to obtain soil properties of the samples collected during our field exploration; and
- Preparing this geotechnical report presenting the results of our geotechnical field exploration, laboratory testing program, and a discussion of the exploration results.
- Specified development / review



USACE San Lorenzo Flood Control, Santa Cruz, California: Dr. Storesund served as a field engineer responsible for field density testing, performing associated geotechnical laboratory testing, and issuing a final services during construction report for this levee project in Santa Cruz.

USACE Napa River Flood Protection, Napa, California: Dr. Storesund served as a field engineer responsible for field density testing, performing associated geotechnical laboratory testing, and issuing a final services during construction report for this levee project in Napa.

Codornices Creek Restoration Project, Between Fifth and Eighth Streets, Albany and Berkeley, California: Dr. Storesund served as the project engineer for this geotechnical study. The purpose of this project is to restore the existing Codornices Creek, located between the City of Albany and the City of Berkeley, to a more natural setting using bioengineering and biotechnical methods. Dr. Storesund was responsible for the geotechnical field exploration and laboratory-testing program. The scope of our services included; Compiling and reviewing available geotechnical and geologic data; conducting a field exploration and laboratory-testing program; evaluation of slope stability and erosion susceptibility; development of embankment fill recommendations and general construction considerations; and preparing a final geotechnical report that included the results of our geotechnical field exploration and laboratory testing program, discussion of geotechnical issues, and geotechnical recommendations

Water Storage Reservoirs

Napa, Sonoma, and Lake Counties, California: Provided engineering design recommendations and construction observations services for water storage reservoirs for various agricultural clients. Reservoirs are off-stream, agricultural purpose reservoirs or are on-stream reservoirs with embankment heights less than 25 feet and store less than 50 acre-feet. Thus, the reservoirs are not within the jurisdiction of the California Department of Dam Safety (DSOD). Projects include construction of earth embankments and placement of either low permeability compacted soil liners or installation of geosynthetic liner systems.

- **Brooks Reservoir, Napa County, California:** 2.5 acre-foot, off-stream water storage reservoir formed by constructing three earthen embankments and lined with a geosynthetic liner.
- **Platt Reservoir, Sonoma County, California:** An off-stream reservoir formed by constructing a compacted earthen embankment with on-site soils. The reservoir was lined with a geosynthetic liner. The project included installation of an underdrain system to preclude the "floating" of the synthetic liner if the reservoir is drained during periods of high groundwater as well as a cut slope drain to intercept hillside groundwater flows. Dr. Storesund was also responsible for issuing a final services during construction report for the project.



- **Mondavi Dura Dairy Reservoir, Napa County, California:** Dr. Storesund served as a field engineer responsible for embankment keyway inspections, field density testing, and concrete placement quality control during the enlargement of this reservoir in Napa County. Dr. Storesund was also responsible for issuing a final geotechnical services during construction report for the project.
- **Amber Knolls Reservoir, Lake County, California:** Dr. Storesund served as a field engineer responsible for embankment keyway inspections, field density testing, and concrete placement quality control during the construction of this reservoir in Lake County. Dr. Storesund was also responsible for issuing a final geotechnical services during construction report for the project.
- **Red Hills Reservoir, Lake County, California:** Dr. Storesund served as a field engineer responsible for embankment keyway inspections, field density testing, and concrete placement quality control during the construction of this reservoir in Lake County. Dr. Storesund was also responsible for issuing a final geotechnical services during construction report for the project.
- **Chimney Rock Vineyard, Napa County, California:** Dr. Storesund served as a field engineer responsible for embankment keyway inspections and field density testing during the construction of this reservoir in Napa County.
- **Hershey Vineyard Reservoir, Sonoma County, California:** Dr. Storesund served as a staff engineer responsible for generating design recommendations and issuing of a final geotechnical design report for this reservoir project in Sonoma County.
- **BV Reservoir No. 10 Rehabilitation, St. Helena, California:** Dr. Storesund served as a field engineer responsible for the execution of the field investigation program and issuance of a final geotechnical design report for this reservoir rehabilitation project in St. Helena.

Off-Stream Storage Projects (Sonoma and Santa Clara Counties, California): Dr. Storesund worked in close conjunction with the Center for Ecosystem Management and Restoration (CEMAR) and Trout Unlimited (TU) on a number of off-stream water storage reservoir projects, designed to help landowners manage water resources in a manner that balances water use with habitat and minimum required in-stream flows for listed coho salmon and steelhead trout. These projects include:



- **Grape Creek Streamflow Stewardship Project, Healdsburg, California:** Dr. Storesund served as the project manager and project engineer for this off-stream reservoir storage project, providing all aspects of engineering planning (permit assistance, conceptual layouts), design (site geotechnical exploration and survey, analyses, development of plans, specifications, and estimates), and construction oversight during construction. The Grape Creek Streamflow Stewardship Project (GCSSP) is a cooperative project designed to help landowners manage water resources in a manner that balances water use with habitat and minimum required in-stream flows for listed coho salmon and steelhead trout. An existing flashboard dam and containment berm was replaced with a new reservoir adjacent to the creek to allow passage of river flows while providing the farmer with an agricultural water supply.
- **Little Arthur Creek Streamflow Stewardship, Healdsburg, California:** Dr. Storesund served as the project manager and project engineer for this off-stream reservoir storage project, providing all aspects of engineering planning (permit assistance, conceptual layouts), design (site geotechnical exploration and survey, analyses, development of plans, specifications, and estimates), and construction oversight during construction. The Little Arthur Creek Streamflow Stewardship Project (LACSSP) is a cooperative project designed to help landowners develop water supply security in a manner that improves in stream flows and habitat for listed steelhead trout.
- **Pescadero Creek Streamflow Stewardship, Healdsburg, California:** Dr. Storesund served as the project manager and project engineer for this off-stream reservoir storage project, providing all aspects of engineering planning (permit assistance, conceptual layouts), design (site geotechnical exploration and survey, analyses, development of plans, specifications, and estimates), and construction oversight during construction. The Pescadero Creek Streamflow Stewardship Project is a cooperative project designed to help landowners develop water supply security in a manner that improves in stream flows and habitat.

Whitethorn Elementary School Auxiliary Water Storage System, Whitethorn, California: Dr. Storesund served as the principal engineer on this conservation project performed in collaboration with Trout Unlimited and Sanctuary Forest. The project entailed installation of sixteen 5,000 gallon water tanks so that the school could divert water during wet months. Dr. Storesund performed the permitting, planning, engineering, construction bid documentation, and review services.

MLK Plaza Homes, Oakland, California: Dr. Storesund provided field density testing services for this low income housing project in Oakland. The project consisted of constructing thirteen new two-story residential structures at the site as well as associated improvements.

Residential



PROFESSIONAL RESUME

Rune Storesund, D.Eng., P.E., G.E.
Consulting Engineer

Standard Pacific Homes' Dublin Ranch, Dublin, California: Dr. Storesund served as a field engineer for this residential development in Dublin, observing mass grading operations, performed field density tests on housing pads, roadways, utility trenches, special inspections on rebar placement, concrete placement, post-tensioning, and performed related geotechnical laboratory testing. Dr. Storesund was also responsible for inspection and evaluation of erosion control systems in place during mass grading operations.

Palomares Hills, San Anselmo, California: Dr. Storesund served as a field engineer providing construction observations and field density testing during construction of retaining walls for this residential development.

Lund Ranch Creek, Pleasanton, California: Dr. Storesund provided construction observation services during a creek restoration project located within the Lund Ranch Creek residential development in Pleasanton. The restoration project involved bank erosion mitigation through placement of rock rip rap.

University Avenue Housing, Berkeley, California: Dr. Storesund served as a field and project engineer for this multi-unit residential housing project. An existing Salvation Army structure and parking lot were demolished and replaced with the new housing structure. Dr. Storesund performed the field exploration, engineering analyses, foundation recommendations, and prepared the final geotechnical design report.

The Estates at Happy Valley, Sun City, Arizona: Dr. Storesund served as a field engineer responsible for the execution of a field investigation program, which involved hollow stem auger drilling and geotechnical sampling for this mass grading residential development project in Sun City.

Children's Hospital Oakland Upgrade, Oakland, California: Dr. Storesund served as a staff engineering providing pipeline thrust block design recommendations for this facility upgrade project in Oakland.

Bessie Carmichael School, San Francisco, California: Dr. Storesund served as a staff engineer providing drilled pier design recommendations for this new school situated between the existing Saint Michael Ukrainian Orthodox Church and the Vineyard Christian Fellowship Church in San Francisco. It is three-story structure with a total footprint area of approximately 24,000 square feet. The facility features a single-story gymnasium and multi-purpose room with an elevated roof, a central courtyard area, and an asphalt-paved playground adjacent to the school building.

Blue Oaks School, Napa, California: Dr. Storesund served as a field engineer for this school renovation project in Napa. The field services consisted of field density testing on pavement subgrades and base rock.

Vista College Facility, Berkeley, California: Dr. Storesund served as a field engineer responsible for logging test pits to identify the foundations for existing structures surrounding the project site. The facility upgrade consisted of a new six to eight-story building for Vista College on the south side of Center Street, between Shattuck Avenue and Milvia Street in Berkeley. Excavations on the order of 15 to 20 feet were required to construct the basement level. The new foundations consisted of 36-inch diameter drilled piers with lengths from 50 to 70 feet.

Educational



PROFESSIONAL RESUME

Rune Storesund, D.Eng., P.E., G.E.
Consulting Engineer

Commercial

New Alameda Elementary School, Alameda, California: Dr. Storesund served field as a field engineer responsible for the execution of the field exploration for this project. The new school will consist of classroom buildings and multi-use buildings. The scope of work for this investigation included a site reconnaissance by a State of California Certified Engineering Geologist, subsurface exploration utilizing both exploratory borings and Cone Penetration Testing, laboratory testing, engineering analyses of the field and laboratory data, and preparation of this report. The data obtained and the analyses performed were for the purpose of providing design and construction criteria for site earthwork, building foundations, slab-on-grade floors, retaining walls and pavements.

Ocean Branch Library, San Francisco, California: Dr. Storesund served as a staff engineer responsible for generating foundation recommendations for this new library structure in San Francisco.

Clear Channel Outdoor, Oakland, California: Dr. Storesund served as a staff engineer responsible for providing drilled pier design recommendations for this outdoor billboard structure. The proposed billboard structure was supported by four 24-inch diameter, 3/8-inch thick hollow steel pipe columns.

JB Radiator Complex, Sacramento, California: Dr. Storesund provided geotechnical recommendations for foundation grading for a new storage tank at a site with expansive soils.

Linde Processing Facility, Richmond, California: Dr. Storesund performed a field exploration program (CPT) to characterize onsite soil conditions and provided foundation design recommendations for new infrastructure developments at the property.

Moraga Country Club Landslide Mitigation, Moraga, California: Dr. Storesund served as a field engineer for three landslide mitigation projects at the Moraga Country Club. Dr. Storesund provided field density testing services and general construction observations. He was responsible for summarizing the field data and issuing a construction report.

Moss Landing Powerplant, Moss Landing, California: Dr. Storesund served as a field engineer for this power plant upgrade project in Moss Landing. Dr. Storesund provided construction observations auger cast pile installation for the main generating structure and piezometer monitoring during the construction and dewatering of the water cooling intake structure.

Coliseum Lexus Dealership, Oakland, California: Dr. Storesund served as a staff engineer responsible for generating foundation design recommendations and issuing the final geotechnical report for this dealership in Oakland.

Infiniti of Oakland Dealership, Oakland, California: Dr. Storesund served as a field engineer responsible for the implementation and execution of the field investigation program for this project which consisted of advancing three cone penetration tests (CPTs). In addition, he was also responsible for generating foundation design recommendations and issuing a final geotechnical design report.

Sho-Ka-Wah Casino Bridge, Hopland, California: Dr. Storesund served as a field engineer for this bridge and parking lot and suspension bridge project in Hopland. Dr. Storesund provided concrete sampling, keyway inspection, and field density testing services during construction.



Anthropologie – Berkeley, Berkeley, California: Dr. Storesund served as a field engineer responsible for executing the field exploration program for this structural upgrade project in Berkeley. Dr. Storesund was also responsible for the issuing of a final geotechnical design report

2150 Shattuck, Berkeley, California: Dr. Storesund served as a field engineer for this seismic retrofit project in Berkeley. Dr. Storesund was responsible for the monitoring of micropile installation and load testing. He was also responsible for quality control of the injected micropile grout.

Bayer Building 55, Berkeley, California: Dr. Storesund served as a field engineer responsible for field density testing services during construction for this new commercial facility in Berkeley.

Chino Bandito, Chandler, Arizona: Dr. Storesund served as a field engineer responsible for the execution of the field investigation program, which involved hollow stem auger drilling and geotechnical sampling for this 11,500 square foot commercial development project in Chandler.

150 Powell Street, San Francisco, California: Dr. Storesund served as the project manager and project engineer for this structural renovation project near Union Square. The historic building required the façade structure to be saved and incorporated into the new structure. Dr. Storesund developed and implemented an exploration program that involved test pits to expose and evaluate the condition of spread footings. Foundation design services were also provided for temporary construction features (tieback walls, support frame for façade) and permanent features (foundations) as well as support and observation services during construction.

390 Fremont Street, San Francisco, California: Dr. Storesund provided geotechnical engineering support to a property owner adjacent to a high-rise construction project that involved installation of a shoring system, excavation to a depth of 70 ft, excavation of soil and bedrock, and development and evaluation of a monitoring program during the excavation activities.

Waterfront and Offshore Facilities

California Tsunami Hazard Policy Committee: The California Tsunami Policy Working Group (CTPWG) is a voluntary advisory body operating under the California Natural Resources Agency (CNRA), Department of Conservation, and is composed of experts in earthquakes, tsunamis, flooding, structural and coastal engineering and natural hazard policy from government, industry, and non-profit natural hazard risk-reduction organizations. The working group serves a dual purpose as an advisor to State programs addressing tsunami hazards and as a consumer of insights from the SAFRR Tsunami Scenario project, raising awareness and facilitating transfer of policy concepts to other coastal states in the nation. CTPWG's role is to identify, evaluate and make recommendations to resolve issues that are preventing full and effective implementation of tsunami hazard mitigation and risk reduction throughout California's coastal communities. Dr. Storesund provided engineering (seismic, geotechnical marine, ecological, water resources) and risk-based decision making input to this group. This committee was active between 2011 and 2013.

Emeryville Shoreline Protection Project, Emeryville, California: Dr. Storesund was a project engineer overseeing the construction of this shoreline improvement project. Site grades were raised 2-4 feet above existing grade and an enlarged shoreline breakwater slope was constructed.



Alcatraz Hydrodynamic Evaluation, City and County of San Francisco, California:

Dr. Storesund was the project manager and project engineer for this coastal hazard screening evaluation at Alcatraz. The purpose of the screening was to inform long-range planning activities, accounting for shoreline erosion and sea level rise. The recommendations were provided to the National Park Service, in association with Kleinfelder.

Emeryville Marina Breakwater, Emeryville, California:

Dr. Storesund was a project engineer responsible for the planning and execution of a field exploration and geotechnical laboratory testing program for this breakwater and pier project in Emeryville. Dr. Storesund also completed the geotechnical design recommendations and issued the design report.

Nelson's Marine Shoreline Stabilization, Alameda, California:

Dr. Storesund served as the project manager and project engineer for this shoreline stabilization and remediation project at an abandoned boat yard within the Oakland Estuary. The project required an alternatives analysis (approach and cost estimate), decision matrix, development of remediation plans, specifications, and estimates. Field efforts included site surveys (RTK GPS) and geotechnical exploration.

Seadrift Shoreline Study, Slinson Beach, California:

Dr. Storesund served as a project engineer and performed a site characterization study (based on historical topographic maps and aerial photographs), conducted hydrodynamic characterization, and aided with the design of the extension of an existing sheet pile bulkhead system along Bolinas Lagoon.

Loch Lomond Breakwater Improvement Project, San Rafael, California:

Dr. Storesund was the project manager and a project engineer for the improvement of an existing 1,500 foot long rip rap breakwater structure. He performed a hydrodynamic evaluation during the planning phase to establish design criteria, managed the project (preparation of project plans, specifications, and estimates), and provided civil and geotechnical engineering expertise.

Harbor Point Shoreline Stabilization Project, Tiburon, California:

Dr. Storesund served as a project engineer and performed a site characterization study (based on historical topographic maps and aerial photographs), conducted hydrodynamic characterization, and aided with the design of a shoreline stabilization solution.

Martin Luther King Jr. Drive Shoreline Study, Bay farm Island, California:

Dr. Storesund served as the project manager and project engineer for this Bay Trail feasibility study for the East Bay Regional Park District (teamed with Creegan D'Angelo Engineers). Dr. Storesund prepared a screening-level coastal engineering guidance document and technical review of alternative plan elements.

Richmond Marina Breakwater Improvements, Richmond, California:

Dr. Storesund served as a support staff engineer for this breakwater improvement project in Richmond. The project entailed wave and tide surveys, wind pattern evaluations, and preliminary foundation recommendations to upgrade an existing breakwater structure.



PROFESSIONAL RESUME

Rune Storesund, D.Eng., P.E., G.E.
Consulting Engineer

Third Street Boat Ramp, Lakeport, California: Dr. Storesund was a staff engineer responsible for organizing and performing the geotechnical exploration for this public boat ramp improvement project in Lakeport.

Dow Chemical Wharf, Pittsburg, California: Dr. Storesund was the project manager and a project engineer for the evaluation of an existing wharf to evaluate its ability to accommodate larger supply ships. After the initial review, Dr. Storesund was responsible for the development of alternatives, preparation of project permits, design of a new mooring system (including specifications and cost estimate), and construction observations and load testing.

Alviso Marina County Park, Alviso, California: Dr. Storesund served as a field engineer responsible for the implementation of Fugro's geotechnical exploration for the Alviso Marina County Park, Phase I Master Plan Implementation Project in Alviso. The geotechnical exploration consisted of two test borings, two Cone Penetration Tests (CPTs). Fugro evaluated the geotechnical conditions for the design and construction of the new parking area, a planted mound area (which includes the placement and compaction of up to 5 feet of engineered fill), and a 24-inch high by 18-inch wide flood control wall.

Brooklyn Basin Dredging Study, Oakland, California: Dr. Storesund served as the project manager for this maintenance dredging study commissioned by the San Francisco US Army Corps of Engineers to URS Corporation.

Pipelines and Water tanks

NCFWCDC South Segment Sewer Replacement, Napa, California: Dr. Storesund served as a field engineer, observing construction of a 54-inch to 66-inch diameter sanitary sewer line in Napa. The project, separated into two segments, realigned and replaced approximately 4,500 lineal feet of mainline sewer outside the river flood plain as part of the Napa River Project. Construction observations pertained to pressure grouting ground improvement, pipeline subgrade inspections, pipe bedding and backfill observations, trench backfill density testing, AC pavement density testing, concrete sampling, pipe segment seal testing, and observations of lightweight concrete backfill of old sewer line.

PG&E Line 131 Piggings Project, Alameda County, California: Dr. Storesund served as field engineer, coordinating and conducting geotechnical exploratory test pits for a new PG&E maintenance access facility to service two 18-inch, high-pressure, gas mains. Site improvements included an enlarged access road and maintenance pad, rock cut slopes, and minor pipeline realignment.

Newby Island Gas Transmission Pipeline, Milpitas, California: Dr. Storesund served as a field engineer providing construction observations on trench backfill operations on a landfill methane gas recovery pipeline installed at the base of an existing Santa Clara County Flood Control Levee. Trench backfill consisted of lightweight concrete slurry, designed to isolate the installed pipeline and protect the structural integrity of the existing levee system.



Earthquake Fault Explorations

South Transmission System Project Tanks, Sonoma County, California: Dr. Storesund served as a field engineer during the geotechnical exploration of this project. Seven water tank sites were evaluated during the field operations. Geotechnical explorations included seismic refraction studies, vertical soil borings, and geologic reconnaissance mapping.

Girard Vineyard, 50k Gallon Water Tank, Napa County, California: Dr. Storesund served as a field engineer during the geotechnical exploration of this project. Two tank sites were evaluated during the field operations by excavating test pits. Site-specific foundation design recommendations were generated.

Granada Sanitary District CIP, San Mateo County, California: Dr. Storesund organized and performed the field exploration for this project which consisted of "jack and bore" operations under Highway 1 in Granada. Engineering foundation design recommendations were generated for temporary shoring required during the construction process.

North Livermore Properties, Livermore, California: Dr. Storesund served as a support field engineer for the project geologist on this fault rupture hazard study in Livermore. Tasks included geologic mapping, study of stereo-paired aerial photographs, and an extensive fault trenching investigation. Dr. Storesund was responsible for the setup of the fault trench shoring and dewatering pumping system design. Dr. Storesund also assisted the project geologist in field logging the excavated fault trench.

Centex Homes' Farber Property, Livermore, California: Dr. Storesund served as a field engineer, assisting the project geologist, for a fault rupture hazard study for a proposed residential development located within the Alquist-Priolo Special Studies Zone for the Greenville Fault. The investigation included excavation and detailed logging of two trenches, totaling over 800 feet in length.

Alameda County Sheriff's Facility Landslide Assessment, Hayward, California: Dr. Storesund served as a field engineer providing assistance during the fault trenching phase of the field investigation. The project involves demolishing the existing Animal Control Facility and constructing a new 160,000 square foot building that will include facilities for the Sheriff and Coroner and a parking garage for about 500 cars. The proposed building will be a multi-level structure, and the garage will extend one or two levels below grade. The structure will be a critical facility and must remain operational following an earthquake. Other improvements will include driveways, a visitor's parking lot, underground utilities and landscaping. Preliminary schematics suggest that the facility will occupy the entire 4-acre site. The project included evaluating potential landslide and surface fault rupture hazards at the site.

Osgood Road Fault Trench, Fremont, California: Dr. Storesund served as the project manager responsible for the organization and implementation of backfill operations on a fault rupture hazard study for a proposed new PG&E gas main alignment in Fremont within a BART right-of-way zone. A total of three trenches (totaling approximately 350 linear feet and 12 feet deep) were excavated and backfilled according to BART specifications.



Transportation

Dumbarton Quarry and Associates, Hayward, California: Dr. Storesund served as a support field engineer for the project geologist on this fault rupture hazard study project at the La Vista Quarry in Hayward. Tasks included geologic mapping, study of stereo-paired aerial photographs, and an extensive fault trenching investigation. Dr. Storesund was responsible for the setup of the fault trench shoring and dewatering pumping system design. Dr. Storesund also assisted the project geologist in field logging the excavated fault trench.

LBL-50X AP Fault Study, Berkeley, California: Dr. Storesund acted as a field engineer for the fault location study for a proposed 6-story building to be constructed on a steep hillside within the State designated Fault Rupture Hazard Zone for the active Hayward Fault. The steep, vegetated slope made excavation of continuous trenches difficult and numerous trenches had to be excavated to provide appropriate coverage. No evidence of active or potentially active faulting was encountered in the trenches.

Caltrans I-238 Widening Project, Alameda County, California: Dr. Storesund served as both a field engineer responsible for the coordination and implementation of the field investigation program and a staff engineer performing design calculations and analyses. The I-238 project includes the widening of the freeways and related replacement or improvement of existing connectors, overcrossings, and railroad underpasses. Existing embankments are to be widened which requires installation of concrete and MSE retaining wall. Field investigations performed for the project included an extensive subsurface exploration program utilizing continuous flight solid and hollow stem augers, rotary wash borings and Cone Penetration Test (CPTs) soundings. In addition, available subsurface data from previous investigations was reviewed as were published geologic and soil survey data. The field exploration program was complemented with geotechnical laboratory testing. Following completion of the field investigation and laboratory testing, analyses were performed to evaluate geotechnical engineering aspects of project, particularly settlement and liquefaction hazard studies.

Caltrans I-880/Mission Boulevard Widening Project, Alameda County, California: Dr. Storesund served as a support staff engineer for the I880/Mission Boulevard Widening Project. The project involved over 100 test borings, geotechnical laboratory analyses, engineering foundation design recommendations, flexible pavement design, and seismic design criteria for five roadway bridges and one railroad bridge. Other improvements included: a cut and cover tunnel box, box culverts, retaining walls, and ancillary structures.

Caltrans Guadalupe Highway 87 Renovation, San Jose, California: Dr. Storesund served as a field engineer providing AC pavement density testing Quality Control services during the construction phase of this project. The project included widening of the existing Highway 87, construction of a new overpass over Highway 101, and other retaining walls and street improvements.



PROFESSIONAL RESUME

Rune Storesund, D.Eng., P.E., G.E.
Consulting Engineer

Port of Oakland's Oakland Airport Expansion, Oakland, California: Dr. Storesund served as a field engineer for this roadway widening and expansion project, providing construction observations and testing services for, utility trench backfill compaction testing, roadway subgrade and base rock density testing, AC pavement testing, and concrete sampling. The project consisted of the construction of new roadway over and underpasses, roadway widening, and utility upgrades.

Petaluma Transit Mall, Petaluma, California: Dr. Storesund was the project engineer for this streetscape project in Petaluma who was responsible for the organization and execution of the field exploration program as well as generating design recommendations. The proposed streetscape improvements included sidewalks, PCC and AC pavements, information kiosks, and lighting standards.

Reid-Hillview Airport, San Jose, California: Dr. Storesund was the field engineer for this runway rehabilitation project. Dr. Storesund was responsible for quality control observations related to pavement section construction.

Nut Tree Airport, Fairfield, California: Dr. Storesund was a field engineer for this runway rehabilitation and expansion project in Fairfield. Dr. Storesund was responsible observations during new runway grading operations, pavement section construction, and provided support during asphalt content laboratory analyses.

First Street Bridge Replacement Project, Napa, California:

Dr. Storesund served as the project engineer for this project which involved the First Street Bridge Replacement Project located in Napa, California. Dr. Storesund coordinated and managed Fugro's field operation exploration program, performed the field exploration, analyzed the collected data, and provided a preliminary geotechnical design report.

**Independent
Technical Reviews
(ITR)**

Pier 36/Brannan Street Wharf Demolition, City and County of San Francisco, California: Dr. Storesund served as the project manager and project engineer for this technical review (on behalf of the San Francisco District US Army Corps of Engineers), which consisted of a geotechnical evaluation of submitted calculations and plans. The project entails the demolition of an existing wharf to make room for the construction of a new public open space wharf and associated boating facilities.

Hamilton Wetland Restoration Levee Raising Project, Novato, California: Dr. Storesund served as a project engineer for this technical review (on behalf of the San Francisco District US Army Corps of Engineers), which consisted of a geotechnical evaluation of submitted calculations, plans, and specifications. The project entails the raising of existing flood protection levees to account for settlements (experienced and anticipated) to the levees.

Marysville Unified School District Pipeline Review, Marysville, California: Dr. Storesund, as part of CCRM, performed a review of a natural gas pipeline risk assessment (per California Department of Education protocols) for the Marysville Unified School District.



Twin Rivers Unified School District Pipeline Review, Sacramento, California: Dr. Storesund, as part of CCRM, performed a review of a natural gas field risk assessment (per California Department of Education protocols) for the Twin Rivers Unified School District.

Milford Township School District Pipeline Review, Milford, Pennsylvania: Dr. Storesund, as part of CCRM, performed a review of a natural gas field risk assessment for the Milford Township School District on the citing of a new school.

Princeville, North Carolina Flood Risk Management Feasibility Study Integrated Feasibility Report and Environmental Assessment: Dr. Storesund served as an expert reviewer for this USACE IEPR for the proposed Princeville flood protection improvement project. The tentatively selected plan (TSP) included measures to extend the existing levee and raise U.S. Highway 258 and Shiloh Farm Road north of the Town of Princeville to create a barrier to circumvention of the existing levee, as well as ramping residential, farm, and commercial driveways and subdivision streets to meet the new elevation. The TSP also includes non-structural measures consisting of an updated flood warning and evacuation plan, continued floodplain management and updating of local building and zoning codes, a flood risk management education and communication plan for both the community and local schools, and flood warning measures, all of which were ultimately deemed essential to an adequate flood risk management strategy for the Town of Princeville. The estimated cost of the TSP is \$21,096.00 million.

Risk Assessments

Multiple Lines of Defense, Coastal Louisiana: Dr. Storesund worked in conjunction with the Lake Pontchartrain Basin Foundation to conduct an initial qualitative risk assessment of the hurricane flood protection system in the greater New Orleans area. The assessments follow the Quality Management Assessment System (QMAS) protocols. The assessment provides the basis for initial definition of the system, stakeholders, and identifies primary Factors of Concern. This assessment is the pre-cursor to detailed quantitative risk assessments.

Tsunami Risk-Based Design Committee, Northern California: Dr. Storesund is the Chair of this committee, sponsored by the ASCE San Francisco Section. The aim of the Working Group is to accomplish the following: (1) Formulate a group of appropriate stakeholders (local, county, state, federal levels); (2) Conduct a summary of 'best practices' and available resources (perhaps through a series of workshops) (a) Risk standards (b) Hazard studies (reports, maps, etc) (c) Design standards; (3) Develop Policy Statement (goals based on best practices and available info); and (4) Develop Guidelines for Risk-Based Tsunami Design Criteria in Coastal California.



PG&E Risk Management Framework Assessment: Dr. Storesund served as the project manager on an assessment committee to provide insights on their risk management framework. The insights included: (a) is the right RMF being used for the stated goals?; (b) are all significant RMR relationships being captured?; (c) strategies for visualizing and mapping risk; (d) identifying the 'right' risks and prioritizing; and (e) RMF resilience and maturity. Potential actionable outputs include: (1) reference practices (organizational examples); (2) listing of RMF activities to expand and advance; (3) listing RMF activities to modify/reconfigure; and (4) RMF performance metrics (i.e. targeted monitoring and review, leading/lagging indicators).

Forensic Evaluations

Bayer Communications Building, Berkeley, California: Dr. Storesund served as the field engineer to survey and evaluate settlements in the Bayer Communications Building, which was the 'nerve center' for all communication operations at the facility. Site surveys consisted of floor level surveys, review of historical soil exploration programs, and review of nearby construction activities. The study found that excavation operations associated with the upgrade of a sewer line immediately adjacent to the structure led to lateral stress relaxation and vertical displacement of the footings.

Bell Carter Foods Distressed Structure, Lafayette, California: Dr. Storesund organized and performed the foundation exploration which involved drilling soil test borings within the structure using portable hydraulic drilling equipment. The purpose of the project was to identify the foundation instability mechanism and provide mitigation strategies.

Mississippi River Gulf Outlet Wave-Induced Erosion, St. Bernard Parish, Louisiana: Dr. Storesund provided state of the art engineering analyses examining the contribution of damage to the Mississippi River Gulf Outlet levees as a result of wave action from Hurricane Katrina in 2005. The evaluations required the development of a validated method to assess the plausible range of erosion susceptibilities due to wave impact and run-up. These evaluations were published in the ASCE Journal of Waterway, Port, Coastal and Ocean Engineering.

Investigation of the Greater New Orleans Area Flood Defense System Failure, New Orleans, Louisiana: Dr. Storesund was a consultant for the National Science Foundation sponsored investigation of the failure of the New Orleans Flood Defense System. He aided in the initial field reconnaissance to survey system damage and contributed to the technical analyses evaluating system failure mechanisms. He aided in the use of state of the art methods for erosion sampling and testing as well as LiDAR remote sensing survey methods on the Mississippi River Gulf Outlet levees. Copies of the findings from the evaluation can be accessed at: www.ce.berkeley.edu/~new_orleans.



Upper Jones Tract Levee Failure, San Joaquin County, California: Dr. Storesund provided engineering evaluations associated with the June 2004 breach of the Upper Jones Tract Levee in conjunction with Dr. J. David Rogers. The evaluations included bathymetric surveys, RTK GPS surveys, development of digital terrain models using bathymetry and Aerial LiDAR data, hydraulic modeling, and levee failure analyses (seepage, slope stability). Dr. Storesund was responsible for: project management, planning, and tracking; geotechnical engineering evaluation and analyses; hydrodynamic evaluations; general engineering evaluations; standard of care evaluations; technical data evaluation; computer graphics/animations; digital cartography; scientific and technical writing. Dr. Storesund provided deposition and trial testimony.

East Bank Industrial Area (Lower 9th Ward), New Orleans, Louisiana: Dr. Storesund provided engineering support services to Dr. Robert Bea and Dr. J. David Rogers for a field exploration program that included geoprobes, CPTs, and pump testing of the onsite "swamp/marsh" material in order to back calculate the permeability of this deposit. The work was performed in close coordination with all experts (plaintiffs and defense). Dr. Storesund served as the project manager for his \$1.3 million project (completed in 3 months). Dr. Storesund was responsible for: project management, planning, and tracking; geotechnical engineering evaluation and analyses; hydrodynamic evaluations; general engineering evaluations; standard of care evaluations; technical data evaluation; computer graphics/animations; digital cartography; scientific and technical writing.

PNG Landslide, Papua New Guinea: Storesund Consulting worked in conjunction with Prof. J. David Rogers, Prof. Calvin Alexander, and Mr. Eldon Gath to assess the causal mechanism(s) of a landslide in Papua New Guinea. Available data was reviewed and a field reconnaissance trip to the failure site was performed in summer of 2012. Dr. Storesund provided geotechnical and lidar data interpretation services.

LiDAR Surveys

Sunil Dam Removal, Alameda County, California: In 2006, the San Francisco Public Utilities Commission removed Sunil dam to improve fish passage, restore a self-sustaining population of steelhead to the Alameda Creek watershed, and reduce or eliminate an existing public safety hazard. The dam contained an estimated 37,000 yd³ of impounded sediment. To create a baseline for future monitoring of impounded sediment transport, a combination of Aerial Lidar, Terrestrial LiDAR, and conventional survey data was compiled and synthesized to generate a three dimensional model of the study area. High resolution characterization of the impounded sediments was accomplished using Terrestrial LiDAR, with an approximate point spacing of centimeters.

Pit Dam 3 Mapping, Burney, California: Storesund Consulting provided a Terrestrial LiDAR scan of select areas at the PGE Pit Dam 3 facility to aid in the evaluation of a fault system at the site. A high-accuracy point cloud was rendered of the fault are, allowing field geologists to geolocate fault features with high accuracy. Additionally, fault trenches were scanned and rectified orthoimages were rendered to aid in mapping fault trace features.



Quadrus Hill, Menlo Park, California: Storesund Consulting performed Terrestrial LIDAR scanning services for this office complex in a landscaped boulder area where high-precision mapping of boulder features was required to correctly situate a new deck.

Intarcia, Fremont, California: Dr. Storesund provided Terrestrial LIDAR scanning services for this project to map existing structural conditions as well as mechanical, electrical, and plumbing (MEP) facilities to facilitate BIM modeling and routing of new utilities (using 'clash detection').

1245 Market, San Francisco, California: Dr. Storesund provided Terrestrial LIDAR scanning services for this project to map existing structural conditions as well as mechanical, electrical, and plumbing (MEP) facilities to facilitate BIM modeling and routing of new utilities (using 'clash detection').

Veterans Administration Facility, Mather, California: Dr. Storesund provided Terrestrial LiDAR scanning services for this project to map existing structural conditions as well as mechanical, electrical, and plumbing (MEP) facilities to facilitate BIM modeling and routing of new utilities (using 'clash detection').

Yosemite Slough Wetland Erosion Study, San Francisco, California: Storesund Consulting performed annual erosion/deposition monitoring using Terrestrial LIDAR for the wetland restoration project. Hydrodynamic modeling was performed estimating erosion/deposition. This monitoring program provided a high resolution digital terrain model by which to measure erosion/deposition across the restoration area (3 acres).

Causby Mine Survey, Stanislaus County, California: Dr. Storesund served as the project manager and project engineer for this LIDAR mapping project of an abandoned mine tunnel for the U.S. Forest Service. Mapping consisted of the entrance and exit (for construction access) as well as the interior of the tunnel (for volume estimates and layout purposes). State of the Art LIDAR processing software was used to model the interior of the tunnel in 3D.

Tocaloma Backwater Project, Marin County, California: Dr. Storesund provided RTK GPS and Terrestrial LiDAR surveys for this backwater restoration project for the County of Marin. The work was provided for Balance Hydrologics (who performed the design). Aerial LIDAR was merged with the Terrestrial LIDAR to create a full 3D terrain model of the restoration area.



PROFESSIONAL RESUME

Rune Storesund, D.Eng., P.E., G.E.
Consulting Engineer

Arroyo de la Laguna, Alameda County, California: Arroyo de la Laguna is part of the stream system that includes the Dublin, Pleasanton, Livermore, as well as upland portions of northern Santa Clara County. Watershed hydrology and channel function have been historically impacted by urbanization (including drainage and flood control), roads, railroads, gravel mining, and the construction of Del Valle Reservoir, resulting in channel incision on the order of six meters. Severe stream bank erosion was identified on the outer bends of an "S" curve of the Arroyo de la Laguna Creek. Terrestrial LIDAR was used to generate cost-effective, high-accuracy mapping of as-built conditions of newly completed stream and river restoration projects, thereby establishing a baseline by which future monitor efforts can evaluate overall project performance through time.

Salt Pond A21, Alameda County, California: Dr. Storesund performed Terrestrial LIDAR survey for researchers at the University of California at Berkeley on this 160-acre wetland restoration project in Fremont, California. The surveys were used to monitor sediment accretion, scour, and erosion progression within this recently breached salt pond.

Tennessee Hollow, San Francisco, California: A storm drain creek daylighting project was completed at the San Francisco Presidio. LIDAR surveys were used to establish baseline topography following completion of construction in January of 2006. Subsequent surveys were performed to evaluate vegetation growth rates and growth zones. The baseline survey is anticipated to serve as an overall baseline by which future channel stability can be evaluated.

AMR, Roseville, California: Storesund Consulting provided high-resolution RTK GPS topographic survey and Terrestrial LIDAR surveys of vernal pools to provide a baseline micro-topographic terrain model which became the design 'template' for restoration of 150 acre vernal pool site.

Cache Creek, Woodland, California: Terrestrial LIDAR surveys were conducted at two specific locations where the creek channel shifted into the creek bank, causing the formation of a tall vertical bank. The terrestrial LIDAR surveys were conducted to map the conditions of the vertical bank. Additionally, aerial LIDAR surveys were also performed at this site and future studies will compare and contrast the resolution and accuracy between these two methods at this site.

Goodwin Creek, Oxford, Mississippi: The Goodwin Creek watershed is organized and instrumented for conducting extensive research on upstream erosion, stream erosion and sedimentation, and watershed hydrology. Land use and management practices that influence the rate and amount of sediment delivered to streams from the uplands range from timbered areas to row crops. About 13 percent of the watershed total area is under cultivation and the rest is idle pasture and forest land. Terrestrial LIDAR surveys were performed at one location in an attempt to evaluate the feasibility of utilizing LIDAR to measure and quantify sediment transport and vertical bank retreat rates.



Coldwater Creek, Mississippi: Coldwater Creek is part of a United States Department of Agriculture National Sedimentation Laboratory research watersheds. The quantity and quality of aquatic habitats along the lowland floodplain rivers in agricultural landscapes are in steep decline as a result of nonpoint source pollution. Terrestrial LiDAR surveys were performed at the site of an ephemeral gully in order to ascertain the feasibility of mapping these features with LiDAR to develop 3D surfaces by which more detailed analyses can be performed (including erosion rates) as opposed to the traditional cross-sectional survey method, which may not fully capture the behavior of the site.

Tolay Lake, Petaluma, California: This collaborative effort between the Sonoma County Parks and Recreation, Ducks Unlimited, and United States Geological Survey, will restore a seasonal lake on Tolay Creek in Sonoma County. Existing agricultural fields will be converted to a county park and will serve as a duck reserve in the fall and winter. Terrestrial LiDAR surveys were performed to develop a detailed topographic map of the project site. Over 200 acres were surveyed in two days.

Ben Mar, Benicia, California: Dr. Storesund performed Terrestrial LiDAR survey for the United States Geological Survey on this 25-acre wetland restoration project in Benicia, California as part of a Caltrans mitigation project. The surveys were used to monitor sediment accretion within the completed restoration area.

Tilden Step Pool, Berkeley, California: Storesund Consulting worked in conjunction with Dr. Anne Chin (University of Colorado, Boulder) by mapping as-built conditions of a step pool sequence in Tilden Park. Change analyses will be performed over three storm events to ascertain step pool stability.

Colorado Wildfire Step Pool Evaluation, Colorado: Storesund Consulting worked in conjunction with Dr. Anne Chin (University of Colorado, Boulder) by analyzing terrestrial LiDAR scans of study areas before and after storm events to ascertain step pool stability.

Verona Bridge Creek Restoration, Pleasanton, California: Storesund Consulting performed a Terrestrial LiDAR survey of this in-stream habitat enhancement and slope stability restoration project in Pleasanton. The project was designed by the National Resource Conservation District.

Tubb, Vallejo, California: Dr. Storesund performed Terrestrial LiDAR survey for the United States Geological Survey on this 60-acre wetland restoration project in Sonoma County, California. The surveys were used to monitor sediment accretion within the completed restoration area.

Rodeo Creek, Hercules, California: LiDAR scanning services were performed on the newly acquired Rodeo Creek East Bay Regional Park property in Rodeo, California. Rodeo Creek was incised 20-30 feet below the floodplain and heavily vegetated, making it difficult to perform conventional topographic surveys. As a result of the LiDAR surveys, a 3D surface, topography, and cross-sections over a 1,000 foot stretch of creek was cost-effectively mapped.



Winfield Pin Oaks Levee Investigation, Winfield, Missouri: The Winfield Pin Oak levee is maintained by the Cap Au Gris Drainage and Levee District. The levee system (Figure 23) is estimated to prevent flooding of the protected area (493 hectares) up to a 14-year return period flood event on the Mississippi River. This site was overtopped for an extended period of time and breached as a result of overtopping-induced erosion. Terrestrial LiDAR surveys (georeferenced using RTK GPS) were performed in October 2008 for subsequent forensic analyses.

Norton Woods Levee Investigation, Elsberry, Missouri: The Elsberry levee at Norton Woods is maintained by the Elsberry Drainage District. This breach was the result of either a through-seepage induced or overtopping-induced (low crest elevation) failure. High water marks observed in the field indicate that the floodwaters did not exceed the general levee crest elevation. Terrestrial LiDAR surveys (georeferenced using RTK GPS) were performed in October 2008 for subsequent forensic analyses.

Kickapoo Levee Investigation, Elsberry, Missouri: The Elsberry levee at Kickapoo is maintained by the Elsberry Drainage District. This breach was reported by local residents to have been the result of through-seepage in the roadway base course that traversed the levee crest. The extents of levee erosion were generally limited to the pre-breach roadway alignment. Terrestrial LiDAR surveys (georeferenced using RTK GPS) were performed in October 2008 for subsequent forensic analyses.

San Francisco Pier 9, San Francisco, California: Storesund Consulting provided Terrestrial LiDAR scanning services for this renovation project to enable a 3D check against existing as-built documentation and facilitate BIM modeling. The new facility is a 3D printing center for Autodesk.

AT&T Facility MEP Scanning, California: Storesund Consulting provided Terrestrial LiDAR scanning services for this expansion project to map existing mechanical, electrical, and plumbing (MEP) facilities to facilitate BIM modeling as well as routing of a new fuel supply pipeline (using 'clash detection').

UCSF Helen Diller Center, San Francisco, California: Storesund Consulting provided Terrestrial LiDAR scanning services for this project to map existing structural conditions as well as mechanical, electrical, and plumbing (MEP) facilities to facilitate BIM modeling and routing of new utilities (using 'clash detection').

Novartis, Burlingame, California: Storesund Consulting provided Terrestrial LiDAR scanning services for this project to map existing structural conditions as well as mechanical, electrical, and plumbing (MEP) facilities to facilitate BIM modeling and routing of new utilities (using 'clash detection').

San Antonio Station, Mountain View, California: Storesund Consulting provided Terrestrial LiDAR scanning services for this project to map existing structural conditions as well as mechanical, electrical, and plumbing (MEP) facilities to facilitate BIM modeling and routing of new utilities (using 'clash detection').



Veterans War Memorial Building, San Francisco, California: Storesund Consulting provided Terrestrial LiDAR scanning services for this project to map existing structural conditions as well as mechanical, electrical, and plumbing (MEP) facilities to facilitate BIM modeling and routing of new utilities (using 'clash detection').

HWY 84 Interchange, Redwood City, California: Storesund Consulting performed a Terrestrial LiDAR scan of the HWY 84/HWY101 interchange in Redwood City to facilitate an improvement program.

Bryants Creek Levee Investigation, Elsberry, Missouri: The Elsberry levee at Kickapoo is maintained by the Elsberry Drainage District. This breach (Figure 52) occurred at the location of a duck pond that was reported to have been installed immediately adjacent to the levee system in order to attract ducks for the duck club located at the site. Terrestrial LiDAR surveys (georeferenced using RTK GPS) were performed in October 2008 for subsequent forensic analyses.

Indian Graves Levee Investigation, Quincy, Illinois: The Indian Graves Levee system is maintained by the Indian Graves Drainage District. The estimated protection level for the levee system is a 50-year return period flood and the protected area encompasses over 2,800 hectares. The sand with clay core levee system is situated immediately East of the Mississippi River. There were three breaches, two under seepage induced and one overtopping induced breach. Terrestrial LiDAR surveys (georeferenced using RTK GPS) were performed in October 2008 for subsequent forensic analyses.

Two Rivers Levee Investigation, Oakdale, Iowa: The Two Rivers Levee system is maintained by the Iowa Flint Creek Levee District No. 16. The estimated protection level for the levee system is a 100-year return period flood and the protected area encompasses approximately 7,100 hectares. The levee system is situated immediately South of the Iowa River, and west of the Mississippi River. Terrestrial LiDAR surveys (georeferenced using RTK GPS) were performed in October 2008 for subsequent forensic analyses.

Emeryville Shoreline Protection Project, Emeryville California: Terrestrial LiDAR was used to measure the volume of boulder rip-rap placed for this shoreline protection project. Due to the high void ratio and irregularity of the boulders, the very high point density of the Terrestrial LiDAR survey provided a more accurate modeling of rip-rap volume than traditional survey methods.

Dutra San Rafael Rock Quarry, San Rafael, California: The Dutra San Rafael quarry is one of the most active quarries in the Bay Area. LiDAR was used to image the physical configuration of the quarry, to create a 3D baseline survey. Subsequent LiDAR surveys will be compared against the initial baseline survey to determine material quantities as well as overall slope stability within the quarry.



PROFESSIONAL RESUME

Rune Storesund, D.Eng., P.E., G.E.
Consulting Engineer

Dutra Richmond Quarry, Richmond, California, California: LiDAR surveys were used to monitor a reclamation slope at the inactive Dutra Richmond Quarry. Due to the location of the slope and the geologic contacts, monitoring was required to demonstrate that no active movements are occurring and that the slope is stable. An initial baseline survey was performed in August, 2006 and subsequent surveys will be compared to the initial baseline to determine activity level.

Lower Santa Ynez, Santa Barbara County, California: The Lower Santa Ynez Bank Stabilization project was a collaborative effort with the California Conservation Corps and California Department of Fish and Game to utilize biotechnical methods to stabilize a 1,000-foot length of stream bank, adjacent to agricultural lands. Terrestrial LiDAR surveys were conducted to develop pre-project topography, as-built topography, erosion and scour quantities and estimated rates, and a coarse vegetation monitoring study.

Emery Point, Emeryville, California: Baseline Terrestrial LiDAR surveys were performed to monitor wave-induced erosion on Point Emery in Emeryville, California, which has experienced significant scour in the last 5 years. This man-made peninsula is a popular location with windsurfers and SF Bay Trail users. It is estimated that the location will be completely eroded in the next 25 years without mitigation.

Fremont Landing, Yolo County, California: The Fremont Landing project site is located along the south bank of the Sacramento River from RM 78.8 to 80.4 in one of the most hydraulically-complex portions of the river. At least five (5) major tributaries or distributaries are located within 2 miles of the site and all influence the hydrodynamics of the site. Terrestrial LiDAR surveys were performed to aid PWA develop a 2D hydrodynamic model of the project site and surrounding tributaries/distributaries. The model was used to allow examination of design issues related to fish stranding, rearing habitat, and flood conveyance.

Hamilton Wetland Restoration, Novato, California: This is a United States Army Corps of Engineers and California Coastal Commission joint project to convert over 500 acres of a decommissioned army airfield to a wetland restoration area using dredged spoil material. The area will consist of seasonal and tidal wetlands. Terrestrial LiDAR is being used to monitor fill placement and obtain volume quantities.

Mississippi River Gulf Outlet, New Orleans, Louisiana: LiDAR surveys were conducted of the southeastern completed levee segment. This survey was to serve as a baseline from which future LiDAR surveys can be conducted and analyses and evaluations of wind-induced wave impacts can be studied.

East Sand Slough Restoration, Red Bluff, California: Dr. Storesund provided terrestrial LiDAR mapping of this channel restoration project on the Sacramento River in Red Bluff, California. The LiDAR survey was integrated with existing bathymetry data. Habitat mapping using the collected LiDAR data was also conducted in general conformance with the California Rapid Assessment Method (CRAM) for Wetlands.



PROFESSIONAL RESUME

Rune Storesund, D.Eng., P.E., G.E.
Consulting Engineer

CZ-1 Site, Fresno County, California: Dr. Storesund provided terrestrial LiDAR mapping of this tree-root excavation and measurement study by Dr. Peter Hartsough (UC Davis) as part of his climate change research. The mapping of the tree roots provided Dr. Hartsough the ability to establish high-resolution digital root system baselines for future comparisons.



Research Projects

RESIN: Contemporary infrastructure, the systems necessary to provide sustainable services within the nation's power, transportation, waste management, water, and telecommunication sectors, has become very complex; that is adaptive, interdependent, unpredictable, nonlinear, and dynamic. This research seeks to discover new fundamental methods to assess and manage the resilience and sustainability of such complex systems (termed 3ICIS). These methods will facilitate the characterization of both resilience and sustainability by addressing multi-infrastructure, multi-physics, multi-scale (spatial, temporal), and multi-resource phenomena that impact the likelihood of these systems failing to achieve acceptable resilience and sustainability, as well as the associated consequences. The setting selected to develop these methods is the California Sacramento Delta focusing primarily on the following four critical infrastructure services, as well as interfaces with other critical infrastructure sectors as necessary:

- Water Supply – Includes water supply system for agriculture, commercial/industry, government, and the public. Issues of importance include supply, conveyance, and quality (*note: wastewater is part of this, but not addressed here*);
- Flood Protection – Includes the structural elements (levees, floodwalls, flood gates, dams, diversion channels, storm drain systems) as well as the natural rivers corridors, subsidence, settlement & consolidation, and hydrologic hazards (rain storms, snow melt) that inundate low lying areas and floodplains;
- Power Supply – Elements of the electrical power grid that supply electricity to agricultural, commercial/industrial, government and the public; and
- Ecosystem – Physical and biological components of the environment. Physical attributes include habitat areas, soil substrates, water supply and quality. Biological considerations include flora and fauna.

The California Sacramento Delta 3ICIS is a very complex highly interactive 'legacy' system embedded in similarly complex natural environmental and social - political systems. It is of critical importance directly for the population and environment of the State of California and indirectly for the rest of the United States.

The goals of this research project are to develop the following Quality Management Assessment System Process (QMAS):

1. System Definition and Conceptualization
2. Domain Expert / Key Informant Assessment Team Identification and Formation
3. Identification of the key vulnerabilities or chokepoints (aka Factors of Concern)
4. Failure Scenario Development
5. Detailed Qualitative and Quantitative Risk Assessment and Management that accounts for 3ICIS spatial variability, temporal variability (historical, current, future), and non-linearity (SYRAS++)

This research will answer the following fundamental questions:

1. What are the major drivers that threaten Resilience & Sustainability (current, future)?
2. What is the current Resilience & Sustainability state of the 3ICIS?
3. What future Resiliency & Sustainability states are expected given the status quo persists?
4. What are the potential consequences/impacts associated with future Resiliency & Sustainability states given the status quo persists?
5. What adaptation and mitigation strategies can be employed to create an "acceptable" Resilient & Sustainable 3ICIS?



2008 Midwest Levee Failure Investigation: Dr. Storesund was the lead researcher for this National Science Foundation sponsored collaborative research investigation between UC Berkeley, Texas A&M University, and the Missouri University of Science and Technology. The research was an immediate effort to collect sensitive and time-dependent perishable data will comprehensively characterize select levee failure locations to provide essential levee characterization and performance data for use in subsequent numerical analyses. The levee characterization consisted of:

1. An initial field reconnaissance to visit known breach sites along the Mississippi River between St. Louis, MO and Davenport, IA to document (via photographs) site conditions, collect eyewitness accounts, and develop a list for detailed site-specific analyses;
2. Conducting high-detail laser imaging survey (Terrestrial LiDAR) of breach and erosion/scour features in the levees. These surveys will be used to validate future numerical simulations that predict the final scour/erosion profile for specified overtopping conditions;
3. Characterization of the vegetative/grass cover on the earthen levee side slopes to determine erosion-resistance provided. This levee characteristic is frequently omitted from field characterization studies, yet is very important in the performance of the levee during overtopping conditions;
4. Characterization of the levee soil materials, including the United States Soil Classification (USCS) soil types, plasticity (Atterberg Limits), grain size distribution (sieve sizes), in-situ density, maximum dry density, Erosion Function Apparatus (EFA) erodibility characterization and jet erosion testing; and
5. Documentation of the river stage at the location of the levee failure based on eyewitness accounts as well as available USGS Stream Gage Data. This data is essential to correctly evaluate overtopping depths and durations and associated water velocities on the 'protected side' of the flood protection levee.

The sites investigated include: Brevator (Missouri); Winfield (MO); Cap au Gris (MO); Kings Lake (MO); Norton Woods (MO); Kickapoo (MO); Bryants Creek (MO); Indian Graves (IL); Two Rivers (IA).



PROFESSIONAL RESUME

Rune Storesund, D.Eng., P.E., G.E.
Consulting Engineer

National River Restoration Science Synthesis: The National River Restoration Science Synthesis (NRRSS) was a nation-wide effort to characterize the practice of river restoration. It consisted of three phases: synthesis of national and state restoration databases, phone surveys with select river restoration practitioners, and detailed river restoration post-project appraisals within California. Dr. Storesund was active, under the direction of Dr. G. M. Kondolf, and participated in the completion of 40 post project appraisals (PPA) of California river restoration projects. The PPA evaluations consisted of watershed delineations, hydraulic and hydrology characteristics determinations, review of planning and design approaches, review of permit applications, field surveys and performance assessments, and engineering documentation of post-construction performance.

Projects evaluated:

Ackerman Crook Restoration Project	Alameda Creek (Niles Dam Removal)
Alameda Creek (Sunol Dam Removal)	Alamo Creek (Main Branch)
Alamo Creek (East Branch) Project	Arroyo de la Laguna Bank Stabilization
Arroyo Mocho	Arroyo Viejo Creek Restoration
Baxter Creek (Booker T. Anderson)	Baxter Creek (Gateway)
Baxter Creek (Pointsett Park)	Bear Creek Restoration Project
Blackberry Creek (Thousand Oaks)	Brandy Creek (A-Frame Dam Removal)
Carmel River at deDampierre	Carmel River at Schulte Road
Castro Valley Creek Restoration	Cerrito Creek (El Cerrito Plaza)
Chorro Flats Enhancement Project	Clarks Creek
Clear Creek (McCormick Dam Removal)	Cold Creek
Crocker Creek Dam Removal	Cuneo Creek Restoration
Green Valley Creek	Lower Guadalupe River Reach B
Lower Ritchie Creek Dam Removal	Lower Silver Creek Reach I
Martin Canyon Creek	Miller Creek
Redwood Creek	Sausal Creek Restoration Project
Strawberry Creek	Tassajara Creek
Tennessee Hollow (Thompson Reach)	Uvas Creek Restoration
Village Creek (UC Berkeley)	Wildcat Creek at Alvarado Park rune@storesundconsulting.com
Wildcat Creek Flood Control Channel	Wilder Creek Restoration Project



PROFESSIONAL RESUME

Rune Storesund, D.Eng., P.E., G.E.
Consulting Engineer

PROFESSIONAL AFFILIATIONS:

ASCE Leadership and Management Committee
Chair 2010 - 2012
Corresponding Member 2003 - 2009
ASCE San Francisco Section
Past President 2012-2013
President 2011-2012
President Elect 2010-2011
Vice President 2009 - 2010
American Society of Civil Engineers: San Francisco Section YMF- President 2003-
2004
ASCE San Francisco Section Water Resources Group
Director 2009 -2011
ASCE San Francisco Section Geotechnical Society Steering Committee
ASCE San Francisco Section Infrastructure Report Card Committee
ASCE GEO-Institute
National Academy of Forensic Engineers
National Society of Professional Engineers
California Society of Professional Engineers
UC Berkeley Geotechnical Engineering Society
UC Berkeley Engineering Alumni Society

AWARDS:

Eagle Scout, Troop 27, Eureka, California (1992)
Outstanding YMF Civil Engineer (2004) San Francisco Section ASCE
Outstanding YMF Civil Engineer in the Private Sector (2008) Western Regional
Younger Member Council, ASCE
Outstanding ASCE Younger Member Forum Officer, ASCE Region 9 (2009)
President's Award, San Francisco Section ASCE (2012)
H.J. Brunnier Award, San Francisco Section ASCE (2013)
ASCE Edmund Friedman Young Engineer Award for Professional Achievement
(2013)

EXHIBIT H

Mario Ballard & Associates
Building and Fire Code Consultants

March 23, 2016

Subject: 3516-3526 Folsom Street
Fire Department Access

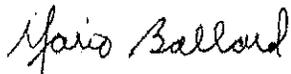
References:

- California Fire Code Section 503 "Fire Apparatus Access Roads"
- San Francisco Fire Department Informational Bulletin 5.01
- Department of Public Works 2015 Subdivision Regulation
- Table of contents Appendix-Technical Specifications Related to Engineering Document Section XII-B-3

The California Fire Code, San Francisco Fire Department Technical Bulletin 5.01 and the DPW 2015 Subdivision regulation include specific guidelines and requirements related to street widths, grade, angles of approach and departure and maximum grade related to Arid truck operation.

Based on the information reviewed, the proposed development of Folsom Street North of Chapman will not meet the required specifications for Fire Department apparatus (See SFFD Bulletin 5.01) or Fire Department ambulance (EMR) access. All equipment, ladders, hoses as well as emergency medical equipment and supplies will need to be manually transported to the incident site which could impact firefighting operations and EMR response.

Mario Ballard



MARIO BALLARD & Associates
1335 Sixth Avenue, San Francisco, California 94122
(415) 640-4283
marioballardsf@aol.com

Mario Ballard, Principal

CAREER SUMMARY

Principal, Mario Ballard and Associates	5/1/2007-Present
Principal, Zari Consulting Group	1/1/2013-Present
Captain, Bureau of Fire Prevention, Plan Review Division	2001- 4/21/2007
Lieutenant, Bureau of Fire Prevention, Plan Check Division	1994 - 2001
Inspector, San Francisco Fire Department	1991 - 1994
Firefighter, San Francisco Fire Department	1974 - 1991
Linebarger Plumbing and Construction, SF CA	1974 - 1980
Servadei Plumbing Company, SF CA	1974
United States Army, Army Security Agency	1972 - 1974

LICENSES

ICC, International Code Conference Certified Building Plans Examiner

CERTIFICATIONS

ICC Advanced Occupancy
ICC Advanced Schematic Design
ICC Building Areas and Fire Design
ICC Advanced Types of Construction
ICC Advanced Means of Egress
CFCA Certificate of Training of Locally Adopted Ordinances and Resolutions
IFC Institute Certificate Application of the UBC for Fire Code Enforcement
ICBO Certificate on Course Completion on Fundamentals of Exiting
ICBO Certificate on Course Completion Complex Exiting
ICBO Certificate on Course Completion Building Use and Construction Type
ICBO Certificate on Course Completion Fire Protection, Building Size and Location
ICBO Course Overview of the Uniform Building Code
California Fire Chief's Association Fire Prevention Officers' Section Fire Alarm Levels I & II
Fire Sprinkler Advisory Board of Northern California & Sprinkler Fitter Local 483 Fire Sprinkler Seminar
National Fire Sprinkler Association, Inc., Hydraulics for Sprinklers
EDI Code International, Innovative Code Enforcement Techniques
Certification State of California Title 19/Title 24

EDUCATION

Fire Strategy & Tactics 1981-1993
Fire Service Supervision
Fire Prevention 1A, 1B, 1C
Fire Prevention 2A, 2B
Fire Prevention Officer Level One
Firefighter Level One and Two
Arson 1A, 1B
Hazardous Materials IA, 1B
Instructor 1A
Fire Management 1A

City College of San Francisco 1970-1972

COMMITTEE INVOLVEMENT

Building Code Advisory Committee
Hunters Point Development Team
Mission Bay Task Force
Treasure Island Development Team
Trans-Bay Transit Center
Muni Metro, Light Rail Third Street Corridor
Department of Building Inspection MIS Case Development
San Francisco Board of Examiners Fire Department Representative
Member California Fire Chief's Association Fire Prevention Officers
BOMA Code Advisory Committee
Mayor's Office of Economic Development Bio-Teck Task Force
Hunters Point Redevelopment Task Force
Building Code Standards Committee 1996-1999
Participant in the Eighth Annual California Fire Prevention-Institute Workshop,
"Providing the Optimum in Fire and Life Safety Training"
Participant North/South California Fire Prevention Officers Workshops 1996 - 1998
Guest Speaker at SMACNA (Sheet Metal and Air Conditioning Contractors National Association)

PUBLIC SERVICE

Rooms That Rock For Chemo (RTR4C), Director Secretary 2011-Present
San Francisco Spina Bifida Association, (Past) Vice President

California Fire Code Section 503
“Fire Apparatus Access Roads”

FIRE SERVICE FEATURES

FIRE COMMAND CENTER.

FIRE DEPARTMENT MASTER KEY.

FIRE LANE.

KEY BOX.

TRAFFIC CALMING DEVICES.

SECTION 503 FIRE APPARATUS ACCESS ROADS

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3.

503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exception: The fire code official is authorized to increase the dimension of 150 feet (45 720 mm) where:

1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
3. There are not more than two Group R-3 or Group U occupancies.

503.1.2 Additional access. The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

503.1.3 High-piled storage. Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter 32.

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8.

[California Code of Regulations, Title 19, Division 1, §3.05(a)] Fire Department Access and Egress. (Roads)

(a) Roads. Required access roads from every building to a public street shall be all-weather hard-surfaced (suitable for use by fire apparatus) right-of-way not less than 20 feet in width. Such right-of-way shall be unobstructed and maintained only as access to the public street.

Exception: The enforcing agency may waive or modify this requirement if in his opinion such all-weather

hard-surfaced condition is not necessary in the interest of public safety and welfare.

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than ~~20 feet (6096 mm)~~, exclusive of shoulders, except for approved security gates in accordance with ~~Section 503.6~~, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

503.2.2 Authority. The fire code official shall have the authority to require an increase in the minimum access widths where they are inadequate for fire or rescue operations.

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall be determined by the fire code official.

503.2.5 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus.

503.2.6 Bridges and elevated surfaces. Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official.

503.2.7 Grade. The grade of the fire apparatus access road shall be within the limits established by the fire code official based on the fire department's apparatus.

503.2.8 Angles of approach and departure. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the fire code official based on the fire department's apparatus.

503.3 Marking. Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in ~~Section 503.2.1~~ shall be maintained at all times.

**San Francisco Fire Department
Informational Bulletin 5.01**

5.01 Street Widths for Emergency Access

Reference: 2010 S.F.F.C. Sections 503 and Appendix D, Section D105

The Division of Planning and Research of the San Francisco Fire Department has established requirements for minimum street widths to facilitate emergency equipment access. These requirements are specified as follows:

Minimum Street Widths and Access Roads

1. The San Francisco Fire Code (503.2.1) requires a minimum of 20 feet of unobstructed roadway and a vertical clearance of not less than 13' 6" for existing roadways. While a 20 foot wide roadway is permissible, past practice has shown that making ninety degree turns are not possible without the trucks moving into oncoming traffic. The vehicles can make the turn only on one way streets.
2. The San Francisco Fire Code (503.2.5) requires a turnaround for all dead-end fire access roads in excess of 150'. The San Francisco Fire Department has determined an 80 foot turnaround and a 40' radius to be sufficient.
3. The San Francisco Fire Code requires a minimum 26' wide street for new developments where the new buildings are greater than 30' in height from the lowest level of fire department vehicle access and are unsprinklered. These streets shall be located a minimum of 15' and a maximum of 30' from the buildings and shall be parallel to one entire side of the buildings.

SAN FRANCISCO FIRE DEPARTMENT VEHICLE SPECIFICATIONS

	ENGINES	TRUCKS
Outside tire extremity	8 ft. 2 in.	8 ft. 3 in.
Vehicle width (with mirrors)	10 ft. 4 in.	10 ft 1 in.
Truck width with one jack extended	n/a	12 ft. 9 in.
Truck width with two jacks extended	n/a	17 ft. 9 in.
Vehicle height	11 ft.	12 ft.
Length of vehicle	30 ft.	57 ft.
Gross vehicle weight	40,400 lbs.	70,000 lbs.
Street grades maximum	26% maximum	26% maximum
Approach and departure	15% maximum	15% maximum
Truck aerial operations	n/a	14% maximum

The Fire Department will determine, on a case-by-case review, where the truck aerial operations may not be required.

**Department of Public Works 2015
Subdivision Regulation**

C. STREET GUIDELINES

1. Alignment

All streets shall, as far as practicable, align with existing streets. The Subdivider shall justify any deviations based on written environmental and design objectives.

2. Intersecting Streets

Intersecting streets shall meet at right angles or as nearly so as practicable.

3. Naming

Streets of a proposed subdivision which are in alignment with existing streets shall bear the names of the existing streets. The Department of Public Works shall approve names for all new streets.

4. Street Grades

DPW shall not approve street grades in excess of 17% except as an exception and under unusual conditions.

Streets having grades in excess of 14% shall require separate consultation with the Fire Department prior to use for fire access purposes.

No gutter grade shall be less than 0.5%. The Subdivider shall provide concrete on any pavement grade less than 1.0%.

The Subdivider shall connect all changes in street grades, the algebraic sum of which exceeds 1.5%, with vertical curves of DPW-approved length sufficient to provide safe stopping sight distances and good riding quality. All changes in street grades shall have an absolute value of the algebraic difference in grades which does not exceed fifteen percent (15%), regardless of any vertical curves.

The Director with the consent of the SFFD may approve of any design modification to this standard on a case-by-case basis.

5. Surface Drainage

- a. Subdivider shall grade streets to provide a continuous downhill path.
- b. At low end cul-de-sacs and sumps, in addition to sewer drainage facilities, Subdivider shall provide surface drainage channels in dedicated easements as relief of overflow to prevent flooding of adjoining property.
- c. Subdivider shall design street and drainage channel cross-sections to provide a transport channel for overland or surface flow in excess of the 5-years storm capacity of the sewer system. The channel capacity shall be the difference between the sewer capacity and the quantity of runoff generated by a 100-year storm as defined by the NOAA National Weather Service or by City-furnished data, applied over the tributary area involved.
- d. Subdivider shall round street curb intersections by a curve generally having a radius equivalent to the width of the sidewalk and the design shall be in accordance with the Better Streets Plan. While allowing vehicle movements for emergency vehicles, the Subdivider shall use the smallest possible radius.

D. PRIVATE STREETS

Private streets shall have a minimum right-of-way width of 40 feet for through streets. Dead-end private streets shall have a minimum right-of-way width of 60 feet. The Subdivider shall consult with the Fire Department and Department of Building Inspection for all designs that might result in less than the minimum width.

E. BLOCKS

**Technical Specifications Related to
Engineering Document Section XII-B-3**

DPW Disabilities Coordinator for specific provisions related to pavement materials, passenger loading zones, and path of travel for disabled persons.²⁷

3. Fire Department Operations.

- a. All streets shall provide a minimum clear width of 20 feet of travel way between obstructions. Obstructions may include parked vehicles, certain curbs greater than 6 inches in height²⁸ or any other fixed object that prevents emergency vehicular travel.
- b. For purposes of calculating the clear width of the travel way, such width may include any combination of the following:
 - i. That portion of any adjacent curbside parking space having a width greater than 7 feet,
 - ii. a bike lane or any other adjacent pavement capable of supporting emergency vehicles where such lane or pavement is separated from the vehicular lanes by paint striping (Class II) or a mountable curb being no more than 2 inches in height (Class I), or other forms of pavement separation that may vary in material type, color, and texture.
- c. Where adjacent buildings are greater than 40 feet in height and not of Type I (fire resistive) building construction, and the building entrance locations are not yet specified, the Director may require an operational width of at least 26 feet to accommodate Fire Department operational requirements along each street fronting such a building.
 - i. "Operational width" shall be the combined total of the clear width of the travel way together with those unobstructed portions of adjacent pavement or sidewalks (if

²⁷ See also *Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way* as published by the United States Access Board.

²⁸ See San Francisco Fire Code Sec. 503.4, providing additional guidance on what may be considered an obstruction; see also Board of Supervisors Ordinance No. 116-13.

capable of supporting emergency vehicles).Reservation of portions of curbside parking for fire-only access or use of alternative mountable curb designs that allow for safe fire vehicle access to the sidewalk may accomplish this goal. The Fire Department, in consultation with other affected City agencies, may approve other proposals developed in the future.

- ii. In such cases, the Subdivider shall provide sufficient right-of-way width on all abutting sides of a proposed development block to accommodate the foreseeable street design alternatives.
- iii. Where DPW requires the portion of the block to have additional operational width (greater than 20 feet clear), the design engineer shall locate this in segments along the building frontages with a maximum length of 200 feet for any one segment. Segments may have a minimum length of as little as 100 feet. The Subdivider shall ensure the existence of adequate space for emergency vehicles to pass each other and set up operations at the front entrance of the building. In addition, the design shall provide for meaningful traffic calming measures to ensure safe vehicle speeds along the street, including returning to the standard 20 foot travel way between widened segments. This provision shall not apply to blocks less than 200 feet in length.
- iv. Subdividers are encouraged to consult with the Fire Department early in the subdivision process in advance of when the Subdivider anticipates the construction of such buildings. Information such as building access points, size of building and type of building construction are essential elements needed for constructive agency review.

- v. Any decision to accommodate street widths having greater than 20 feet of travel way shall be approved by the Director only after consultation with and approval by an interagency working group composed of the Fire Department, the Municipal Transportation Agency, the Planning Department and any other affected city agency. When discussing the most appropriate widths of the travel way, the interagency working group shall consider such factors as the role and intended character of the street in the overall street network, the width of adjacent streets, the length of the street(s) in question, the anticipated traffic volume, and emergency and medical response.

4. Bicycle Lanes

All bicycle facilities shall meet or exceed the minimum lane widths provided in the *California Highway Design Manual*, the *California Manual on Uniform Traffic Control Devices*. Subdivider's shall design bicycle facilities in accordance with the *NACTO Urban Bikeway Design Guide*.

5. Parking Lane

The width of a curbside parallel parking lane shall be 8 feet. SFMTA may approve on a case by case basis angled curbside parking designs.

6. Curb Intersection Radii and Turning Movements

Subdividers shall design intersections for and accommodate turning vehicles in accordance with the Better Streets Plan.²⁹

²⁹ <http://www.sfbetterstreets.org/find-project-types/pedestrian-safety-and-traffic-calming/traffic-calming-overview/curb-radius-changes/>

EXHIBIT I

1 RYAN J. PATTERSON (SBN 277971)
2 ZACKS, FREEDMAN & PATTERSON, PC
3 235 Montgomery Street, Suite 400
4 San Francisco, CA 94104
5 Tel: (415) 956-8100
6 Fax: (415) 288-9755

7 Attorneys for Appellants,
8 Herb Felsenfeld and Gail Newman

9
10
11 **SAN FRANCISCO BOARD OF SUPERVISORS**

BOS File No. 161278
Planning Case No. 2013.1383ENV

**DECLARATION OF BARBARA
UNDERBERG IN SUPPORT OF APPEAL**

CEQA Categorical Exemption Appeal
Subject Address: 3516-3526 Folsom Street
Hearing Date: January 24, 2017

12
13
14 I, Barbara Underberg, declare as follows:

15
16 1. I make this declaration in support of the above-captioned appeal. Unless
17 otherwise stated, I have personal knowledge of the facts stated herein and, if called as a witness,
18 could and would testify competently thereto.

19
20 2. I am a resident of 76 Rosenkranz Street in Bernal Heights, near 3516-3526
21 Folsom Street (the "Project Site").

22
23 3. On or about November 21, 2016, I submitted a request for public records to the
24 San Francisco Planning Department regarding Building Permit Application Nos.
25 2013.12.16.4318 & 2013.12.16.4322 (the "Project"), pursuant to the San Francisco Sunshine
26 Ordinance and California Public Records Act. On or about November 30, 2016, Planning
27 Department staff member Christine Lamorena produced a number of paper and electronic
28 records.

ZACKS, FREEDMAN & PATTERSON, PC
255 MONTGOMERY STREET, SUITE 403
SAN FRANCISCO, CALIFORNIA 94104

1 4. Included in the Planning Department's record production was an email and letter
2 attachment from Paul Kontos to the Planning Commission, dated March 25, 2016. A true and
3 correct copy of the email and letter is attached hereto as Exhibit A.

4 5. I am informed and believe that Paul Kontos is "the owner of lots 27 & 28
5 directly across the street from the project (3516 & 3526 Folsom St.)." In his letter, Mr. Kontos
6 encourages the Planning Commission to approve the Project and states that, "Right now, I will
7 be trying to develop my lots."

8 6. Additionally, I attended the Planning Commission Discretionary Review hearing
9 on the Project on March 31, 2016. A video record of the hearing is available at
10 http://sanfrancisco.granicus.com/MediaPlayer.php?view_id=20&clip_id=25047&meta_id=4878
11
12 72. A true and correct partial transcript of the hearing is attached hereto as Exhibit B.

13 7. Mr. Kontos attended the hearing and stated, "I own two lots on the other of the
14 street. I was going to build those for my children." Exh. B at p. 48.

15 8. Another neighbor, Ramon Romero, also spoke at the hearing in support of the
16 Project. I am informed and believe that Mr. Romero owns Lot 29. He stated, "I bought the lot
17 behind my house to help preserve open space. I didn't think it would last forever. I knew market
18 conditions would change someday that would make them." Exh. B at p. 47.

19 9. I am informed and believe that the Project will install a new street and utilities to
20 Lots 27, 28, and 29, which will enable them to be developed.

21 10. I have significant expertise in public safety matters. I was chairperson of the
22 Bernal Heights East and South Slope Improvement Committee – a committee elected by the
23 residents and property owners of an area subject to life/safety improvements funded by
24 Propositions B and K. I was also the chairperson of the San Francisco Neighborhood
25
26
27
28

ZACKS, FREEDMAN & PATTERSON, PC
235 MONTGOMERY STREET, SUITE 400
SAN FRANCISCO, CALIFORNIA 94104

1 Emergency Response Team (NERT) Advisory Board, a citywide program administered by the
2 San Francisco Fire Department. I was also a member of the Bernal Heights East Slope Design
3 Review Board from 1993-1997 and the chairperson in 1997.

4
5 II. Attached hereto as Exhibit C is a compilation of information regarding the
6 Project's environmental impacts which I have researched and prepared.

7
8
9 I declare, under penalty of perjury under the laws of the State of California that the
10 foregoing is true and correct.

11
12 Dated: January 24, 2017

Barbara Underberg
Barbara Underberg

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Exhibit A

From: [Paul Kontos](#)
To: [Sucre, Richard \(CPC\); Fabien](#)
Subject: letter to commission
Date: Saturday, March 26, 2016 7:14:16 PM
Attachments: [Fabien letter.docx](#)

Attached letter for the commission hearing on March 31, 2016

Thank you,

Paul Kontos

Paul Kontos
711 N. Voluntario St.
Santa Barbara, CA 93103

March 25, 2016

President Rodney Fong & Planning Commission Members
San Francisco Planning Department
1650 Mission St. #400
San Francisco, CA 94103

Dear President Fong and Members of the Planning Commission:

I am the owner of lots 27 & 28 directly across the street from the project (3516 & 3526 Folsom St.) in question is to start. I bought these lots years ago with the intent to develop them when my son and daughter needed housing. Fortunately or unfortunately for them, that time has come.

From attending several of the ESDRB meetings, I can see that the neighbors are very much in support of the development, but many are not. I have seen those naysayers use stalling tactics, scare tactics and overall selfish NIMBY tactics to try and stop or at least postpone indefinitely any kind of construction. None of their reasons to deny the said project from being developed have any socially beneficial merit.

The development of that end of Folsom Street can only benefit the community: It provides tax revenue for the city, desperately needed housing, participation by the residents for community betterment, and all at little or no cost to the city.

These lots have been designated as buildable lots, designed to provide housing and community for the city. Mr. Fabien Lannoye and Mr. Jim Fogarty's project fall exactly in line with the purpose of these lots. They have been gracious and accommodating to their neighbors, at great time and expense, working to design buildings to reasonably satisfy them.

Right now, I will be trying to develop my lots. I have two adult children, with children. Housing for them is a necessity, or they won't be able to afford San Francisco.

Your imprimatur on this project can only help all of us as a community

Very truly yours,

Paul Kontos

Exhibit B

1 PARTIAL TRANSCRIPTION OF
2 VIDEOTAPE OF THE
3 SAN FRANCISCO PLANNING COMMISSION
4 MEETING
5 HELD ON THURSDAY, MARCH 31, 2016

6
7 ---oOo---

8
9 Entire Portion Relating to Items 11.a and 11.b
10 Concerning

11 3516 Folsom Street and

12 3526 Folsom Street

13 (Includes previously transcribed portion of this
14 videotape on the same matter, for continuity)

15
16 ---oOo---

17
18
19
20
21 Transcribed by: Carol-Joy Harris
22 C.S.R. No. 13938
23 Job No. 18297
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<p style="text-align: center;">Page 2</p> <p style="text-align: center;">---oOo---</p> <p>1 MR. IONIN: Commissioners, that will place us 2 on our final two items, 11a. and -b., for Case 3 Nos. 2013.1383 DRP-10 at 3516 Folsom Street and 4 Case No. 2013.1383 DRP-09 at 3526 Folsom Street. 5 These are discretionary reviews of two separate 6 buildings that are essentially one project of two 7 separate single-family dwellings. 8 Commissioners, there are 19 separate DRs that 9 were filed on these two projects. Through the Chair, we 10 agreed to provide the DR requesters a combined 20-minute 11 presentation. The project sponsor would receive a 12 10-minute presentation. The combined DR requesters 13 would then receive a 10-minute rebuttal, with the 14 project sponsor receiving the usual 2 minutes for their 15 rebuttal. 16 All members of the public who are not a party 17 to the DR -- in other words, they're just basically 18 members of the public, okay, who did not file a DR or 19 are a party to the DR, who are not part of the DR 20 requesters' team -- will receive 3 minutes. 21 All right? 22 MR. SUCRE: Good evening, Commissioners. Rich 23 Sucre, Department staff. 24 The item before you is a request for a</p>	<p style="text-align: center;">Page 4</p> <p>1 In addition to the Commissioner packets I 2 provided to you is a letter from the project sponsor's 3 attorney that I neglected to include in the Commission 4 packet. 5 Provided to you are copies of the additional 6 public comments received after publication of the staff 7 report. 8 The DR requesters have a number of issues with 9 the proposed project, including: Paving of Folsom 10 Street; emergency and infrastructure access; impacts on 11 the underground PG&E pipeline; future development of the 12 vacant lots along this portion of Folsom Street; impact 13 on neighboring residences; on-street parking; 14 construction; compliance with the Bernal Heights East 15 Slope design guidelines; size and scale of the new 16 residences; size yard setback of the new residences; 17 off-street parking; rooftop, stair penthouses; public 18 views from Bernal Heights Park; impact on open space; 19 and affordability; among other issues as outlined in the 20 staff report. 21 Issues surrounding Folsom Street and the PG&E 22 pipeline are not under the purview of the Planning 23 Commission. The Department of Public Works, or DPW, is 24 the responsible agency for guiding and reviewing the 25 extension and/or paving of Folsom Street.</p>
<p style="text-align: center;">Page 3</p> <p>1 discretionary review for the building permit 2 applications associated with the new construction of two 3 single-family residences at 3516 and 3526 Folsom Street. 4 The proposed projects would be located on two 5 vacant lots, each measuring 20 feet by 70 feet in the 6 RH-1 zoning district, Bernal Heights Special Use 7 District, in a 40-X height and bulk district. 8 Currently, these parcels do not have vehicular 9 street access or direct pedestrian access via sidewalks 10 or other street improvements. This portion of Folsom 11 Street is a paper street and is currently not improved. 12 The two new single-family residences are both 13 two and one-half stories tall, with two off-street 14 parking spaces. The two residences each measure 15 approximately 2,200 gross square feet. 16 To date, the Department has received a number 17 of public comments on the project, both for and against 18 the request for a discretionary review. Included with 19 two of the DR applications are petitions in opposition 20 to the project signed by approximately 136 individuals, 21 several of which would include the DR requesters. 22 Since publication of the Commission packets, 23 the Department has received an additional 22 public 24 comments, including 4 letters in support and 18 letters 25 in opposition.</p>	<p style="text-align: center;">Page 5</p> <p>1 The projects are located in a residential 2 district and have been reviewed by the Residential 3 Design Team, or RDT. RDT found that the project does 4 not create any extraordinary or exceptional 5 circumstances and did not recommend any changes to the 6 proposed project. 7 The Department finds the overall massing, form, 8 and scale to be appropriate given the underlying zoning 9 and height and bulk limits. 10 The proposed project is consistent with the 11 residential character of the surrounding neighborhood 12 and meets the requirements of the Bernal Heights East 13 Slope design guidelines, the Bernal Heights Special Use 14 District, and the residential design guidelines. 15 The projects will add two new single-family 16 homes on a privately owned vacant lot at the base of 17 Bernal Heights Park. 18 The project does not have any direct impacts on 19 the adjacent Bernal Heights Community Garden or Bernal 20 Heights Park. 21 The project sponsor has revised the garage 22 layout to avoid the variance for parking access. 23 Therefore, the project is a fully code- 24 compliant project and is not seeking any variances or 25 special entitlements from the Planning Commission.</p>

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1 mandatory mass reduction that's required, which in this
2 case was exceeded.

3 The project sponsor made changes in the design
4 at the request of Planning, made changes in design at
5 the request of the East Slope Design Review Board.

6 As to whether or not they've complied with the
7 Review Board's requirements, if you look at their table
8 of contents for the -- what they require: Nine-foot
9 curb cut, check; landscaping front yard setback, street
10 trees, check; entry treatment, check; side yards, check;
11 roof treatment, check; facade elements, check; colors
12 and materials, check.

13 The only comment made in the DR request by the
14 Design Review Board after five meetings was some
15 additional design articulation or interest in the north
16 facade of the north structure, and that is the one that
17 is closest to the Bernal Heights Street, and that is
18 where bedrooms will be placed.

19 The project sponsor has offered to do
20 additional things to provide some additional elements or
21 interest in that, but there are issues of privacy for
22 the family.

23 But otherwise, as the Planning Department
24 found, it met the design guidelines, met the residential
25 design guides, the East Slope Design guidelines,

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1 complies with the planning code, complies with the
2 Bernal Heights Special Use District.

3 Other issues raised by the DR requesters,
4 garbage, mail service, these issues can all be dealt
5 with.

6 Whether cars can actually drive out of the
7 driveways up and down the street, again, the project
8 sponsors are working with DPW. There's a preliminary
9 approval for the street, including the grade, and they
10 will continue to work with them after they get their
11 approvals.

12 Finally, let me just talk about CEQA for a
13 minute because that came up. I've been practicing CEQA
14 case law and CEQA practice for 30 years. If -- if a
15 project in San Francisco could not use a categorical
16 exemption because it was subject to seismic shaking,
17 then every single house in San Francisco would require
18 an EIR.

19 There are six lots on this street, but there
20 are only applications for two projects right now. It's
21 categorically exempt, less than three units. There are
22 no applications, as was put forth in the Planning
23 report, no applications for the other four lots. In San
24 Francisco, unless there's an application in, that's not
25 a reasonably foreseeable project.

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1 As to the pipeline, the issue will be dealt
2 with. That is not a significant issue that would cause
3 an exception to the categorical exemption. If there
4 was, I would have dealt with it a long time ago.

5 So with that, I know you've all had a long day.
6 We've had a long day. Two couples, trying to build two
7 modest residences, and trying very hard to be good
8 neighbors in the process.

9 So thank for your time.

10 COMMISSION PRESIDENT FONG: Okay. DR request--
11 -- I'm sorry; speakers in support of the project
12 sponsor.

13 MR. FOGERTY: Commissioners, Jim Fogerty
14 (phonetic). My wife and I own the lot at 3526 Polson
15 Street since May 2013.

16 When the lots were placed on the market, before
17 we purchased the lots, we met with the Planning
18 Department and other city agencies regarding the
19 feasibility of their development. Satisfied with the
20 responses, we proceeded to design two residences that
21 comply with the City's design guidelines.

22 We worked with the Planning Department, made
23 modifications in response to their suggestions. We met
24 five times with --

25 MR. IONIN: I'm sorry, sir. Are you the owner

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1 of the property --

2 MR. FOGERTY: Yes.

3 MR. IONIN: -- or an owner of the property?
4 Then you are part of the project sponsor's team, and
5 your time to speak was during that initial 10 minutes.

6 You will have a two-minute rebuttal if you'd
7 like to address the Commission at that time, or they may
8 have questions for you later.

9 COMMISSION PRESIDENT FONG: So, asking for
10 speakers who are in support of the project sponsor but
11 not part of the ownership or project sponsor team.

12 MR. ROMERO: Thank you. I'm not part of the --
13 the project team. My name is Ramone Romero (phonetic).
14 I am a resident at 66 Banks Street.

15 I own Lot 29 and the space behind my home,
16 which is directly across the street, the proposed
17 street, that this project might be built on.

18 And I sent you a letter. I hope you saw it in
19 your packet.

20 I served on the San Francisco Redevelopment
21 Commission for almost 12 years. I was president of it
22 for two terms.

23 You can imagine how many project that came
24 before us that would fall into the classification that
25 you probably know as NIMBYS. Okay?

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1 These are privately owned, buildable lots,
2 properly zoned, and I honestly -- you've heard all the
3 arguments here. I think the residents are very well
4 organized. Obviously, they're very political folks.
5 I can tell you that when I moved into my house,
6 I had nothing to do with the development of it. If you
7 look on Banks Street, where I live, there's five
8 relatively new homes there. A street was built as an
9 extension of Banks Street in order to make those lots
10 buildable.
11 Three homes were built by the same developer,
12 and I happened to be one of the people who bought one of
13 those homes. Little did I know that there had been this
14 tremendous struggle to get those houses built and
15 tremendous organization by the neighbors in opposition,
16 just as you see here today.
17 I purchased my home in 1994, so I've been there
18 22 years. I love living there. I love the
19 neighborhood. These are good people that have come here
20 to raise these concerns with you. And, you know, I
21 think they do it in good faith.
22 But I don't think any of them are actually
23 really valid. I went to two of the meetings of the East
24 Slope Design Committee, and, you know, as you can see,
25 as I said earlier, I've been to so many of these

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1 meetings in the Redevelopment Commission where these
2 kinds of projects are before you. It's easy to get lost
3 in emotion and in arguments that sound pretty good but
4 really aren't necessarily, and I think this is -- this
5 is a situation where you have that.
6 Steep street. Are there steep streets in San
7 Francisco?
8 The firefighter, the fire danger. Well, the
9 fire department had stairways built from Bernal Heights
10 Boulevard above where these houses were built just
11 recently, within the last five years, in order to
12 provide firefighter access to these places.
13 It's a beautiful, open field. I bought the lot
14 behind my house to help preserve open space. I didn't
15 think it would last forever. I knew market conditions
16 would change someday that would make them --
17 MR. IONIN: Thank you, sir. Your time is up.
18 MR. ROMERO: Okay. Thank you.
19 MR. SAFFLE: Good evening. My name is Tom
20 Saffle (phonetic). I'm a resident at 307 Mullen Avenue.
21 I live on the same block that Fabian developed
22 a house a few years ago, and I'm here tonight to say
23 what a good neighbor he is and what a good person he is.
24 I think a lot of people in this room who are
25 now treating him as an outsider because he is to them

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1 today. But I can tell you that I lived alongside him
2 for three years. He's a really good guy.
3 And the way he built his house was very
4 honorable. It's a house that fits into the neighborhood
5 very well, despite being modern and despite our houses
6 being built in 1907. He did build the house
7 courteously. He was respectful of noise and dust.
8 He is a good man, and I hope that one day the
9 people in this room get to take him in as their neighbor
10 and discover that for themselves so they can treat him
11 more like kin than an outsider.
12 Thank you.
13 MR. CANTOS: My name is Paul Cantos (phonetic).
14 I own two lots on the other of the street. I was going
15 to build those for my children.
16 The only thing I want to say about this project
17 is give them a chance, for the proper agencies and the
18 engineers to look at the project that they've gotten
19 together, and let them do their work to see how well
20 it's proposed, and give it a chance to ride it out
21 completely to see how it stands.
22 Thank you.
23 COMMISSIONER PRESIDENT FONG: If there are any
24 other speakers in support of the project sponsor.
25 I know you're coming up. You can certainly

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1 make your way to the mic here.
2 MR. KEIGHRAN: Good evening, Commissioners.
3 Sean Keighran, REA.
4 This project is consistent with the Bernal
5 Heights Special Use District and the Eastern Slope
6 Design guidelines. Those design guidelines call for a
7 maximum mass of 650 feet less. These two houses are an
8 additional 200 square feet.
9 Now, if you take that 200 square feet and apply
10 it to the house we looked at earlier of 8,000 square
11 feet, it may not be significant. But these houses are
12 only about 2,000 square feet. That is a significant
13 reduction.
14 I'm here also to address some concerns put
15 forward about a whole variety of issues that really
16 don't belong in this room. Let's start with the fire
17 department. I spoke to the assistant fire marshal this
18 afternoon. No such position has been taken with these
19 streets or with these sites.
20 Project sponsor met with the captain in their
21 pre-application meeting, and they were advised that
22 these sites could be supported by the department.
23 Key components left out of the letter, hired --
24 done by consultants state, streets less than 150 long
25 will be treated differently. Houses fully sprinkled

1 which I have no speaker cards.
 2 COMMISSION PRESIDENT FONG: Is there any
 3 general public comment this evening?
 4 Okay. Not seeing any, general public comment
 5 is closed.
 6 And the meeting is adjourned.
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TRANSCRIBER'S CERTIFICATE

1
 2
 3 I, Carol-Joy Harris, hereby certify that the
 4 foregoing video recording was by me accurately
 5 transcribed to best of my ability.
 6 I further certify that I am not in any way
 7 interested in the outcome of said action nor connected
 8 with nor related to any of the parties in said action
 9 nor to their respective counsel.
 10 In witness whereof I have hereunto subscribed
 11 my hand this 18th day of April, 2016.

Carol-Joy Harris

Carol-Joy Harris
 C.S.R. No. 13938

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Exhibit C

CEQA Appeal PG&E Pipeline Safety Issues – 3516-3526 Folsom Street

CEQA 15061(b)(3): *“Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.”*

In assessing and ranking its risks, PG&E acknowledges that the risk of catastrophic pipeline failure may result in “significant environmental damage.” [See page 20 of PG&E 2016 Gas Safety Plan.] In other words, the risk is not zero, there is a possibility of significant environmental damage; therefore, the activity in question, development, including excavation over, under and around an unprotected 26-inch gas transmission line in hard bedrock and steep terrain, is subject to CEQA. The possibility of such a risk is more compelling given PG&E’s recent track record, which is documented herein.

1) High Consequence Area (HCA) Identification

<https://primis.phmsa.dot.gov/comm/FactSheets/FSHCA.htm>, (excerpts):

“Pipeline safety regulations use the concept of “High Consequence Areas” (HCAs), to identify specific locales and areas where a release could have the most significant adverse consequences. Once identified, operators are required to devote additional focus, efforts, and analysis in HCAs to ensure the integrity of pipelines.

“HCAs for natural gas transmission pipelines:

- An equation . . . estimates the distance from a potential explosion at which death, injury or significant property damage could occur. This distance is known as the “potential impact radius” (or PIR), and is used to depict potential impact circles.*
- Operators must calculate the potential impact radius for all points along their pipelines . . . to identify what population is contained within each circle.*
- Potential impact circles that contain 20 or more structures intended for human occupancy are defined as IICAs. ”*

Absent site-specific information, the default PIR is 660 feet. Per PG&E, the current Maximum Allowable Operating Pressure (MAOP) for the 26-inch diameter line 109 is 150 pounds per square inch gauge (psig), which means the current PIR for PG&E line 109 is 220 feet. According to PG&E’s FAQ, *“after the September 2010 San Bruno pipeline accident, we substantially reduced the pressure on pipelines that had segments with characteristics similar to the pipeline that ruptured. This was performed as a precautionary step until we can confirm the safety of the pipelines.”* Per NTSB Accident Report PAR-11/01 (page 35), line 109 operated at MAOP 375 psig prior to the reductions, which means the PIR for line 109 used to be 347 feet. According to PG&E, the higher pressure and increased PIR could return.

2) Integrity Management Programs

PG&E had an inadequate pipeline integrity management program, which failed to detect and repair or remove the defective pipe section in San Bruno, and the California Public Utilities Commission (CPUC) failed to detect the inadequacies of PG&E’s pipeline integrity management program.

NTSB Pipeline Safety Study adopted 1/27/15 *“Integrity Management of Gas Transmission Pipelines in High Consequence Areas”*

<http://www.nts.gov/safety/safety-studies/Documents/SS1501.pdf>:

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(1st excerpt):

“The NTSB undertook this study because of concerns about deficiencies in the operators’ integrity management programs and the oversight of these programs by PHMSA and state regulators -- concerns that were also identified in three gas transmission pipeline accident investigations conducted by the NTSB in the last five years. These accidents resulted in 8 fatalities and over 50 injuries, and they also destroyed 41 homes.” [Includes San Bruno.]

(2nd excerpt regarding previous NTSB investigation of San Bruno, California: 9/9/2010):

“The NTSB found that PG&E’s pipeline IM [Integrity Management] program was deficient and ineffective because it

(1) was based on incomplete and inaccurate pipeline information (that was contained in the operator’s GIS),

(2) did not consider the design and materials contribution to the risk of a pipeline failure,

(3) failed to consider the presence of previously identified welded seam cracks as part of its risk assessment,

(4) resulted in the selection of an examination method that could not detect weld seam defects, and

(5) led to internal assessments of the program that were superficial and resulted in no improvement.

“Furthermore, the NTSB also determined that the California Public Utilities Commission, the pipeline safety regulator within the state of California, failed to detect the inadequacies in PG&E’s IM program and that the IM program inspection tool used by state and federal inspectors, also known as the PHMSA IM inspection protocols, needed improvement.”

Gas Transmission Integrity Management: FAQs

<https://primis.phmsa.dot.gov/gasimp/faqs.htm#top2>, (excerpt):

“Operators must . . . assess the risks associated with pipeline segments in HCAs . . . enhance damage prevention programs and implement additional risk control measures beyond those already required . . . Examples . . . include: . . . conducting drills with local emergency responders and implementing additional inspection and maintenance programs.”

Gas Transmission Integrity Management: Fact Sheet

<https://primis.phmsa.dot.gov/gasimp/fact.htm>

3) Excavation damage is a significant cause of pipeline accidents.

As reported by PHMSA’s Office of Pipeline Safety, the major causes of pipeline accidents include: corrosion, excavation damage, incorrect operation, material/weld/equipment failure, natural force damage, and other outside force damage.

The predominant failure causes of gas transmission significant onshore incidents (right-of-way line pipe only 2005-2009) are corrosion (28%), material/weld failures (23%), and excavation damage (20%). (For the diagram, see page 16 of “Building Safe Communities” in link below).

Building Safe Communities: Pipeline Risk and its Application to Local Development Decisions

<http://primis.phmsa.dot.gov/comm/publications/PIPA/PIPA-PipelineRiskReport-Final-20101021.pdf>

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4) Welds. Lack of record of history of welds. Documentation of type of welds.

We need to know what the welds are and their history before construction can begin.

<http://www.sfgate.com/bayarea/article/PG-E-s-63-blast-an-early-warning-on-lines-safety-2366695.php>

5) Recordkeeping.

<http://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M162/K888/162888429.PDF>, (news release excerpts):

"June 1, 2016 - The California Public Utilities Commission (CPUC) today issued a decision by an Administrative Law Judge that penalizes Pacific Gas and Electric Company (PG&E) \$24.3 million for failure to comply with laws and regulations in maintaining accurate records of its natural gas distribution system.

"... determined that PG&E's inaccurate records were relied on for locating and marking underground facilities in anticipation of excavation. The inaccurately mapped, and consequently inaccurately marked, facilities led to excavators damaging the distribution system in several instances. Release of natural gas, service interruptions and, in one case, significant property damage resulted."

[See Appendix A for list of violations.]

6) Lack of overall responsibility about public safety within SF. No agency is taking responsibility for PG&E-related public safety -- and the resulting additional public safety problems caused by the presence of this pipeline: steep street, traffic congestion and obstructions, parking, etc. No agency is looking at the totality of public safety issues and impacts on the surrounding neighborhood. Hence, we need an EIR to address these issues.

[See Appendix B for email exchange concerning agencies involved in the ROW approval process.]

2/14/12, Herrera sues feds for failing to enforce gas pipeline safety standards before and after San Bruno blast. PHMSA 'still asleep at the switch,' City Attorney says, after ignoring S.F.'s concerns, recommendations of federal investigators. News Release:

<http://www.naturalgaswatch.org/wp-content/uploads/2012/02/SF-PHMSA-complaint.pdf>

Court Rejects San Francisco Lawsuit Against Federal Pipeline Safety Regulators:

<http://cdn.ca9.uscourts.gov/datastore/opinions/2015/07/30/13-15855.pdf>, (excerpts):

"The panel held that the plain statutory language, the statutory structure, the legislative history, the structure of similar federal statutes, and interpretations of similar statutory provisions by the Supreme Court and other circuits led to its conclusion that the Pipeline Safety Act did not authorize mandamus-type citizen suits against the Agency.

"San Francisco has presented very troubling allegations about the Agency's approach to monitoring the CPUC's regulation of intrastate pipelines. However, "[w]e have no authority to compel agency action

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merely because the agency is not doing something we may think it should do.” Zixiang Li v. Kerry, 710 F.3d 995, 1004 (9th Cir. 2013). Neither the Pipeline Safety Act nor the APA authorize San Francisco’s claims. Therefore, the district court properly dismissed the action. We need not, and do not, reach any other argument raised by the parties.”

7) Pipeline and Hazardous Materials Safety Administration (PHMSA) recommendations:

Creating Consultation Zones for Pipeline Safety

http://www.naco.org/sites/default/files/documents/FINAL_Pipeline%20FAQ.pdf, (excerpts):

“All pipeline safety is regulated by the U.S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration (PHMSA). In 2010, PHMSA formed the Pipelines and Informed Planning Alliance (PIPA), a group of more than 130 stakeholder groups and individuals made up of property developers/owners, local government officials, pipeline operators, real estate commissions and relevant national organizations, including NACo, to develop recommended practices on land use and development near transmission pipelines. Although local governments do not have the regulatory or enforcement authority to propose pipeline transmission safety standards, PIPA developed recommendations for how local governments can apply their land use and development authority to reduce pipeline safety risks to overall public health. One of these recommended practices for local governments is the creation of consultation zones around transmission pipelines.

“A consultation zone is a local ordinance that requires communication and review among property developers, property owners and pipeline operators when new land uses and property developments are being planned within a designated distance of a pipeline. The main purpose for creating consultation zones is to avoid situations where public safety and access to pipeline facilities is not considered before a new project is approved and permits are issued. “

Absent site-specific information, PIPA recommends that a standard consultation zone distance is 660 feet on either side of the centerline of natural gas pipeline.

Skagit County, Washington has implemented Consultation Zones for pipeline safety in land use and planning.

Pipelines and Informed Planning Alliance (PIPA). 2010. “Partnering to Further Enhance Pipeline Safety in Communities Through Risk-Informed Land Use Planning: Final Report of Recommended Practices.”
<http://primis.phmsa.dot.gov/comm/publications/PIPA/PIPA-Report-Final-20101117.pdf>

Land Use Planning and Transmission Pipelines (additional resource materials)
<http://primis.phmsa.dot.gov/comm/pipa/landuseplanning.htm>

Hazard Mitigation Planning: Practices for Land Use Planning and Development near Pipelines
http://www.fema.gov/media-library-data/1422297186422-e43ce828d6821027c258e96eae10fd6d/PIPA_Hazard_Mitigation_Primer_Final.pdf

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8) Inform residents within the Potential Impact Radius (PIR) of the emergency response plan for a pipeline incident, including evacuation plans.

Under PHMSA's Integrity Management Program, pipeline operators must implement additional risk control measures beyond those already required, such as conducting drills with local emergency responders.

9) Pipeline depth and utility clearance regulations, and setback protocols.

Elevations of the utilities crossing over the 26" PG&E gas transmission pipeline have not been determined. It may not be possible for utilities to cross over the pipeline while maintaining a safe separation.

Minimum depth of cover over gas transmission pipeline is 3'-4'.

Minimum crossing clearance distance is 24".

Excavation within 24" of pipeline must be done by hand and supervised by a PG&E monitor.

In conversation with a PG&E representative at their open house on 6/28/16 regarding the upcoming hydrostatic pressure test on line 109, PG&E requires a 15' clearance on either side of the pipeline centerline for pipeline maintenance heavy equipment access, if necessary. A 50' setback would be ideal, but not possible for development in the city.

The state of Minnesota, after considering the various "setbacks" found in present law and by example, established a minimum setback distance equal to the pipeline easement boundaries.

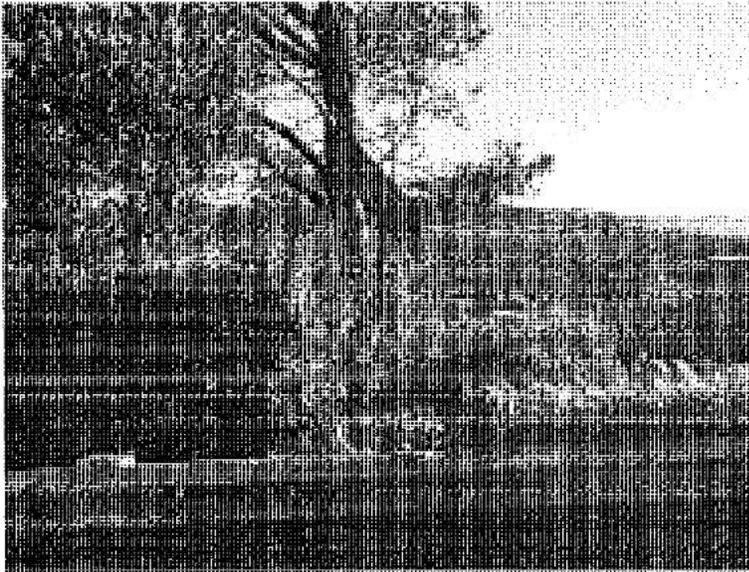
Minnesota considered the following:

- The Federal Housing Administration denies financing to any home within 10 feet of a high pressure pipeline.
- The fire marshal's association urged consideration of a 60 foot setback to accommodate fire equipment access to a pipeline failure.
- Industry representatives indicated that a general setback of 50 to 100 feet is sought through the purchase process of right-of-way.
- The city of Edmonton, Canada, was the only community found to have a specific setback.

10) PG&E's regular surveillance for pipeline hazards – critically inadequate

Although PG&E claims regular surveillance of gas transmission pipelines for activities and encroachments that endanger the integrity of and inhibit access to pipelines, a 30-foot pine tree has been allowed to grow for years on top of PG&E Gas Transmission Pipeline 109 within the Project Area. Other large vegetation also grows over the pipeline in this area against safety recommendations.

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In addition, several small structures have been allowed to be built adjacent and over the pipeline:



This situation refutes PG&E's claims of regular patrols to examine safety breaches -- and directly contradicts published national and PG&E safety guidelines regarding trees, vegetation, and structures over and near transmission pipelines:

Pipelines and Informed Planning Alliance (PIPA). 2010. "Partnering to Further Enhance Pipeline Safety in Communities Through Risk-Informed Land Use Planning: Final Report of Recommended Practices." <http://primis.phmsa.dot.gov/comm/publications/pipa/PIPA-Report-Final-20101117.pdf>, (excerpt):

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"ND 15 Plan and Lacate Vegetation to Prevent Interference with Transmission Pipeline Activities, Practice Statement: Trees and other vegetation should be planned and located to reduce the potential of interference with transmission pipeline operations, maintenance, and inspections."

PG&E "The Community Pipeline Safety Initiative" Putting Safety First:

<http://www.pge.com/en/safety/gassafety/pipeline/emergencyaccess/index.page>, (excerpt):

"Trees, tree roots, brush and structures can threaten safety because they can block firefighters' access during emergencies and can prevent our crews from performing important safety and maintenance work. Tree roots also pose a safety risk because they can damage the protective coating of underground pipelines—leading to corrosion and leaks."

11) Proposed planting beds and trees over pipeline pose immediate and long-term dangers

The Project Plans propose building planting beds and putting trees over the pipeline — ignorant of the dangers involved — and against the recommendations of national and PG&E guidelines regarding planting over pipelines. There will be no street covering protecting the pipeline in this location — unlike other sections of gas transmission pipelines in San Francisco.



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Tree root damage is a major cause of protective coating corrosion on pipelines. See **Final Report, Volume 1, Pacific Gas & Electric, "Tree Root Interference Assessment", January 17, 2014:** http://www.pge.com/includes/docs/pdfs/myhome/customerservice/other/treetrimming/pipelinerightofway/PGE_TreeRootStudyReport.pdf, (excerpt):

"At locations where pipelines and tree root systems co-exist, there is a high occurrence of tree roots causing damage to the external coating on the pipeline (40 out of 53 sites, or approximately 75%). The susceptibility for external corrosion to occur on the pipeline is increased because the primary protective barrier, namely the external coating, is compromised."



A thirty-foot tall pine tree, various large shrubs, and agaves with tap roots sit on top or adjacent to the transmission pipeline in violation of national and PG&E Safety Guidelines. [See 1st image.]

PG&E Community Gas Safety, Guidance from Industry Experts:

<http://www.pge.com/includes/docs/pdfs/myhome/customerservice/other/treetrimming/pipelinerightofway/GuidancePipelineSafetyExperts.pdf>

Fronting homeowners and renters within a High Consequence Area will be responsible for enforcing safe practices – with the very real possibility of one tree pole pounded in at the wrong place potentially causing a catastrophic accident.

CEQA Appeal PG&E Pipeline Safety Issues – 3516-3526 Folsom Street

12) Partial list of 'reported' PG&E natural gas pipeline accidents just in northern California since San Bruno explosion (thru June 2016):

--June 17, 2016, San Francisco: Miraloma neighborhood evacuated when SFPUC crew hit a natural gas line while installing a new water main. Large gas leak took an hour to cap.

--March 17, 2016, Morgan Hill, CA: 100 people were evacuated or asked to shelter in place due to accidental rupture by private contractor of distribution gas line during construction activity.

--2012 - 2015, Sacramento, CA: Journalist uncovered six pipeline "strikes" by contractors during a two and one half hour period that went unreported by PG&E. One incident included a rupture that went undetected for 48 hours until the pregnant homeowner smelled gas in her backyard. Experts said a spark from a water heater would have ignited a deadly explosion.

--August 26, 2015, San Jose, Ca: Five businesses were destroyed by a car crash puncturing a natural gas line.

--April 17, 2015, Fresno, CA: One person was killed and eight people were injured when excavation activity by a large, earth-moving tractor punctured a 12-inch PG&E transmission gas pipeline while on a steep slope during excavation. Fireball went 150 feet in the air. One fatality and entire work crew fifty feet away suffered critical and serious injuries. 400 feet of train tracks were warped by the heat. Operator error was cited by the state as to the cause of the explosion.

--March 3, 2014, Carmel, CA: Home exploded due to PG&E crew working on four-inch gas pipeline using faulty PGE records. Crew escaped injuries due to standing behind a truck. PG&E allowed dangerous leak to persist without calling 911 for 30 minutes, when leak exploded. Crew did not have proper equipment to stop leak; which took one hour to halt. Area not evacuated prior to explosion. House was destroyed. Shrapnel and debris were hurled into neighboring houses. People walking by were showered with debris. Nearby house windows were blown out by shock waves. PG&E fined \$10.8 million dollars.

--Post March 3, 2014, Carmel, CA: Five pipeline accidents subsequent to the Carmel March 14th explosion "have shaken our confidence in the company's commitment to safety...", according to then Carmel mayor Jason Burnett, "despite PG&E's lip service and empty promises." Two examples: A gas leak at a major hotel took PG&E five hours to respond. At another hotel, third-party crews hit a gas pipe that sent a 20-foot gas cloud into the air. PG&E crews took one hour to stop the leak.

--July 13, 2013, Mountain View, CA: PG&E welding crews accidentally melted an "unmapped" plastic insert in a steel pipe. Leak forced evacuations. PG&E recently conceded it has lost 12 years of gas-line paper repair records for the South Bay.

--January 13, 2012, Rio Vista, CA: 8-inch pipeline exploded in field.

--June, 2012, Morgan Hill, CA: Contractor accidentally hit gas distribution pipeline on Main Street line that caused evacuations due to leak. PG&E worker was blamed for mistakenly identifying pipeline as decommissioned.

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--October, 2012, Milpitas, CA: **Error in PG&E records caused PG&E replacement crew to accidentally turn off gas valve.** Gas lost to 1,000 homes for 12 hours.

--November 20, 2012, Madera, CA: **Heavy equipment operator accidentally punctured a 12-inch transmission pipeline.** Houses and businesses were evacuated. Adjacent highway shut down for hours.

--August 31, 2011, Cupertino, CA: **Condo gutted after faulty plastic pipeline fitting filled garage with gas.** Six other plastic pipe failures were found near blast site. According to a Wikipedia list of pipeline accidents, PG&E has 1,231 miles of pre-1973 defective plastic pipes that federal regulators have singled out as being at risk of failing. **50 people have died in accidents caused by this type of defective plastic pipe since 1971.**

--Sept. 7, 2011, San Francisco, CA: **Construction crew ruptured a 10-inch gas pipeline at Post and Mason, shutting down the neighborhood.**

--Sept. 9, 2010, San Bruno, CA: **High Consequence Area catastrophic explosion resulted in eight deaths, numerous burn victims, 38 houses destroyed. PG&E's faulty record keeping, bad welds, response errors -- the list goes on -- caused catastrophic explosion.**

13) Liability and Maintenance issues

[See Appendix B for email exchange concerning agencies involved in the ROW approval process.]

CEQA Appeal PG&E Pipeline Safety Issues – 3516-3526 Folsom Street

Appendix A

In the Recordkeeping Violations Decision, the CPUC found that PG&E committed 33 violations, many of them continuing for years, for a total of 350,189 days in violation. These violations are:

1. PG&E's lack of accurate and sufficient records to determine whether it had used salvaged pipe in Segment 180 impacted its ability to safely maintain and operate this segment in violation of Pub. Util. Code § 451. (Felts Violation 1) This violation ran from 1956 to September 9, 2010.
2. PG&E violated Pub. Util. Code § 451 for failing to retain the necessary design and construction records in Job File GM 136471 for the construction of Segment 180. (Felts Violation 2) This violation ran from 1956 to September 9, 2010.
3. PG&E violated ASME B.31.8 § 841 and Pub. Util. Code § 451 for failing to perform a post-installation pressure test on Segment 180 and retaining the record of that test for the life of the facility. (Felts Violation 3) This violation ran from 1956 to September 9, 2010.
4. PG&E violated Pub. Util. Code § 451 by increasing the MAOP of Line 132 from 390 psi to 400 psi without conducting a hydrostatic test. (Felts Violation 4) This violation ran from December 10, 2003 to September 9, 2010.
5. PG&E violated Pub. Util. Code § 451 by operating Line 132 above 390 psi on December 11, 2003, December 9, 2008 and September 9, 2010 without having records to substantiate the higher operating pressure. (Felts Violation 11) These constitute three separate violations. The first violation ran from December 11, 2003 to September 9, 2010; the second violation ran from December 9, 2008 to September 9, 2010; and the final violation occurred on September 9, 2010.
6. PG&E violated Pub. Util. Code § 451 by failing to provide the proper clearance procedures for work performed at the Milpitas Terminal on September 9, 2010. (Felts Violation 5) This violation ran from August 27, 2010 to September 9, 2010.
7. PG&E violated Pub. Util. Code § 451 by failing to have accurate drawings and computer diagrams of the Milpitas Terminal. (Felts Violation 7) This violation ran from December 2, 2009 to July 2011.
8. PG&E violated Pub. Util. Code § 451 by failing to have accurate Supervisory Control and Data Acquisition System (SCADA) diagrams. (Felts Violation 7 and 9) This violation ran from December 2, 2009 to October 27, 2010.
9. PG&E violated Pub. Util. Code § 451 by failing to have the necessary backup software readily available at the Milpitas Terminal on September 9, 2010. (Felts Violation 8) This violation occurred on September 9, 2010.
10. PG&E's October 10, 2011 data response about the video recording for Camera 6 misled Commission staff and impeded their investigation into the San Bruno explosion. (Felts Violation 13) This is a violation of Rule 1.1 of the Commission's Rules of Practice and Procedure.
11. PG&E violated Rule 1.1 by misleading CPSD in two separate data responses regarding personnel present at the Milpitas Terminal who were working on the pressure problem on September 9, 2010. (Felts Violation 14) The first violation occurred on October 10, 2011, PG&E's response to DR 30, Q 8.d; the second violation occurred on December 17, 2011, PG&E's response to DR 30, Q 2. Both violations ran until January 15, 2012.
12. PG&E's recordkeeping practices with respect to Job Files adversely impacts its ability to operate its gas transmission pipeline system in a safe manner and violates Pub. Util. Code § 451. (Felts Violation 16) This violation ran from 1987 to December 12, 2012.
13. PG&E has failed to retain pressure test records for all segments of its gas transmission pipeline system as required by Pub. Util. Code § 451, ASME B.31.8, GO 112 through 112-B and PG&E's internal records retention policies. (Felts Violation 18) This violation ran from 1956 through December 20, 2012.
14. PG&E violated ASME B.31.8 § 828.2, GO 112 through 112-B § 206.1, 49 CFR 192.241 and 192.243

CEQA Appeal PG&E Pipeline Safety Issues – 3516-3526 Folsom Street

and PG&E's Standard Practice 1605 by failing to retain weld inspection reports. (Felts Violation 19) This violation ran from 1955 through December 20, 2012.

15. PG&E violated Pub. Util. Code § 451 for failing to maintain records necessary to ensure the safe operations of its gas transmission pipeline system by failing to create and retain operating pressure records over the life of the pipe. (Felts Violation 20) This violation ran from 1955 to December 17, 2004.

16. Starting in 1955, inaccurate and incomplete data in PG&E's leak reports would prevent PG&E from operating its gas transmission pipeline system safely, as required by Pub. Util. Code § 451. (Felts Violations 21 and 22) This violation ran from 1955 to December 20, 2012.

17. PG&E violated Pub. Util. Code § 451 by failing to retain records of reconditioned and reused pipe in its transmission pipeline system. (Felts Violation 23) This violation ran from 1940 to December 20, 2012.

18. PG&E violated Pub. Util. Code § 451 by failing to ensure the accuracy of data in its Geographic Information System (GIS) system and assuming values for missing data that were not conservative. (Felts Violation 24) This violation ran from 1995 to December 20, 2012.

19. PG&E violated Pub. Util. Code § 451 because its ability to assess the integrity of its pipeline system and effectively manage risk is compromised by the availability and accuracy of its pipeline data. (Felts Violation 25) This Violation ran from December 17, 2004 to December 20, 2012.

20. PG&E violated Pub. Util. Code § 451 for failing to retain a metallurgist report concerning a 1963 fire and explosion on Line 109 caused by a failure in a circumferential weld. (Felts Violation 27) This violation ran from 1963 to December 20, 2012.

21. The shortcomings in PG&E's records management activities has resulted in PG&E's inability to operate and maintain PG&E's gas transmission line in a safe manner and violate Pub. Util. Code § 451; GO 112 through 112 B, Section 107; ASME B.31.8. (Duller/North Violation A.1) This violation ran from 1955 to December 20, 2012.

22. PG&E violated ASME B.31.8 § 851.5 by failing to retain records of Leak Survey Maps for as long as the line remains in service. (Duller/North Violation B.1) This violation ran from April 16, 2010 to December 20, 2012.

23. PG&E violated ASME B.31.8 § 851.5 by failing to retain records of Line Patrol Reports for as long as the line remains in service. (Duller/North Violation B.2) This violation ran from September 1, 1964 to December 20, 2012.

24. PG&E violated ASME B.31.8 § 851.5 by failing to retain records of Line Inspection Reports as long as the line remains in service. (Duller/North Violation B.3) This violation ran from December 17, 1991 to December 20, 2012.

25. PG&E violated ASME B.31.8 § 851.417 by failing to retain pressure test records for the useful life of the pipeline. (Duller/North Violation B.4) This violation ran from September 1, 1964 to December 20, 2012.

26. PG&E violated ASME B.31.8 § 851.5 by failing to retain records of transmission line inspections for as long as the line remains in service. (Duller/North Violation B.5) This violation ran from September 1, 1964 to December 20, 2012.

27. PG&E violated 49 CFR 192.13(c) for failing to comply with its internal records retention policies. (Duller/North Violation B.6) This violation ran from 1955 to December 20, 2012.

28. PG&E violated Pub. Util. Code § 451 by failing to identify and include in the Gas Pipeline Replacement Plan (GPRP) all pipe segments with unusual longitudinal seams and joints. (Duller/North Violation C.1) This violation ran from June 1988 to December 20, 2012.

29. PG&E violated Pub. Util. Code § 451 because missing and inaccurate pipeline records prevented PG&E from properly identifying and replacing those pipelines that were prone to damage during severe earthquakes. (Duller/North Violation C.2) This violation ran from June 1992 to December 20, 2012.

CEQA Appeal PG&E Pipeline Safety Issues -- 3516-3526 Folsom Street

30. PG&E violated Pub. Util. Code § 451 for failing to maintain a definitive, complete and readily accessible database of all gas leaks for their pipeline system. (Duller/North Violation C.3) This violation ran from 1957 to December 20, 2012.

CEQA Appeal PG&E Pipeline Safety Issues – 3516-3526 Folsom Street

Appendix B

From: "Shah, Rahul (DPW)" <Rahul.Shah@sfdpw.org>
To: barbara underberg <bjunderberg@yahoo.com>
Cc: Kathy Angus <kalhyangus@comcast.net>; "Fong, Lynn (DPW)" <Lynn.Fong@sfdpw.org>
Sent: Friday, June 24, 2016 12:18 PM
Subject: RE: 3500 Block Folsom Street Right-of-Way

Hi Barbara,

It is important to keep in mind what Public Works' review entails.

CPUC compliance is verified by SFPUC, and if SFPUC approves, CPUC guidelines are being met.

We only review the right-of-way. Rec. and Park property cannot be reviewed by Public Works. Any modifications to Rec. & park property requires approvals from Rec. and park.

Maintenance is tied to the property, and maintenance responsibility may only be transferred if authorized by Public Works. If there is new ownership, the encroachment is recorded to the title of the property, so any subsequent owners are responsible for maintenance and should be aware before purchasing the property since it is recorded on the title.

The project sponsor is responsible for construction, but if something were to happen, I am certain other parties including OSHA would become involved and perform an investigation, so I cannot fully answer this question since there are several variables that may affect the distinguishing of responsibility.

All construction liability will follow standard construction requirements and necessary inspection practices, and all OSHA requirements are required to be met.

The proposal, if a Major Encroachment, ultimately goes to SFMTA and the traffic review team for review and a final decision.

The receptacle location will need to be coordinated with Recology. All guidelines of maintaining path of travel in the public right-of-way will apply. SFMTA is responsible for any obstruction to vehicular access.

Rahul

From: barbara underberg [mailto:bjunderberg@yahoo.com]
Sent: Friday, June 24, 2016 11:56 AM
To: Shah, Rahul (DPW)
Cc: Kathy Angus; Fong, Lynn (DPW)
Subject: Re: 3500 Block Folsom Street Right-of-Way

CEQA Appeal PG&E Pipeline Safety Issues – 3516-3526 Folsom Street

Thanks, Rahul, for this helpful information -- which leads me to additional questions:

Due to the presence of the 26" gas transmission pipeline, is the CPUC involved in any part of the review process?

Due to the proposed stairway through SF Rec & Park property, will they also be involved in the review process?

What happens to the maintenance responsibility of the Major Encroachment Permit incurred by the project sponsor, if he subsequently sells his property? Does it transfer to the new owner?

Due to the roadway design and alignment, it will not cover and protect the 26" gas pipeline. Who is liable in the event of a pipeline incident resulting from inappropriate usage of the area above the pipeline over time (e.g., repeated incursions of heavy equipment or vehicles on the unpaved portion)?

Is any agency responsible for taking into account the effects of the roadway design on the surrounding neighborhood (not just the mechanics of making the proposed street passable)? The design of the roadway will have a significant traffic impact on the functioning of the intersection at Folsom and Chapman Streets, which due to topography is the main access point to 28 homes bounded by Chapman, Folsom, Nevada Streets and Bernal Heights Boulevard.

This last issue by itself merits a larger discussion, but to cite just one example of concern: the design does not accommodate 24 garbage/recycling/compost bins to be set out weekly for collection (anticipating the eventual development of all eight lots in this block -- two existing residences, six undeveloped to-date). Where will they go? Due to the proposed 37% grade, Recology will not drive on this block. If the bins are placed at the bottom of the proposed roadway, they will obstruct this critical intersection.

Again, thanks for your help.
Regards,

Barbara Underberg

From: "Shah, Rahul (DPW)" <Rahul.Shah@sfdpw.org>
To: barbara underberg <bjunderberg@yahoo.com>
Cc: Kathy Angus <kathyangus@comcast.net>; "Fong, Lynn (DPW)" <Lynn.Fong@sfdpw.org>
Sent: Friday, June 24, 2016 8:18 AM
Subject: RE: 3500 Block Folsom Street Right-of-Way

Hi Barbara,

I apologize for the delay. At this time, the status has not changed much since we last spoke. I have received a tentative approval from the Streets and Highways Division regarding the proposed grading of the roadway. I however, they are still required to satisfy SFPUC requirements, SFFD requirements, and obtain the proper information from PG&E regarding the main. I have not seen these yet, and so they are unable to move forward at this point. I know they are currently working with Planning, but I am uncertain at exactly what stage they stand except that the CEQA clearance is being re-reviewed.

CEQA Appeal PG&E Pipeline Safety Issues – 3516-3526 Folsom Street

In regards to the Public Works process, in this case, they will need to obtain consent from each fronting property owner on that block since the fronting property owner will become responsible for the improvements up to the centerline for the width of their respective frontages. If they are unable to obtain consent, a Major Encroachment Permit is required which places the maintenance responsibility solely on the project sponsor. In this case, all relevant City agencies (e.g Planning, SFPUC, SFFD, SFMTA, etc.) review the project and must provide approval. There is then a Public Hearing held By Public Works, and if the Director determines it can move forward, it will go to the Board of Supervisors who will ultimately determine if this may be approved. The Board of Supervisors meetings are public and also allow for public comment.

At this point, since I have not seen any significant changes and because the development team is still working on obtaining necessary approvals, I do not think a meeting would be a good use of time. I hope this helps provide some clarity.

Thank you,

Rahul Shah, P.E.
Assistant Engineer
Bureau of Street-Use & Mapping
San Francisco Public Works
City and County of San Francisco

1155 Market St. 3rd Fl
San Francisco, CA 94103
(415) 554-5811
sfpublicworks.org · twitter.com/sfpublicworks

From: barbara underberg [mailto:bjunderberg@yahoo.com]
Sent: Thursday, June 23, 2016 1:57 PM
To: Shah, Rahul (DPW)
Cc: Kathy Angus
Subject: 3500 Block Folsom Street Right-of-Way

Hi Rahul,

To clarify the message I left you a few weeks ago, these are some of the questions we have:

What is the status of plans for the right-of-way of the 3500 block of Folsom Street?
Could you please refer us to information regarding the approval process for changes to public rights-of-way, in general?
Would it be helpful to meet about this?

Thanks, in advance, for any information you can provide.

Regards,
Barbara Underberg

<image001.jpg>

CEQA Appeal PG&E Pipeline Safety Issues – 3516-3526 Folsom Street

Appendix C – Selected Related Newspaper Articles

Chronicle (primarily Jaxon Van Derbeken and Bob Egelko) reporting on San Bruno and other PG&E gas related stories:

<http://www.sfchronicle.com/sanbrunoblast/>, primarily Jaxon Van Derbeken and Bob Egelko reporting on San Bruno and other PG&E gas related stories.

<http://www.sfchronicle.com/bayarea/article/Judge-asked-to-fine-PG-E-112-million-for-Carmel-6861837.php>, 2/29/16, updated 3/3/16

<http://www.sfchronicle.com/news/article/Carmel-fears-PG-E-tampered-with-records-in-2014-6764498.php>, 1/16/16

<http://www.sfchronicle.com/news/article/State-blames-Fresno-County-for-fatal-gas-line-6799536.php>, 2/1/16

From the SF Bay Guardian archives:

<https://issuu.com/sf.guardian/docs/45.23>, see page 12 for the article "For safety's sake, Gaps in PG&E pipeline info could carry implications for land-use decisions" by Rebecca Bowe dated March 9-15, 2011

<https://issuu.com/sf.guardian/docs/48.28>, see page 15 for the article "PG&E Indictment Falls Short" by Steven T. Jones dated April 9-15, 2014

Jaxon Van Derbeken reports (previously with the Chronicle, with NBC Bay Area as of 3/14/16):

<http://www.nbcbayarea.com/news/local/PGEs-Assessment-of-San-Bruno-Pipeline-Challenged-385276591.html>, 7/1/16 (excerpt, trial coverage):

Federal regulations preclude using corrosion only methods on gas lines with histories of seam weld failures or leaks.

Prosecutors highlighted a 2008 exchange between Aguiar and a supervisor in the integrity management division triggered when Aguiar blamed weld failure for a 2006 leak that sprung just after PG&E used the corrosion method to declare a gas line safe.

That supervisor, Bill Manegold, warned Aguiar to "watch" what he wrote as an inspection "process that walks right over active leaks and declares pipes safe is not a process I want to advertise too loudly."

Aguiar said no one was "advertising" the method could detect weld flaws.

"We are advertising that we've assessed the pipe and it is fit for service," Manegold shot back, adding that the leaks -- like the one found in 2006 on a girth weld -- "are not minor."

CEQA Appeal PG&E Pipeline Safety Issues – 3516-3526 Folsom Street

<http://www.nbcbayarea.com/news/local/Pipeline-Test-Records-Missing-Key-Data-in-PGE-Case-385117511.html>, 6/30/16 (excerpt, trial coverage):

Some of the pipeline test records that PG&E hoped would vindicate the company from federal pipeline safety charges actually are missing key data required by federal law to validate them, a company engineer acknowledged in the federal trial Thursday.

Many of the reports dated to after September 2010 San Bruno gas pipeline explosion. She asked whether the company launched a large-scale test effort in 2011. "Yes we did," he said, and he also acknowledged that several lines – a total of ten, according to prosecutors – had failed those tests.

Earlier, Hoffman showed Arnett some emails in which engineers declared it would simply be "too expensive" to test pipelines with missing records.

<http://www.nbcbayarea.com/news/local/PGE-Failed-to-Follow-Agencys-Guidance-on-Pipeline-Safety-Testimony-383884691.html>, 6/22/16 (excerpt, trial coverage):

A U.S. pipeline safety agency engineer testified Tuesday that the agency's website offers specific instructions about what utilities should do to inspect pipes following pressure surges, something prosecutors say the utility failed to mind so as to maximize profits.

<http://www.sfgate.com/crime/article/PG-E-management-allegedly-ordered-papers-6754580.php>, Chronicle 1/12/16 (excerpt, pre-trial coverage):

A former Pacific Gas and Electric Co. official hired after the San Bruno gas-pipeline explosion to clean up the company's records said management ordered her to destroy documents, and that she found a telltale preblast analysis of the pipe in the garbage, according to a federal court filing.

<http://www.sfgate.com/bayarea/article/PG-E-s-shady-conduct-hindered-probe-6501122.php>, Chronicle 9/14/15 (excerpt, pre-trial coverage):

... new court filings that shed light on prosecutors' decision to seek a criminal obstruction-of-justice case against the company.

"PG&E really stood out as a company that was not forthcoming and lacked cooperation," Ravi Chhatre, lead investigator in the San Bruno case for the National Transportation Safety Board, told a team of federal investigators and prosecutors last year, the documents show.

<http://www.sfchronicle.com/news/article/Five-years-after-San-Bruno-PG-E-s-gas-safety-6491783.php>, 9/8/15, updated 9/9/15 (excerpt):

Five years after the catastrophic San Bruno blast, Pacific Gas and Electric Co. still accounts for the bulk of gas safety violations in California and nearly all the regulatory fines levied by the state, leaving regulators struggling to find ways to hold the company more accountable.

CEQA Appeal PG&E Pipeline Safety Issues – 3516-3526 Folsom Street

<http://www.sfchronicle.com/bayarea/article/State-considers-safety-audit-of-PG-E-6449751.php>,
8/17/15 (excerpt):

Nearly five years after the San Bruno gas pipeline explosion, state regulators called Monday for a \$2 million utility-financed investigation into whether Pacific Gas and Electric Co. is putting enough emphasis on safety.

<http://www.sfchronicle.com/news/article/Regulator-s-gas-safety-efforts-lag-since-PG-E-6195293.php>,
4/12/15 (excerpt):

The California Public Utilities Commission's gas safety enforcement efforts have deteriorated since the deadly 2010 pipeline explosion in San Bruno, undermined by an atmosphere of mistrust in the agency, outmoded technology and a lack of vision among top officials, according to a scathing new audit.

<http://www.sfchronicle.com/news/article/U-S-safety-board-says-agency-overseeing-6044595.php>,
1/27/15 (excerpt):

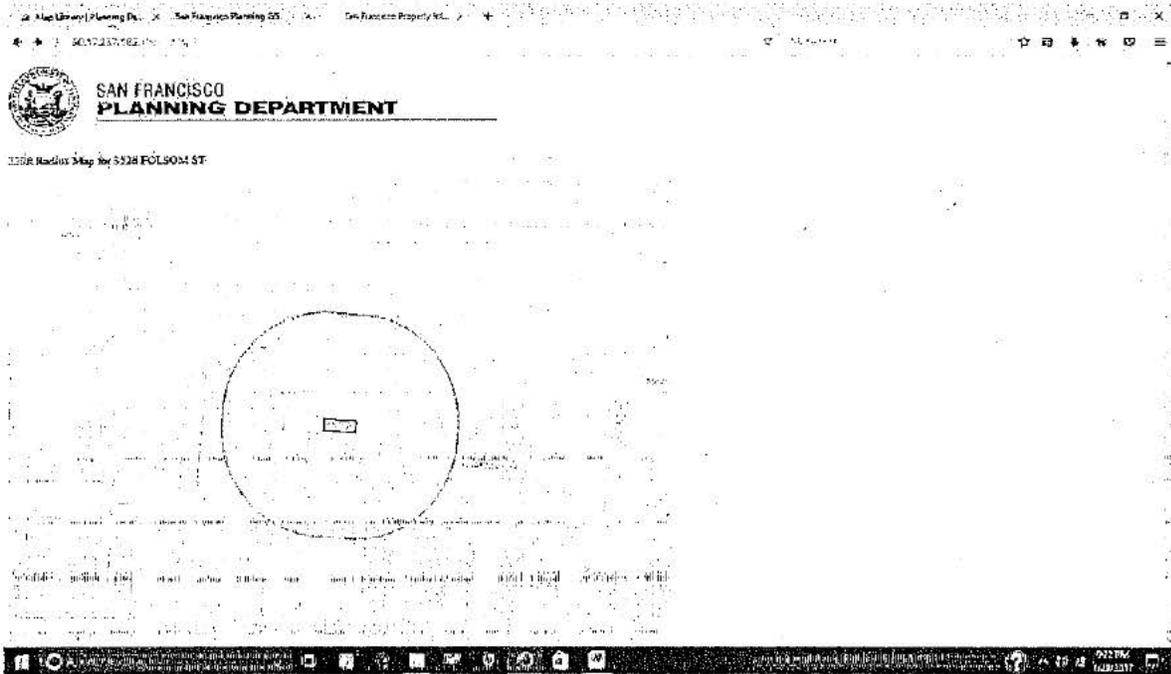
The federal pipeline agency responsible for preventing disasters such as the 2010 natural gas explosion in San Bruno needs to strengthen its enforcement efforts, the National Transportation Safety Board said Tuesday.

<http://www.sfchronicle.com/news/article/State-PUC-blistered-in-audit-for-slow-sloppy-6001010.php>,
1/8/15 (excerpt):

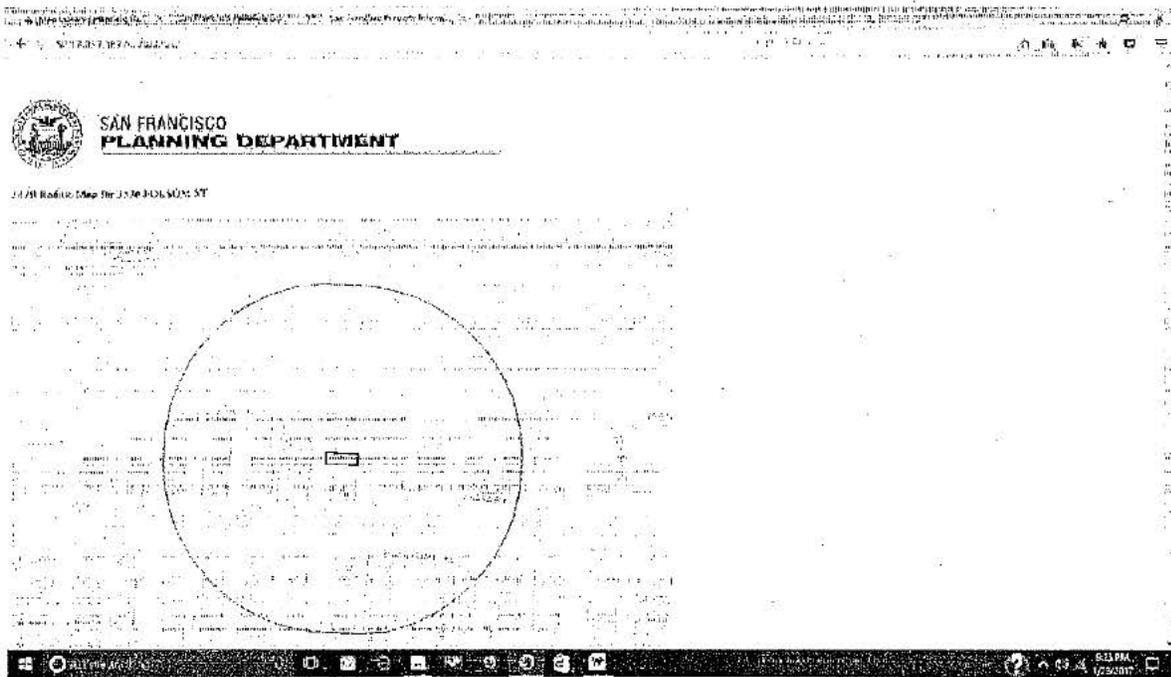
The state agency responsible for ensuring Pacific Gas and Electric Co. and other utilities operate their natural-gas systems safely has a two-year backlog of unfinished investigations, and its probes are often poorly documented and seldom result in penalties against the companies, a federal audit has found.

CEQA Appeal PG&E Pipeline Safety Issues – 3516-3526 Folsom Street

Appendix D – Potential Impact Radii



Potential Impact Radius of 220 feet, based on MAOP of 150 psig.



Potential Impact Radius of 347 feet, based on MAOP of 375 psig.

From: [BOS Legislation, \(BOS\)](#)
To: ryan@zfplaw.com; Fabien@novadesignsbuilds.com; fabien@bluorange.com; [Olson, Charles](#)
Cc: [Givner, Jon \(CAT\)](#); [Stacy, Kate \(CAT\)](#); [Byrne, Marlena \(CAT\)](#); [Rahaim, John \(CPC\)](#); [Sanchez, Scott \(CPC\)](#); [Gibson, Lisa \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Lynch, Laura \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Horner, Justin \(CPC\)](#); [Ionin, Jonas \(CPC\)](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Smith, Diana](#); [BOS Legislation, \(BOS\)](#)
Subject: APPEAL RESPONSE: Mitigated Negative Declaration Appeal - Proposed Project at 3516 and 3526 Folsom Street - Appeal Hearing on September 12, 2017
Date: Tuesday, September 05, 2017 12:13:47 PM
Attachments: [image001.png](#)

Greetings,

Please find linked below a letter received by the Office of the Clerk of the Board from the Planning Department regarding the appeal of the Mitigated Negative Declaration under CEQA for the proposed project at 3516 and 3526 Folsom Street.

[Planning Appeal Response Letter - September 5, 2017](#)

The appeal hearing for this matter is scheduled for a 3:00 p.m. special order before the Board on September 12, 2017.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 170851](#)

Regards,

Lisa Lew
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
P 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.



Mitigated Negative Declaration Appeal

3516-3526 Folsom Street

DATE: September 5, 2017
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Lisa Gibson, Acting Environmental Review Officer – (415) 558-9032
 Joy Navarrete, Senior Environmental Planner – (415) 575-9040
 Justin Horner, Environmental Coordinator – (415) 575-9023
RE: Planning Case No. 2013-1383ENV
 Appeal of Mitigated Negative Declaration for 3516-26 Folsom Street
HEARING DATE: September 12, 2017

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT SPONSOR: Fabian Lannoye, Bluorange Designs, 415- 533-0415
APPELLANT: Zacks, Freeman and Patterson, on behalf of Bernal Heights South Slope Organization, Bernal Safe & Livable, Neighbors Against the Upper Folsom Street Extension, Gail Newman and Ann Lockett

INTRODUCTION

This memorandum is a response to the letter of appeal to the Board of Supervisors (the “Board”) regarding the Planning Department’s (the “Department”) issuance of a Mitigated Negative Declaration under the California Environmental Quality Act (“CEQA Determination”) for the proposed project at 3516-3526 Folsom Street (the “proposed project”).

The Department, pursuant to Title 14 of the CEQA Guidelines, issued a Preliminary Mitigated Negative Declaration for the Project on April 26, 2017 finding that the proposed project would not have a significant impact on the environment with the incorporation of mitigation measures.

The decision before the Board is whether to uphold the Department’s decision to issue a Mitigated Negative Declaration and deny the appeal, or to overturn the Department’s decision to issue a Mitigated Negative Declaration and return the project to the Department for additional environmental review.

SITE DESCRIPTION & EXISTING USE

The project site consists of two vacant lots located on the west side of the unimproved (“paper street”) segment of Folsom Street between Chapman Street and Bernal Heights Boulevard in the Bernal Heights neighborhood. The project site does not have vehicular or pedestrian access as the portion of Folsom Street providing access to the project site is unimproved. The project lots are both 25-feet-wide and 70-feet-deep and total 1,750 square feet in size. The project site has an approximately 32 percent slope to the north. To the south of the project site is a vacant lot and a two-story, single-family residence at 3574 Folsom Street (constructed in 1925). To the east of the project site are four vacant lots and a two-story, single-family residence at 3577 Folsom Street that also fronts on Chapman Street (constructed in 1925). There is a concrete driveway that leads from Chapman Street to the 3574 Folsom Street and 3577 Folsom Street residences. To the north of the project site is the Bernal Heights Community Garden, and Bernal Heights Park is located farther to the north across Bernal Heights Boulevard. Residential structures in the project vicinity are primarily two to three stories and are either single-family or two-family dwellings. The surrounding parcels are zoned either RH-1 (to the south of the project site) or Public (to the north of the project site). There is a PG&E gas transmission pipeline beneath Folsom Street that extends from Bernal Heights Boulevard to Alemany Boulevard.

PROJECT DESCRIPTION

An Environmental Evaluation Application (2013.1383E) for the proposed project at 3516 and 3526 Folsom Street (Assessor’s Block 5626, Lots 013 and 014) was filed by Fabien Lannoye on September 25, 2013 for a proposal to construct two single-family residences and the construction of the connecting segment of Folsom Street to provide vehicle and pedestrian access to the project site in the Bernal Heights neighborhood in the City and County of San Francisco. The project site is on a block bounded by Bernal Heights Boulevard to the north, Gates Street to the west, Powhattan Avenue to the south and Folsom Street to the east.

The project site is approximately 6,500 square feet in size (two contiguous lots of 2,230 sf each and a street improvement of approximately 2,000 sf). The project site is currently vacant and undeveloped.

The proposed project involves the construction of two single-family residences on two of the vacant lots along the west side of the unimproved portion of Folsom Street, the construction of the connecting segment of Folsom Street to provide vehicle and pedestrian access to the project site, and the construction of a stairway between Folsom Street and Bernal Heights Boulevard. Each single-family home would be 27 feet tall, two stories over-garage with two off-street vehicle parking spaces accessed from a twelve-foot-wide garage door.

The 3516 Folsom Street building would be approximately 2,230 square feet in size with a side yard along its north property line. The 3526 Folsom Street building would be approximately 2,210 square feet in size with a side yard along its south property line. The proposed buildings would include roof decks and full fire protection sprinkler systems. The proposed buildings would be supported by a shallow building foundation using mat slabs with spread footings.

The proposed Folsom Street extension improvements would include an approximately 20-foot-wide road with an approximately 10-foot-wide sidewalk on the west side of the street, adjacent to the proposed residences with a stairway leading up to Bernal Heights Boulevard, subject to Public Works approval.

BACKGROUND

The Planning Department published a Preliminary Mitigated Negative Declaration (“PMND”) for the proposed project on April 26, 2017. On May 16, 2017, Kathy Angus, for the Bernal Heights South Slope Organization, filed a letter appealing the PMND. The PMND appeal was heard before a publically-noticed hearing of the City Planning Commission on June 15, 2017. The commission denied the appeal, and finalized the PMND (“MND”). On July 17, 2017, Zacks, Freeman and Patterson, on behalf of Bernal Heights South Slope Organization, Bernal Safe & Livable, Neighbors Against the Upper Folsom Street Extension, Gail Newman and Ann Lockett (“Appellants”) filed a letter appealing the MND (“Appeal Letter”).

CEQA GUIDELINES

In determining the significance of environmental effects caused by a project, CEQA Guidelines Section 15064(f) states that the decision as to whether a project may have one or more significant effects shall be based on substantial evidence in the record of the lead agency. If the lead agency determines there is no substantial evidence that the project may have a significant effect on the environment, the lead agency shall prepare a negative declaration. CEQA Guidelines Section 15604(f) offers the following guidance: “(4) The existence of public controversy over the environmental effects of a project will not require preparation of an EIR if there is no substantial evidence before the agency that the project may have a significant effect on the environment, and (5) Argument, speculation, unsubstantiated opinion or narrative, or evidence that is clearly inaccurate or erroneous, or evidence that is not credible, shall not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumption predicated upon facts, and expert opinion supported by facts.”

APPELLANT ISSUES AND PLANNING DEPARTMENT RESPONSES

The concerns of the Appeal Letter focused on the adequacy of the MND’s vibration-related mitigation measure, cumulative impacts, the adequacy of the geotechnical report and a variety of other issues related to traffic, views, shadows and public safety. The concerns from the Appeal Letter are summarized and listed below, and are followed by the Department’s responses.

CONCERN 1: The Appellant asserts that the MND violates CEQA because it does not reduce the risk of a catastrophic PG&E gas transmission pipeline accident to a level that is “clearly insignificant;” that there is substantial evidence that a risk of catastrophic impacts still exists; that vibration level threshold used in the MND to determine environmental effects is not supported by data, sufficient analysis, or justification; and that the mitigation measure is inadequate because it

does not provide independent oversight of the vibration plan and it does not include a safety or evacuation plan.

RESPONSE 1: The MND vibration mitigation measure complies with CEQA requirements by ensuring that project construction would not have a significant effect on PG&E Pipeline 109. The required Vibration Management Plan includes oversight from both PG&E and the Planning Department, independent of the project sponsor. The MND uses a 2 inches/second peak particle velocity (PPV) threshold, consistent with PG&E. The 2 in/s PPV level is significantly lower than thresholds used for other projects adjacent to pipelines and was selected as a highly conservative performance standard in the assessment of environmental effects for this project. The San Francisco Department of Emergency Management (DEM) is responsible for leading disaster response efforts within the City and County of San Francisco.

CEQA Guidelines Section 15370 states that “mitigation” includes:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- (e) Compensating for the impact by replacing or providing substitute resources or environments.

CEQA Guidelines Section 15126.4 also provides the following guidance:

- “Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments;”
- “Mitigation measures are not required for effects which are not found to be significant;”
- “There must be an essential nexus (i.e. connection) between the mitigation measure and a legitimate government interest. *Nolan v. California Coastal Commission*, 483 US 825 (1987);”
- “The mitigation measure must be ‘roughly proportional’ to the impacts of the project *Dolan v. City of Tigard*, 512 US 374 (1994);”
- “Formulation of mitigation measures should not be deferred until some future time.”

The MND (pages 60-62) includes a mitigation measure (Mitigation Measure M-NO-3: Vibration Management Plan) to ensure that project construction would not have a significant vibration effect on PG&E Pipeline 109 during construction. The mitigation measure requires monitoring of vibration levels, and includes limitations on materials storage and construction activity on or near Pipeline 109, as well as the development of a Vibration Monitoring Plan, and its approval by PG&E and the Planning Department prior to the issuance of any building permits. The mitigation measure applies to “any construction equipment operations performed within 20 feet of PG&E Pipeline 109,” be it related to the two homes or the improvements to the road.

Enforcement of the mitigation measure is the responsibility of the Planning Department and the Department of Building Inspection. Both are public agencies required to share information related to implementation and enforcement of mitigation measures. The appellants have not provided any evidence that either Department is unqualified or otherwise unable to enforce the mitigation measure as written, or how the oversight of the two Departments, both independent of the project sponsor, is insufficient to address potential vibration impacts.

The Appeal Letter states that “[the Planning Department and the Department of Building Inspection] are not in a position to adequately analyze additional fatigue to be exerted on the pipeline, and a speculative after-the-fact plan which might be developed by PG&E is clearly inadequate.” While the Appellants do not provide any evidence to support the assertion that such a plan would be inadequate, the Department concurs with Rune Storesund, the Appellant’s own expert on pipeline safety, that PG&E is the foremost authority regarding the integrity of the pipeline. In his letter of June 5, 2017 (included with the Appeal letter), Storesund states:

“PG&E is the only organization in a position to analyze the additional fatigue expected to be exerted on the pipeline from the bedrock excavation activity and certify that no appreciable degradation will occur.” [Emphasis added]

In the case of *Ocean View Estates Homeowners Assoc. v. Montecito Water District* (2004)¹ the court held that mitigation measures stated in an MND need not specify precise details of design. Having recognized a significant environmental impact and having determined that mitigation measures reduce the impact to insignificance, the MND may leave the details to engineers.

In the case of the proposed project, the Department consulted with, and followed the guidance and recommendations of, PG&E pipeline engineers in the design of the MND’s mitigation measure and the threshold used to determine the potential for a significant impact. In addition to the mitigation measure included in the MND, the proposed project, which includes two homes, a street improvement and the creation of stairs to Bernal Heights Boulevard, would be reviewed and approved by PG&E engineers, and be subject to its regulations concerning work in proximity to a pipeline, after it has received its land use entitlements and the street improvement permit is approved by Public Works.

The Appeal Letter asserts that statements made in a June 14, 2017 letter from Rune Storesund of Storesund Consulting (included in Appeal packet) constitute substantial evidence of a significant effect on the environment. The Planning Department respectfully disagrees.

The MND analyzed potential vibration effects of the proposed project (p. 56-62). Given the proposed project’s proximity to PG&E Pipeline 109, a construction vibration analysis was

¹ Court of Appeal, Second District, Division 6, California. *Ocean View Estates Homeowners Association Inc v. Montecito Water District*, Decided: March 2, 2004,

performed for the proposed project to assess any potential adverse impact on the Pipeline from vibration due to construction-related equipment and work.² The report evaluated vibratory impacts related to excavation of the site for the purposes of developing a proper foundation for the buildings, digging trenches for utilities to the residences, and the extension of Folsom Street for access to the residences.

To determine the potential for an adverse impact to the PG&E Pipeline 109, the analysis compared the highest estimated Peak Particle Velocity (PPV) for each piece of equipment at its nearest proximity to the pipe during project work. The criteria for damage to a pipeline due to vibration cover a wide-range of PPV, as documented by Caltrans.³ For example, a PPV value of 25 inches/sec associated with an “explosive near [a] buried pipe” resulted in no damage, as did PPV values for “explosive[s] near [a] buried pipe” of 50-150 PPV. The analysis prepared for the proposed project utilized a conservative 12 inches/second, a value based on the West Roxbury Lateral Project in Massachusetts, as the criteria for potential damage to the pipe.⁴

Although the vibration assessment for the proposed project is based on a damage criterion of 12 in/sec, PG&E has evaluated the proposed project and, through its regulatory authority for work in proximity to its pipeline, set a PPV standard of 2 in/sec for this section of Pipeline 109.⁵ While the Storesund letter suggests that the vibration analysis simply infers a PPV standard of 2 in/sec is an acceptable threshold, this is incorrect. The MND clearly establishes that the PPV standard is highly conservative in that it is a factor of 10 lower (more stringent) than the already conservative damage criteria used in the vibration assessment. The Storesund letter does not present substantial evidence that the use of the very conservative 2 in/sec PPV standard results in a new or more severe environmental effect than disclosed in the MND.

The Storesund letter also questions whether the vibration analysis included in the MND takes into account all possible factors affecting pipeline integrity. However, the letter does not explain how these factors warrant a more conservative PPV threshold than that included in the MND’s vibration analysis. The Storesund letter does not provide substantial evidence that the MND has not adequately described the nature of that significant effect; it merely asserts that the vibration analysis is inadequate and, therefore, that “a reasonable possibility of a significant effect still exists.” The MND already concludes that the proposed project may result in a significant vibration impact; this is not a disputed fact.

² Illingworth and Rodkin, Inc., *Construction Vibration Evaluation for 3516 and 3526 Folsom Street*, March 24, 2017.

³ California Department of Transportation, *Transportation and Construction Vibration Guidance Manual*, September 2013, page 76.

⁴ The analysis notes that buried pipes can withstand higher PPV because they are constrained and do not amplify ground motion, like freestanding structures, like historic buildings, do. According to the Caltrans report cited in the analysis, PPV values as high as 150 have been shown to not harm underground pipes.

⁵ PG&E Gas Transmission Pipeline Services—Integrity Management, 3516/26 Folsom Street, March 30, 2017.

The MND includes a very conservative threshold for determining a possibility for a significant vibration effect, discloses that potential effect, and includes a feasible mitigation measure crafted in consultation with PG&E, acknowledged by Storesund himself in a June 5, 2017 letter as “the only organization in a position to analyze the additional fatigue expected to be exerted on the pipeline,” to reduce that environmental effect to a less-than-significant level.

The Appellant questions the reliability of PG&E and its ability to comply with regulatory requirements. PG&E’s prior mishandling of pipeline safety is well documented and is not disputed by the Planning Department. Nonetheless, the contention that PG&E therefore would be negligent in their regulation of the proposed project is unsupported speculation. Similarly, it is speculative of the Appellant to assert that indirect environmental effects would occur as a result of such hypothetical negligence. As such indirect effects are not reasonably foreseeable effects of the proposed project, they are not required to be analyzed under CEQA.⁶

Individual project sponsors are not responsible, nor qualified, to develop emergency response plans. Emergency preparedness and response are the responsibility of the San Francisco Department of Emergency Management, the San Francisco Police Department, the San Francisco Fire Department, and other local, state, and federal agencies.

Per CEQA Guidelines Section 15063(b), an Environmental Impact Report (EIR) must be prepared if there is substantial evidence that a project either individually or cumulatively may cause a significant adverse effect on the physical environment. The appellants do not provide substantial evidence that the proposed project would have a significant impact on the environment, necessitating the preparation of an EIR. The MND provides an accurate characterization of the proposed project as required by CEQA, and provides substantial evidence that the proposed project would not result in significant impacts to the environment. Therefore, preparation of an EIR is not required.

⁶ CEQA Guidelines Section 15064(d)(3): Determining the Significance of the Environmental Effects Caused By a Project: ... (d) In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project... (3) An indirect physical change is to be considered only if that change is a reasonably foreseeable impact which may be caused by the project. A change which is speculative or unlikely to occur is not reasonably foreseeable.

CONCERN 2: The MND did not adequately analyze the cumulative impacts of the proposed project. The MND did not analyze the environmental impacts of development on the four other undeveloped lots near the project site.

The Appeal Letter states:

“The MND errs in not individually listing ‘part, present and probable future projects that might result in related impacts’ despite acknowledging that ‘improvements proposed by the development would facilitate future development’ of four lots.” - p. 7

RESPONSE 2: The MND did properly consider cumulative impacts with respect to the four undeveloped parcels. The project as proposed is two homes and a street improvement, and does not include development of the adjacent lots. Nevertheless, the MND considered the entirety of the project, including installation of utilities for the four adjacent lots, and concluded that the project would not result in significant cumulative environmental impacts.

Pursuant to CEQA, the Department analyzed the project as proposed in the Environmental Evaluation Application which was for the construction of two single-family residences on two vacant lots located on the “paper street” segment of Folsom Street. The adjacent lots are all under different ownership than the project lots. Any future development proposals on the adjacent lots would require further environmental review, including consideration of cumulative impacts, and City approval.

As required by CEQA, the MND analyzed cumulative impacts for all resource areas. Since the 3516 and 3526 Folsom Street project is the first proposed development on the “paper street” segment of Folsom Street, the project sponsor would be required by Public Works’ Subdivision Regulations to construct pedestrian, vehicular, and utility access to this segment of Folsom Street as part of any street improvement. At this time, it is unknown whether utilities would come from Bernal Heights Boulevard to the north or from Chapman Street to the south. This would be determined by PG&E and SFPUC once the project is entitled. It is anticipated that utility lines would run under the entire length of the street extension, which would reduce or avoid the need for future utility-related construction activities should development occur on the adjacent lots. SFPUC has indicated that if the proposed street improvement is not accepted by Public Works, it would object extending utilities up the hill.⁷

CEQA prohibits piecemeal environmental review of large projects into many little projects, which each have minimal potential to impact the environment, but cumulatively could have significant impacts. The project application does not constitute piecemeal development under CEQA for the following reasons: the proposed project does not involve subdivision or creation of new lots as the six vacant lots along the “paper street” segment of Folsom Street have existed since at least 1935; the project sponsor is not the owner of the adjacent lots; and as previously stated, the Department has not received any applications from the other property owners to

⁷ Project sponsor notes from meeting with SFPUC, December 4, 2015.

construct projects on their properties, thus there is no larger project from which this one is being separated. It is Department practice to consider a project “reasonably foreseeable” when the Department has received a completed Environmental Evaluation Application for the proposed project. Testimony from property owners that they are planning on developing their property is not sufficient to be considered “reasonably foreseeable” for the purposes of cumulative environmental impact analysis under CEQA. Analysis of the impacts of theoretical projects would be speculative.

Any subsequent development would be required to comply with the same regulations as the proposed project including, but not limited to, compliance with the San Francisco Building Code and PG&E regulations for work in proximity to their pipeline. The appellants do not provide any evidence to support the claim that implementation of the proposed project would result in significant cumulative impacts.

Finally, the project as described in the MND includes installation of utilities for the four vacant lots located on the “paper street” segment of Folsom Street. Thus, any potential impacts from the installation of these utilities, and the reasonably foreseeable consequence that these other lots may be developed in the future, is both acknowledged and analyzed in the MND. Because no development is currently proposed for these other vacant lots, any further analysis of such future projects would be speculative at this point.

The appellants do not provide substantial evidence that would indicate that the proposed project would result in a significant and unavoidable cumulative impact; therefore the preparation of an EIR is neither warranted nor required under CEQA.

CONCERN 3: The geotechnical report prepared for the project is incomplete; the soils report does not include the street in its survey; the MND inadequately analyzed landslide risk; and the MND does not adequately analyze stormwater.

The Appeal Letter states:

“The geotechnical report dated August 3, 2013 focuses solely on the footprint sites of the two proposed houses, with no acknowledgment of the ‘revised’ Project scope.” - p. 8

“The current ‘incomplete’ geotechnical report raises the following concerns: uncertainties regarding slope stability...no mention of backfill soil over pipeline...significant risk...discrepancies...earthquakes and landslides...site drainage.” - p. 8-9

“Given that a steep hillside will be graded and a new street introduced—and that retaining walls will not be allowed over a gas transmission pipeline which runs under

the project site—the City must evaluate the landslide risks involved and how they will be mitigated.” – p. 9

“There is a question as to the validity of the Seismic Hazards Map indication that the site is not located in an area subject to landslide.” –p. 13

“The stormwater is currently absorbed into the hillside. Once the street is in, it will be flowing down the street, causing significant change in drainage.” - p. 13

RESPONSE 3: The geotechnical report for the project was completed by a California Registered Engineer, consistent with state requirements for a geotechnical report. Subsequent to the publication of the MND, a separate soils report was prepared for the proposed street and utility improvements. The proposed project is not in an area subject to the Slope Protection Act and is not in a Landslide Hazard Area. The project site is subject to SFPUC’s 2016 Stormwater Management Requirements and Design Guidelines. Stormwater flows on the project site are currently uncontrolled; the proposed project and street improvements would be required to direct stormwater into the City’s combined stormwater/sewer system, avoiding significant drainage impacts.

The soils and geotechnical studies for the proposed project were prepared by H. Allen Gruen, a California Registered Professional Engineer. The appellants do not provide any evidence to challenge or contradict the findings of the soils and geotechnical studies. Geotechnical, soils and vibration studies were prepared for the CEQA analysis of the proposed project. In addition, more detailed geotechnical analyses will be required for the issuance of building permits and the construction of the two single family homes, and the design and construction of the improvements to the “paper street” section of Folsom Street.

Subsequent to the publication of the PMND, a geotechnical investigation has been prepared for the proposed street and utility improvements.⁸ The investigation included site reconnaissance, review of existing geotechnical studies and one test boring to practical refusal at a depth of 6-1/2 feet below ground surface. The investigation found that the primary geotechnical concerns were siting the roadway and utility improvements in competent earth materials and seismic shaking and related effects during earthquakes. The investigation concluded that the project site “is suitable for support of the proposed improvements.” The investigation recommended a conventional spread footing foundation for the improvements and adherence with existing building codes to minimize the effects of earthquake shaking.

The MND (pages 94-100) analyzes potential geological and geotechnical impacts of the proposed project. For purposes of CEQA, the Department utilizes the Seismic Hazard Zones

⁸ H. Allen Gruen, *Report Geotechnical Investigation, Planner Street and Utility Improvements at 3516 and 3526 Folsom Street San Francisco, California*, July 6, 2017.

Map included in the Community Safety Element of the General Plan, which is the official State of California Seismic Hazards Zone Map for San Francisco prepared under the Seismic Hazards Mapping Act of 1990,⁹ to determine geotechnical impacts. As shown below in Figure 1, neither the project site nor the “paper street” section of Folsom Street are considered Landslide Hazard Zones. Areas not designated as Landslide Hazard Zones are not subject to the Slope Protection Act.¹⁰

Figure 1, Project Site, Right-of-Way and Landslide Hazard Areas



While the appellants assert that there is “a question as to the validity” of the Seismic Hazards Map because there was a landslide in the vicinity of the project site, it should be noted that the presence of a landslide in the vicinity of the project site does not equate to the presence of a Landslide Hazard at the project site. This does not mean that there will be no measures taken to avoid potential geotechnical impacts; only that the site is not located in a Landslide Hazard Area, which is a factor used in assessing whether there are certain geotechnical impacts under CEQA. The geotechnical report prepared for the proposed project indicates that the

⁹ The Seismic Hazards Mapping Act was developed to protect the public from the effects of strong ground shaking, liquefaction, landslides, or other ground failure, and from other hazards caused by earthquakes. This Act requires the State Geologist to delineate various seismic hazard zones and requires cities, counties, and other local permitting agencies to regulate certain development projects within these zones.

¹⁰ San Francisco Department of Building Inspection, *Information Sheet Errata in 2016 SFBC and SFBC Structural Provisions*, January 1, 2017. “Properties are subject to these requirements where any portion of the property lies within the areas of “Earthquake Induced Landslide” in the Seismic Hazard Zone Map, released by the California Department of Conservation, Divisions of Mines and Geology, dated November 17, 2000 or amendments thereto.

geotechnical engineer did not find any evidence of active slope instability at the project site. In addition, as stated in the MND (page 98), “[a]dherence to San Francisco Building Code requirements would ensure that the project applicant include analysis and avoidance of any potential impacts related to unstable soils as part of the design-level geotechnical investigation prepared for the proposed project.”

The appellants do not provide any substantial evidence that the proposed project is in a Landslide Hazard Area or in an area subject to the Slope Protection Act or that a significant impact would occur with respect to geology. Therefore the preparation of an EIR is neither warranted nor required under CEQA.

The MND (p. 100-104) discusses stormwater and drainage impacts from the proposed project. The analysis indicates that, while the project site is currently an unimproved hillside where stormwater flows are currently uncontrolled, the proposed project would include drainage elements that would control stormwater runoff and direct it into the City’s combined stormwater/sewer system. While the proposed project would increase impervious surfaces on the project site, the proposed project would also improve drainage by installing drainage controls to direct run-off into the combined sewer system. Public Works’ Subdivision Regulations require proposed streets to “remove sewage and storm water from each lot or parcel of land, and to remove storm water from all roads, streets, and sidewalks.”¹¹ The proposed project would also be required to comply with SFPUC’s Stormwater Management Requirements and Design Guidelines, which include meeting specific performance measures for impervious surfaces and stormwater run-off rate, the approval of a Preliminary Stormwater Control Plan before receiving a Site or Building Permit, and the approval of a Final Stormwater Control Plan before receiving the Certificate of Final Completion.¹² Therefore, the proposed project would not be expected to result in substantial erosion or flooding associated with changes in drainage patterns.

Per CEQA Guidelines Section 15063(b), an EIR is prepared if there is substantial evidence that a project either individually or cumulatively may cause a significant effect on the environment. The analysis in the MND indicates that the proposed project would not cause a significant impact with respect to stormwater. The appellants do not provide substantial evidence that would indicate that the proposed project would have a significant stormwater or drainage impact. Therefore, preparation of an EIR is not required.

¹¹ *Ibid.* Page 68.

¹² San Francisco Public Utilities Commission, *How Do I Comply with the Stormwater Management Requirements*, <http://sfwater.org/index.aspx?page=1006>. Accessed: May 25, 2017

CONCERN 4: The Appellant maintains that the project would result in potential hazards and nuisances related to project construction, including pedestrian access along Bernal Heights Boulevard, emergency access, traffic and parking. The Appellant also questions the opportunities for public input into, and monitoring of, the construction management plan.

RESPONSE 4: The MND analyzes the physical environmental impacts of the proposed project, and includes a mitigation measure for vibration-related impacts. To address street and sidewalk-related issues during construction, the project sponsor will be required to adhere to all regulations on building construction from the Department of Building Inspection, the San Francisco Municipal Transportation Agency, Public Works, and other agencies. The extent of public input into the Construction Plan is not a CEQA issue.

The MND is a document prepared pursuant to CEQA to analyze the physical environmental effects of a proposed project, disclose any significant environmental effects, and identify mitigation measures to reduce those effects to a less-than-significant level. The MND for the proposed project found a potential environmental impact related to vibration and provided a mitigation measure to reduce that impact.

The MND does not regulate the construction of the proposed project. As indicated in the MND, construction of the proposed project must comply with the San Francisco Noise Ordinance, the Construction and Demolition Debris Recovery Ordinance, and the Construction Site Runoff Ordinance, among other regulations. Construction work that requires the use and/or closure of city streets and sidewalks is subject to the San Francisco Municipal Transportation Agency's "Regulations for Working in San Francisco Streets," also known as the Blue Book, which "establishes rules and guidance so that work can be done both safely and with the least possible interference with pedestrians, bicycle, transit and vehicular traffic."¹³ Construction work in San Francisco is routinely coordinated among a number of City agencies.

The extent of public input and oversight of any construction management plan is outside the scope of CEQA. Any perceived lack of public participation in the construction management plan process does not in itself constitute an environmental impact under CEQA, and the appellants have provided no evidence that a lack of public input would lead, directly or indirectly, to an adverse environmental effect. Public participation in the construction management plan is a matter addressed by DBI, Public Works, the project sponsors and the parties concerned. Therefore, the preparation of an EIR is neither warranted nor required under CEQA.

¹³ SFMTA, *Regulations for Working in San Francisco Streets*, <https://www.sfmta.com/services/streets-sidewalks/construction-regulations>. Accessed: May 30, 2017.

CONCERN 5: The MND does not include analysis of the shadow impacts of the fence/railing on the community garden.

The Appeal Letter states:

“How does the addition of the fence/railing on the roof deck affect the shadow on the Community Garden or other property?” - p. 12

RESPONSE 5: The MND adequately assesses the shadow impacts of the proposed project on the community garden and correctly concludes that the impact would be less than significant. The appellants have not provided substantial evidence that the railings would have significant shadow effects.

The MND (on page 77) discusses shadow impacts of the proposed project. The MND states that the proposed project “would cast new shadow on the community garden,” but that the new shadow is “not expected to substantially affect the use or enjoyment of the Bernal Heights Community Garden such that a significant environmental effect would occur.” The railing on for the roof deck is indicated to be three-and-a-half feet tall and would be effectively transparent for purposes of shadow analysis. The appellants have not provided substantial evidence that this railing could substantially affect the use or enjoyment of Bernal Heights Community Garden beyond what is discussed in the MND. Therefore the preparation of an EIR is neither warranted nor required under CEQA.

CONCERN 6: The MND does not analyze how garbage, compost and recycling would be handled.

The Appeal Letter states:

“No plan has been put forth to accommodate garbage, compost, and recycling needs.” – p. 12

RESPONSE 6: Recycling, garbage and compost would be handled in the same manner as for neighboring residential properties.

In San Francisco, residents, employees and waste management personnel routinely transport waste receptacles along public streets and sidewalks, and waste management vehicles are routinely stopped or parked in front of existing residences and buildings as part of regular service. The appellants have not provided substantial evidence of any particular significant adverse impacts that these same activities would have if performed at this particular location, nor how the proposed project would create circumstances dissimilar to waste collection practices elsewhere in San Francisco. Therefore the preparation of an EIR is not warranted.

CONCERN 7: If the subdivision of the area around the project site were to happen today, the subdivision would be subject to CEQA. The Bernal Heights Slope Guidelines have not been followed.

The Appeal Letter states:

“If the Folsom Street extension and the six remaining lots along the ‘paper street’ were subdivided today, they would automatically be subject to an environmental impact analysis.” – p. 7

“The Bernal Heights East Slope Guidelines were not followed for this project.” – p. 11

RESPONSE 7: Neither concern is germane to the MND for the proposed project. The project site consists of current lots of record. The Planning Department has determined that the proposed project is consistent with the Bernal Heights Slope Guidelines.

While it is true that subdivisions are subject to CEQA, the proposed project does not include a subdivision. The proposed project includes the construction of two single-family homes, one on each of two legal lots of record, and the improvement of a public right-of-way. The PMND correctly analyzes the physical environmental effects of the proposed project, and not of the subdivision that occurred prior to 1935.

The Bernal Heights East Slope Guidelines establish design standards for development on the eastern slope of Bernal Heights, which includes the project site. As part of its building permit application review, the proposed project has been found by the Planning Department to be consistent with the Bernal Heights Slope Guidelines. The appellants have not provided any evidence in support of the contention that the proposed project is inconsistent with the Guidelines or how any such inconsistency would constitute a significant environmental effect under CEQA. Therefore the preparation of an EIR is neither warranted nor required under CEQA.

CONCERN 8: The proposed improvement to the paper street section of Folsom Street would result in a hazardously steep street.

The Appeal Letter states:

“The proposed steep street presents a significant threat to residents and drivers. It will be among the steepest streets in SF...The proposed street plans contain dangerous break-over angles and unclear plans for garage access to current residents.” – p. 7

RESPONSE 8: The MND analyzed the proposed street improvement and found that it did not constitute a hazard. The proposed street improvements are subject to Public Works review and approval.

The MND (p. 41-42) analyzes the proposed road and determines that it would not substantially increase hazards due to particular design features. The proposed project would not result in roadway design changes that would include sharp curves or other roadway design elements that would create dangerous conditions, and the improved street section would not be a through street; that is, the improved section would not be used by the general public but would typically be limited to the residents of the proposed project. The improved section would not include any on-street parking facilities.

The MND analyzes the road, as proposed, and does not make a determination as to whether PW would, or should, approve the road. Approval of the road is subject to PW's review of the sponsor's Street Improvement Permit application, which will be reviewed after the proposed project receives its entitlements.

The appellants have not provided any evidence in support of the contention that the proposed street improvements would constitute a significant environmental effect under CEQA. Therefore the preparation of an EIR is neither warranted nor required under CEQA.

CONCERN 9: The additional traffic to and from two additional residences would increase traffic volumes significantly.

The Appeal Letter states:

“...[T]he additional traffic to and from two additional residences potentially increases existing traffic volumes significantly.” – p. 10

RESPONSE 9: The Planning Commission has determined that automobile delay shall no longer be considered a significant impact under CEQA. The additional traffic volume would not result in a significant impact under CEQA.

The MND (p. 36-38) discusses recent changes to the Planning Department's analysis of transportation impacts; namely, that the Planning Commission has found that automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion, shall no longer be considered a significant impact on the environment pursuant to CEQA, because it does not measure environmental impacts and therefore it does not protect environmental quality. The MND provides trip generation data for informational purposes only. That said, the appellants do not provide substantial evidence as to how the addition of 20 person trips per day, which includes two PM peak hour trips, constitutes a significant environmental effect under CEQA. Therefore the preparation of an EIR is neither warranted nor required under CEQA.

CONCERN 10: The MND dismisses the significant impacts of the project on the public vista from Bernal heights Park and Bernal Heights Boulevard.

The Appeal Letter states:

“The Planning Department uses inaccurate and misleading data to dismiss the significant impacts on the public vista from Bernal Heights Park and Bernal Heights Blvd.” – p. 10

RESPONSE 10: Views from Bernal Heights Boulevard are not considered significant views under CEQA; views from Bernal Heights Park would not be impacted.

The appellants assert that the proposed project would block significant public vistas from Bernal Heights Boulevard that would constitute a significant environmental impact. Neither Bernal Heights Boulevard nor any other nearby street is a designated state scenic highway.

The project site is located downhill from Bernal Heights Park and Bernal Heights Boulevard. The Urban Design Element of the General Plan includes three maps relevant to the proposed project: 1) *Street Areas Important to Urban Design and Views*, 2) *Quality of Street Views*, and 3) *Plan to Strengthen City Pattern through Visually Prominent Landscaping*. Neither Bernal Heights Boulevard nor Folsom Street is included on the map *Street Areas Important to Urban Design and Views*. Bernal Heights Boulevard, Folsom Street and Chapman Street in the area of the proposed project are designated as having Average views on the *Quality of Street Views* map. Bernal Hill is identified as an Important Vista Point to be protected on the *Plan to Strengthen City Pattern Through Visually Prominent Landscaping* map.

The proposed project (two buildings reaching a height of approximately 30 feet) would not obstruct views from Bernal Heights Park. The Bernal Heights East Slope Design Guidelines include roof treatment guidelines to minimize or avoid obscuring views, and the north elevation of the proposed project would comply with the Bernal Heights East Slope Design Guidelines. Furthermore, the proposed roofs of the two buildings would sit below the elevation of Bernal Heights Boulevard.¹⁴ Therefore, the two proposed buildings would not result in a substantial demonstrable adverse effect to any scenic views or resources.

The Appellants have not provided any evidence in support of the contention that the proposed project would constitute a significant view impact under CEQA. Therefore the preparation of an EIR is neither warranted nor required under CEQA.

¹⁴ According to the project sponsor, the sidewalk elevation at Bernal Heights Boulevard is +325". The roof elevation of the proposed project is +324.5" and the proposed top of parapet is +328".

CONCLUSION

Staff recommends that the Board of Supervisors adopt the motion to uphold the MND. No substantial evidence supporting a fair argument that a significant environmental effect may occur as a result of the project has been presented that would warrant preparation of an EIR.

From: [BOS Legislation, \(BOS\)](#)
To: ryan@zfplaw.com; Fabien@novadesignsbuilds.com; fabien@bluorange.com; [Olson, Charles](#)
Cc: [Givner, Jon \(CAT\)](#); [Stacy, Kate \(CAT\)](#); [Byrne, Marlana \(CAT\)](#); [Rahaim, John \(CPC\)](#); [Sanchez, Scott \(CPC\)](#); [Gibson, Lisa \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Lynch, Laura \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Horner, Justin \(CPC\)](#); [Ionin, Jonas \(CPC\)](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Smith, Diana](#); [BOS Legislation, \(BOS\)](#)
Subject: PROJECT SPONSOR RESPONSE LETTERS: Mitigated Negative Declaration Appeal - Proposed Project at 3516 and 3526 Folsom Street - Appeal Hearing on September 12, 2017
Date: Friday, September 01, 2017 11:18:49 AM
Attachments: [image001.png](#)

Good morning,

Please find linked below a letter received by the Office of the Clerk of the Board from Charles Olson of Lubin, Olson & Niewiadomski, LLP, on behalf of the Project Sponsors, regarding the appeal of the Mitigated Negative Declaration under CEQA for the proposed project at 3516 and 3526 Folsom Street.

[Project Sponsor Response Letter - September 1, 2017](#)

The appeal hearing for this matter is scheduled for a 3:00 p.m. special order before the Board on September 12, 2017.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 170851](#)

Regards,

Brent Jalipa

Legislative Clerk

Board of Supervisors - Clerk's Office

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Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

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September 1, 2017

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VIA HAND DELIVERY

President London Breed
c/o Angela Calvillo, Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102

RE: Appeal of CEQA Mitigated Negative Declaration (“MND”)
Planning Case No. 2013.1383ENV
Building Permit Application Nos. 2013.12.16.4318 and 2013.12.16.4322
3516-3526 Folsom Street ("Project Site")

Dear President Breed and Honorable Members of the Board of Supervisors:

This firm represents two couples, Fabien Lannoye and Anna Limkin, and James and Patricia Fogarty (collectively, the “Project Sponsors”), who are the owners respectively of two vacant lots zoned for residential use located at 3516 and 3526 Folsom Street, upon which they propose to build two single-family homes and construct the adjacent 145 foot long “paper street” segment of Folsom Street to provide vehicular and pedestrian access to the site (collectively, the “Project”). The two lots are located at the Chapman Street terminus of Folsom Street in the Bernal Heights neighborhood. The Project Sponsors applied for building permits almost four years ago.

For the reasons set forth below, the Project Sponsors respectfully request that the Board reject the referenced appeal and uphold the Planning Department’s decision to adopt the MND.

I. History of the CEQA Challenges

In response to the Planning Department's Section 311 Notice posted on August 17, 2015, 19 Requests for Discretionary Review of the Project were filed. When the consolidated DR requests were unanimously rejected by the Planning Commission in May 2016, the DR Requestors (also referred to herein as "Appellants") then turned their attention to the California Environmental Quality Act ("CEQA") and challenged the Planning Department’s determination that the Project was categorically exempt under CEQA. Previously, on March 26, 2014, the Environmental Review Officer (“ERO”) of the Planning Department issued a Certificate of

Determination: Exemption from Environmental Review finding that the Project was categorically exempt from CEQA review under Class 3: New Construction or Conversion of Small Structures (CEQA Guidelines Section 15303) (the “2014 Determination”). Guidelines Subsection 15303(a) allows the construction of up to three single-family residences in urbanized areas. Subsection 15303(d) allows the construction of water mains, sewage, electrical, gas and other utility extensions, including street improvements, of reasonable length to serve the construction of the small structures. The 2014 Determination also concluded that the Project Site was not located in a particularly sensitive or hazardous area and that there were no unusual circumstances involved with the proposed Project that suggested a reasonable possibility that it would cause a significant environmental effect.

Prior to the Board of Supervisor’s hearing on the CEQA appeal scheduled for July 19, 2016, the Planning Department determined that the 2014 Determination should be withdrawn and a new Categorical Exemption should issue, which the Planning Department did on July 8, 2016 (the “2016 Determination”). The 2016 Determination again concluded that the Project qualified for a Class 3 categorical exemption, and that none of the exceptions to the categorical exemption applied. The withdrawal of the 2014 Determination required the Planning Commission to rehear the DR requests, which it did on October 13, 2016, and again unanimously approved the Project by not taking DR.

Some of the DR Requestors then appealed the 2016 Determination. Before being heard by the Board of Supervisors, the Planning Department in December 2016 determined that the 2016 Determination should be withdrawn to allow for further analysis of potential environmental impacts. Subsequently, with the agreement of the Project Sponsors, the Planning Department prepared a MND in order to better address the DR Requestors' concerns regarding potential construction impacts on the nearby PG&E pipeline. The Planning Department issued a notice of determination of its intent to adopt the MND on April 26, 2017. The MND was appealed by Appellants on May 16, 2017. The Planning Commission unanimously rejected the appeal and approved the MND on June 15, 2017. Appellants now appeal the MND, based on the same arguments that have been presented, and rejected, time and time again by the Planning Department and the Planning Commission.

II. Standard of Review

The Board must affirm the Planning Commission's adoption of a mitigated negative declaration if it finds that the mitigated negative declaration conforms to the requirements of CEQA and that the record, considered in its entirety, contains no substantial evidence to support a fair argument that the project may have a significant effect on the environment that has not been avoided or mitigated to a less than significant level by mitigation measures or project modifications agreed to by the project sponsor or incorporated into the project. See San Francisco Administrative Code Section 21.16 (c)-(e).

Under CEQA, “Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence.” (See CEQA Guidelines Section 15384(a) (defining “substantial evidence”). CEQA Guidelines Section 15384(b) further states, “Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.”

III. Appellants Have Failed To Carry Their Burden of Proof.

Appellants have failed to carry their burden under CEQA and the Administrative Code. First, Appellants do not contend that the MND does not conform with CEQA. Second, Appellants have failed to demonstrate that there is substantial evidence, in light of the whole record, supporting a “fair argument” that the Project may have a significant, adverse, unmitigated effect on the environment, which would thus require the preparation of an EIR. See Public Resources Code Section 21064.5; San Francisco Administration Code Section 31.16(4).

A. Appellants Have Provided No Substantial Evidence That The Project, As Mitigated, Would Cause A Potentially Significant Impact.

1. Appellants’ Purported Expert Evidence Does Not Withstand Scrutiny.

The Appellants’ assert that the “adequacy and feasibility of the proposed mitigation actions are very much in question,” but the MND fully evaluates the integrity of PG&E Pipeline 109. This particular pipeline runs under other residences in the neighborhood, and throughout many other residential neighborhoods in the City’s southeastern areas, and does not pose any imminent threat to the Project. The issue has been thoroughly discussed in the MND. (MND, pp. 54-60).

The statement attributed to Professor Bea alleging identical concerns with Pipeline 109 and the San Bruno Pipeline 132 explosion is based upon incorrect and misleading facts provided to Professor Bea by one of the Appellants. In fact, as previously communicated to Appellants in writing by PG&E Expert Customer Impact Specialist, Austin Sharp, "Line 109 near 3516 and 3526 Folsom Street is not equivalent to the pipe in San Bruno that failed. The pipeline in San Bruno that failed was PG&E natural gas transmission pipeline L-132, which had a diameter of 30 inches, was installed in 1956, and had an MAOP of 400 psig. As described in the responses above, L-109 in your area is a 26-inch diameter pipeline, was installed in 1981, and operates at an MAOP of 150 psig." See Exhibit A, attached hereto, Response to Question 9. Appellants further mislead the Board with their groundless assertions that PG&E Pipeline 109 was installed in 1932. In fact, it was installed in 1981, and it has been regularly inspected by PG&E since its installation. See Exhibit A, Response to Question 8. It operates at 150 pounds per square inch (PSI) pressure, less than 20% of its engineered and specified minimum yield strength, which provides a substantial margin of safety. See Exhibit A, Response to Question 3. In fact, Appellants previously submitted to the Planning Commission a gas line pipe safety chart prepared by Professor Bea, as shown on the attached Exhibit B. At 150 PSI, PG&E Pipeline 109 falls well within Professor Bea’s “Safe” quadrant. Similarly, the alleged statement made in 1989 by some unidentified person at DPW that the Project site was “too dangerous” to ever develop is just hearsay; it does not constitute substantial evidence.

Appellants’ heavy reliance on Professor Storesund as a "qualified pipeline safety expert" appears misplaced. While he presents an impressive 30-page resume listing his qualifications and completed engineering projects and consultations, of the 167 projects he lists, none involves gas transmission pipeline analysis. The closest apparently he has ever come to analyzing gas transmission pipelines is in only 2 of his 167 projects: one working on an enlarged access road and maintenance pad for a new PG&E maintenance access facility (PG&E Line 131 Digging Project, Alameda County), and one involving trench backfill observation of a landfill methane gas recovery pipeline at the base of a levee (Newby Island Gas Transmission Pipeline, Milpitas). (Storesund Resume attached as Exhibit G to Appellants’ Appeal dated July 17, 2017, p.13).

Professor Storesund's June 5th letter suggesting that there is a reasonable possibility that a significant effect still exists and that this segment of pipeline should be replaced is based upon errors and speculation that do not rise to substantial evidence. First, he cites to PG&E pipeline engineer, John Dolcini's, memo to the Planning Department dated March 17, 2017 (attached hereto as Exhibit C) as evidence that PG&E's "minimum of 36 inches of soil cover is very likely violated at this location, with a PG&E-estimated 24 inches of soil cover" when in fact, Mr. Dolcini indicated that "PG&E requires a minimum of existing grade or 36 inches of cover over gas lines (whichever is less)." Second, relying on his intentional misrepresentation of the PG&E policy, he continues by speculating that "it would not be surprising if a site-specific assessment will find additional deviations to be discovered that reveal a lower actual pipeline integrity vs an assumed pipeline integrity." Third, he states that most pipelines are horizontal in utility trenches; but this is certainly not true in San Francisco. Finally, based on his assumption of "additional deviations," he suggests that PG&E should replace the entire segment of pipeline prior to project construction. Such an approach would have very serious policy considerations for PG&E and the City suggesting that all future excavation and construction activities near gas transmission pipelines would require concurrent pipeline replacement. Professor Storesund's June 14, 2017, letter was not even presented to the Planning Commission for its hearing on the appeal, so has obviously been added by Appellants after they lost the appeal.

2. The Project Incorporates All Required Mitigation Measures.

The proposed construction vibration mitigation measure is robust, and the Project incorporates its safety measures. As indicated in the MND, the Project Sponsors intend to stage the Project construction from Bernal Heights Boulevard. (MND, p. 51). No construction or demolition materials will be stored within the required 45-foot zone for pipeline maintenance. In addition, the stairs from the proposed new sidewalk to Bernal Heights Boulevard, which were not part of the Project plans submitted by the Project Sponsors to the City and which were requested as a project addition by the City, can be constructed in such a manner that they do not violate PG&E's requested 10-foot clearance from the pipeline, or they could be eliminated altogether if PG&E insists, in which case the neighbors will lose an excellent potential neighborhood amenity. This issue is no different from the issue related to the planting of street trees for the Project: the City has required them consistent with City policy, and PG&E will likely prohibit them entirely because of their proximity to Pipeline 109. (See Exhibit C attached hereto, paragraph 4).

3. Mitigation Measure M-NO-3 Incorporates Robust Standards that Adequately Addresses Appellants' Concerns.

The Appellants' contention that "There is no data, analysis, or justification for using a PPV vibration standard of 2in/sec," ignores all relevant evidence to the contrary in the record. Illingworth and Rodkin, Inc., prepared a Construction Vibration Evaluation for the Project on March 24, 2017. This, along with the PG&E memo dated March 30, 2017, from John Dolcini, form the basis for Mitigation Measure M-NO-3. (MND, p. 58-60). The mitigation measure requires monitoring of vibration levels, and includes limitations on materials storage and construction activity on or near Pipeline 109, as well as the development of a Vibration Monitoring Plan, and its approval by PG&E and the Planning Department prior to the issuance of any building permits. See Planning Department Response to Appeal of PMND dated June 8, 2017, p. 10. Although many regulatory bodies use more lenient PPV vibration standards, Mitigation Measure M-NO-3 is based upon the most stringent standard of any. Mitigation

Measure M-NO-3 requires continuous vibration monitoring throughout Project construction and requires all construction work to stop if at any time vibration levels exceed 2 inches/second. See Agreement to Implement Mitigation Measures dated April 26, 2017, attached hereto as Exhibit D. This standard set by PG&E is a very conservative standard at a factor of 10 lower than the Construction Vibration Evaluation, which based its estimates of proposed project construction equipment on an already conservative damage criteria of 12 in/sec. (MND, pp. 56-57). This should assuage the Appellants' concerns of vibration impacts on the pipeline because the mitigation measure is based on the potential for construction equipment to operate beyond the significantly lower threshold of 2in/sec. Appellants provide no substantial evidence that the Project, as mitigated, would cause a potentially substantial environmental impact.

Project construction will be well-monitored. The Project Sponsors have consulted with multiple City agencies to ensure that construction of the proposed Project will comply with various regulations and City ordinances. Appellants have provided no substantial evidence that the lack of public participation in the construction management plan will lead to an adverse environmental effect under CEQA. Mitigation Measure M-NO-3: Vibration Management Plan adequately addresses the Project's construction such that the vibration effects on PG&E Pipeline 109 will be less than significant, as concluded in the MND, and as further detailed above. Enforcement of the mitigation measure is the responsibility of the Planning Department and the Department of Building Inspection. Both are public agencies that are independent of the Project Sponsors, and which are required to share information related to implementation and enforcement of mitigation measures. Emergency preparedness and response are the responsibility of the San Francisco Department of Emergency Management, the San Francisco Police Department, the San Francisco Fire Department, and other local, state, and federal agencies. Construction protocols must also follow PG&E safety measures.

4. Appellants' Speculation Is Not Substantial Evidence.

Appellants' repeated speculation that the construction of the Project will result in an explosion that will destroy the neighborhood is simply that—speculation. For example, Appellants' reference to a PG&E's "acknowledgment" that a pipeline failure would result in significant environmental damage, repeated references to PG&E's "recent track record", and references to the San Bruno explosion are all unrelated to the Project and do not constitute substantial evidence. In their effort to make every conceivable argument in opposition to the Project, Appellants contradict themselves. For example, while Appellants repeatedly bad mouth PG&E, Appellants' consultant, Professor Storesund, stated in his June 5, 2017, letter, which is not quoted by Appellants' legal counsel, that "PG&E is the only organization in a position to analyze the additional fatigue expected to be exerted on the pipeline from the bedrock excavation activity and certify that no appreciable degradation will occur." And Appellants will always demand yet one more test or study for the Project in their efforts to delay or kill the Project. See Association of Irrigated Residents v. County of Madera (2003) 107 Cal.App.4th 1383, 1390-1391 ("Analysis of environmental effects need not be exhaustive, but will be judged in light of what was reasonably feasible.").

B. The MND Adequately Analyzes Cumulative Impacts of the Project.

Appellants argue that the MND errs in its environmental analysis of cumulative impacts because it does not assess the cumulative impacts of the "paper street" and the potential development of four additional houses on adjacent vacant lots for which utilities will be stubbed

in as part of the Project. Once again, this is not true. In the MND Project Description, the Project is described as “the construction of two single-family residences on two of the vacant lots along the west side of the unimproved portion of Folsom Street, and the construction of the connecting segment of Folsom Street to provide vehicle and pedestrian access to the project site.” (MND, p. 1). The potential environmental impacts of the “paper street” are analyzed throughout the MND, as stated in Response 1 of the Planning Department Response to Appeal of PMND dated June 8, 2017. The Project only involves the construction of two single-family homes on two small lots zoned for residential use and the 145-foot extension of Folsom Street. As discussed above, there are four other vacant lots zoned for residential use on the portion of Folsom Street that would be extended as part of the Project. The Project Sponsors have no ownership or control of these other lots. The rule in San Francisco has long been that a project is not considered reasonably foreseeable for cumulative impact analysis under CEQA until an application has been filed for environmental review. See San Franciscans for Reasonable Growth v. City & Cty. Of San Francisco (1989), 209 Cal.App.3d 1502, 1526-27. In this case, Planning Department staff have confirmed that no applications for environmental review for any of the four other lots have been filed with the City. (MND, at pp. 25-26).

Even if other applications had been filed, Appellants have provided no substantial evidence that significant cumulative impacts would occur. See Hines v. California Coastal Commission (2010) 186 Cal.App.4th 830, 857 (speculation that significant cumulative impacts will occur simply because other projects may be approved in the same area is insufficient to trigger the cumulative impact exception to reliance on categorical exemptions).

The MND analyzed the cumulative setting and states, “There are no active planning applications for any adjacent properties or for the other four lots on this unimproved section of Folsom Street.” Subsequently, the MND was revised to include the residence under construction at the southeast corner of Chapman and Folsom, and the Planning Department Staff Response dated June 8, 2017, indicated that this addition did not modify the conclusions in the MND regarding lack of cumulative impacts (MND, p. 17). The MND’s evaluation of cumulative environmental effects concluded that the Project would not result in a considerable contribution to any cumulative environmental impacts. Finally, the MND notes that any subsequent development would be required to undergo environmental review in accordance with CEQA and would be required to comply with the same regulations as the Project.

Appellants’ contention that the development of six residences would automatically require preparation of an EIR is both factually incorrect and devoid of any legal authority. Similarly, Appellants’ reliance on Laurel Heights Improvement Association v. Regents of the University of California (1988) 47 Cal.3d. 376, is misplaced. In Laurel Heights, the Regents acquired a 354,000 square foot building with the intent to ultimately use the entire building for UC purposes, but the Regents prepared an EIR analyzing only the use of approximately 100,000 square feet of the building. Here, the Project Sponsors have no ownership or control of the other four vacant lots, so this is not a “phased project” like the Regents’ use of the Laurel Heights building.

C. Appellants Provide No Evidence to Challenge or Contradict the Findings in the Geotechnical Report.

Appellants do not provide any evidence to support their claim that the Geotechnical Report dated August 3, 2013, is “incomplete.” In fact, as Appellants well know, the

Geotechnical Report was updated on November 30, 2016, and the updated report, as well as the Planned Street and Utility Improvements Geotechnical Investigation dated July 2017, are part of the administrative record. Appellants repeated references to the “revised project” are a smokescreen; while the Project has been revised since its initial configuration in 2013, the Project scope has been reduced to address Planning Department suggestions and community concerns. The analysis presented in the Geotechnical Report thus already covers the reduced scope of the Project. Second, Appellants’ comments regarding soil stability, backfill soil over the PG&E Pipeline, and lateral and overhead earth movement from excavation activities are addressed in Mitigation Measure M-NO-3 and will be further addressed by more detailed, project-specific geotechnical analysis when the Project Sponsors process their building permits. The Project, like other building projects in San Francisco, will thus undergo further review with the Department of Building Inspection to analyze and avoid any potential impacts related to soils, and conduct design-level geotechnical investigations based on site-specific data.

Appellant’s claim that the MND violates Planning Code Section 101.1 because it does not maximize earthquake preparedness by imposing earthquake hazard mitigation is completely meritless. The MND acknowledges the Appellants’ concerns about earthquakes and landslides, and recognizes the reality that while the “project site is not located within a seismic hazard zone, it may be subject to ground shaking in the event of an earthquake on regional fault lines like the entire San Francisco Bay Area would.” (MND, pp. 92-93). As further stated in the MND, the Project Site is not located within an area subject to landslides. Appellants’ anecdote about a recent landslide from an unspecified location in “close proximity to the proposed project site” does not constitute substantial evidence. The MND appropriately concludes that the proposed Project will have less-than-significant landslide related impacts and that any risks associated with liquefaction and differential compaction would otherwise be reduced with implementation of standard building engineering and other design measures. (MND, p. 93). Appellants present no evidence to the contrary.

Other issues raised by Appellants, such as those regarding fertilizer runoff onto the PG&E Pipeline are nonsensical and do not impact this particular section of the PG&E Pipeline any more than water run-off on any other pipeline segment in San Francisco. And as indicated in the MND, the entire City, not just the Project Site, is located in a High Consequence Area.

D. Other Issues Raised by Appellants Fail for Lack of Substantial Evidence, Are Clearly Erroneous, Or Are Outside the Scope of CEQA.

1. Appellants Argue Without Any Evidence That Construction of the Project Will Result in a Significant Danger to Residents and Drivers Because of the Steepness of the Folsom Street Extension.

This is untrue and raises no CEQA issues. The street extension will require review and approval by San Francisco Public Works and is consistent with the City’s Subdivision Regulations. (MND, p.40). The Project will comply with Fire Code Section 503.1.1. (MND, p. 40). The Project Sponsors have offered to work with the two existing neighbors to ensure that the final design of the Folsom Street extension preserves access to their garages and have offered to improve the existing driveways while paying all costs for design, permitting and construction. Access to existing driveways and the Project’s driveways will be further ensured with the City’s Street Design Advisory Team’s recent approval of a 20’ street width and a two-foot increase in curb cut lengths to 12 feet. (MND, p. 14). The fact that the Folsom Street extension will be

steep and will not contain on-street parking does not mean that delivery trucks cannot access the new residences or existing residences. The nine estimated daily vehicle trips generated by the Project will hardly cause a “significant increase in existing traffic volumes” at the Folsom/Chapman intersection. See San Francisco Planning Department, Transportation Calculations for 3516-3526 Folsom Street, June 20, 2016.

Appellants have presented no evidence that drainage will be significantly affected by the introduction of the proposed street extension or the two new residences. Rather, installation of new storm water collection systems, including permeable planters along the Folsom Street extension, will improve drainage in the vicinity. (MND, pp. 79-80).

Appellants have presented no evidence that garbage, recycling and compost pick up will be adversely affected at either the intersection of Chapman and Powhattan or within two blocks of that intersection. The Project Site is no different from many other sites in San Francisco that are adequately serviced by waste management companies.

2. The Planning Department and the MND Concluded Appropriately that the Project Will Not Cause a Significant View Impact or Cast Significant New Shadows.

Photomontages reviewed by the Planning Department’s staff demonstrate that the Project will not cause any significant view impacts from public areas as the Project does not obstruct views from Bernal Heights Park or Bernal Heights Boulevard. See Planning Department Discretionary Review – Full Analysis dated June 8, 2017, p. 10. Appellants fail to make a fair argument that the addition of the fence/railing on the roof decks of the Project will cause a significant shadow impact on the Bernal Heights Community Garden. Shadow studies submitted to the Planning Department demonstrate that the Project will cast minimal shadows on the Bernal Heights Community Garden, limited to only certain periods in the winter and summer, and the new shadow would only fall on a portion of the southwestern corner of the Bernal Heights Community Garden in the evening after 5:30pm. (MND, p.75). The addition of the fence/railing would not impact the shadow analysis.

3. Appellants Raise Non-CEQA Issues.

Construction trucks drive over City streets above gas pipelines, including Pipeline 109, everyday; there is nothing unusual about this. The Planning Department found that the Project satisfies the Bernal Heights East Slope Guidelines. See Planning Department Response to Appeal of PMND dated June 8, 2017, p. 15. The Project Site and Folsom Street extension are outside the boundaries of the Slope Protection Act because areas not designated as Landslide Hazards Zones are not subject to the Slope Protection Act. See Planning Department Response to Appeal of PMND dated June 8, 2017, p. 11. The Project is required to comply with the Stormwater Management Ordinance, but a Project-specific stormwater management plan is not required. (MND, p. 79). Construction impacts of the Project will be short-term and temporary.

* * * * *

San Francisco has a severe housing shortage. The California Supreme Court has held repeatedly that “rules regulating the protection of the environment must not be subverted into an instrument for the oppression and delay of social, economic, or recreational development and advancement.” Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553, 576. As Appellants have utterly failed to meet their legal burden to provide substantial evidence

demonstrating that the Project would cause a significant environment impact, the Project Sponsors respectfully request that the Board reject this appeal and uphold the Planning Department's adoption of the MND. Four years after the Project Sponsors purchased these two lots and approximately 45 months after they filed for environmental review, it is past time to put an end to this ordeal and allow the Project Sponsors to construct these two single-family homes.

Sincerely,

Carolyn Fee on behalf of Charles Olson

Charles R. Olson

CRO

cc: Fabien Lannoye and Anna Limkin
James Fogarty and Patricia Fogarty
Joy Navarrete, Planning Department, Environmental Planner
Justin Horner, Planning Department, Environmental Planner

EXHIBIT A
[PG&E Guidelines]

Hi Deborah, Herb, and Fabien,

Please see below for the response to the questions that Deborah submitted to me. Herb, I will have the additional questions sometime next week. I will also be attending your design review board meeting tonight, so if you have any PG&E related questions I will be available to answer them. Look forward to seeing you there.

Background: Lot 13 and Lot 14, Block 5626; 3516 Folsom St.; 3526 Folsom St. Concerned neighbors require explicit information about Pipeline 109. Thus we are sending the following request for information to the developer and to you as a representative of PG&E. As the owner of the above listed lots, in the vicinity of Pipeline #109 in Bernal Heights, we, concerned neighbors, are asking you to provide the following information:

QUESTION(S) 1: Where exactly is pipeline 109?; identify the longitude and latitude coordinates.

RESPONSE(S) 1: Please see attachment "*L109_Folsom_Street.pdf*" for the location of Line 109 near 3516 and 3526 Folsom Street, San Francisco. PG&E does not provide latitude and longitude of natural gas pipelines to outside parties (other than its regulators) for security reasons. To have PG&E identify the location of the gas lines in your street, please call USA, the Underground Service Alert, at 811.

QUESTION(S) 2: How deeply is #109 buried?

RESPONSE(S) 2: Gas transmission pipelines are typically installed with 36 to 48 inches of cover. However, the depth may vary as cover over the lines may increase or decrease over time due to land leveling and construction. Without digging and exposing the line, it is not possible to determine the exact depth.

QUESTION(S) 3: What is Pipeline #109 composed of?

RESPONSE(S) 3: Line 109 is a steel pipeline. In your neighborhood, this pipeline has a maximum allowable operating pressure (MAOP) of 150 pounds per square inch gage (psig), which is 19.8% of the pipe's specified minimum yield strength (SMYS). This provides a considerable margin of safety, since it would take a pressure of at least 750 psig to cause the steel in the pipe to begin to deform.

QUESTION(S) 4: How old is Pipeline #109?

RESPONSE(S) 4: Line 109 in this area was installed in 1981 and was strength tested at the time of installation.

QUESTION(S) 5: How big in diameter is Pipeline #109? What is the composition of the pipeline?

RESPONSE(S) 5: Line 109 in your vicinity is a 26-inch diameter steel pipeline.

QUESTION(S) 6: How/with what are the pipe seams welded?

RESPONSE(S) 6: Line 109 near 3516 and 3526 Folsom Street is constructed of API 5L-Grade B steel pipe, and has a double submerged arc weld along the longitudinal seam.

QUESTION(S) 7: How much gas runs through Pipeline #109?

RESPONSE(S) 7: Line 109 has a variable flow rate that is dependent on system operations and San Francisco area gas customer consumption. As points of reference, however, Line 109 observed flow rates of 1.55 – 2.375 million standard cubic feet per hour (MMSCFH) through the flow meter at Sullivan Avenue in Daly City on May 27, 2014.

QUESTION(S) 8: When were the last 3 inspections? Would you produce the documentation for these inspections.

RESPONSE(S) 8: PG&E has a comprehensive inspection and monitoring program to ensure the safety of its natural gas transmission pipeline system. PG&E regularly conducts patrols, leak surveys, and cathodic protection (corrosion protection) system inspections for its natural gas pipelines. Any issues identified as a threat to public safety are addressed immediately. PG&E also performs integrity assessments of certain gas transmission pipelines in urban and suburban areas.

Patrols: PG&E patrols its gas transmission pipelines at least quarterly to look for indications of missing pipeline markers, construction activity and other factors that may threaten the pipeline. Line 109 through the neighborhood was last patrolled in May 2014 and everything was found to be normal.

Leak Surveys: PG&E conducts leak surveys at least annually of its natural gas transmission pipelines. Leak surveys are generally conducted by a leak surveyor walking above the pipeline with leak detection instruments. Line 109 was last leak surveyed in April 2014 and no leaks were found.

Cathodic Protection System Inspections: PG&E utilizes an active cathodic protection (CP) system on its gas transmission and steel distribution pipelines to protect them against corrosion. PG&E inspects its CP systems every two months to ensure they are operating correctly. The CP systems on Line 109 in your area were last inspected in May 2014 and were found to be operating correctly.

Integrity Assessments: There are three federally-approved methods to complete a transmission pipeline integrity management baseline assessment: In-Line Inspections (ILI), External Corrosion Direct Assessment (ECDA) and Pressure Testing. An In-Line Inspection involves a tool (commonly known as a "pig") being inserted into the pipeline to identify any areas of concern such as potential metal loss (corrosion) or geometric abnormalities (dents) in the pipeline. An ECDA involves an indirect, above-ground electrical survey to detect coating defects and the level of cathodic protection. Excavations are performed to do a direct examination of the pipe in areas of concern as required by federal regulations. Pressure testing is a strength test normally conducted using water, which is also referred to as a hydrostatic test.

PG&E performed an ECDA on Line 109 in this area in 2009 and no issues were found. PG&E plans to perform the next ECDA on L-109 in this area in 2015. PG&E also performed an ICDA (Internal Corrosion Direct Assessment) on L-109 near 3516 and 3526 Folsom Street in 2012, and no issues were found.

Unfortunately, PG&E cannot provide the documentation from these inspections because they contain confidential information that PG&E only provides to its regulators.

QUESTION(S) 9: Is this pipeline equivalent in type to the exploded pipeline in San Bruno?

RESPONSE(S) 9: Line 109 near 3516 and 3526 Folsom Street is not equivalent to the pipe in San Bruno that failed. The pipeline in San Bruno that failed was PG&E natural gas transmission pipeline L-132, which had a diameter of 30 inches, was installed in 1956, and had an MAOP of 400 psig. As described in the responses above, L-109 in your area is a 26-inch diameter pipeline, was installed in 1981, and operates at an MAOP of 150 psig.

Thanks,

Austin

Austin Sharp I Expert Customer Impact Specialist
Pacific Gas and Electric Company
Phone: 650.598.7321
Cell: 650.730.4168
Email: awsd@pge.com

EXHIBIT B

[Exhibit from Professor Bea's Email dated May 5, 2014, which was included as Attachment E-6 in a DR Requestor's Application]

Pipeline Integrity Management

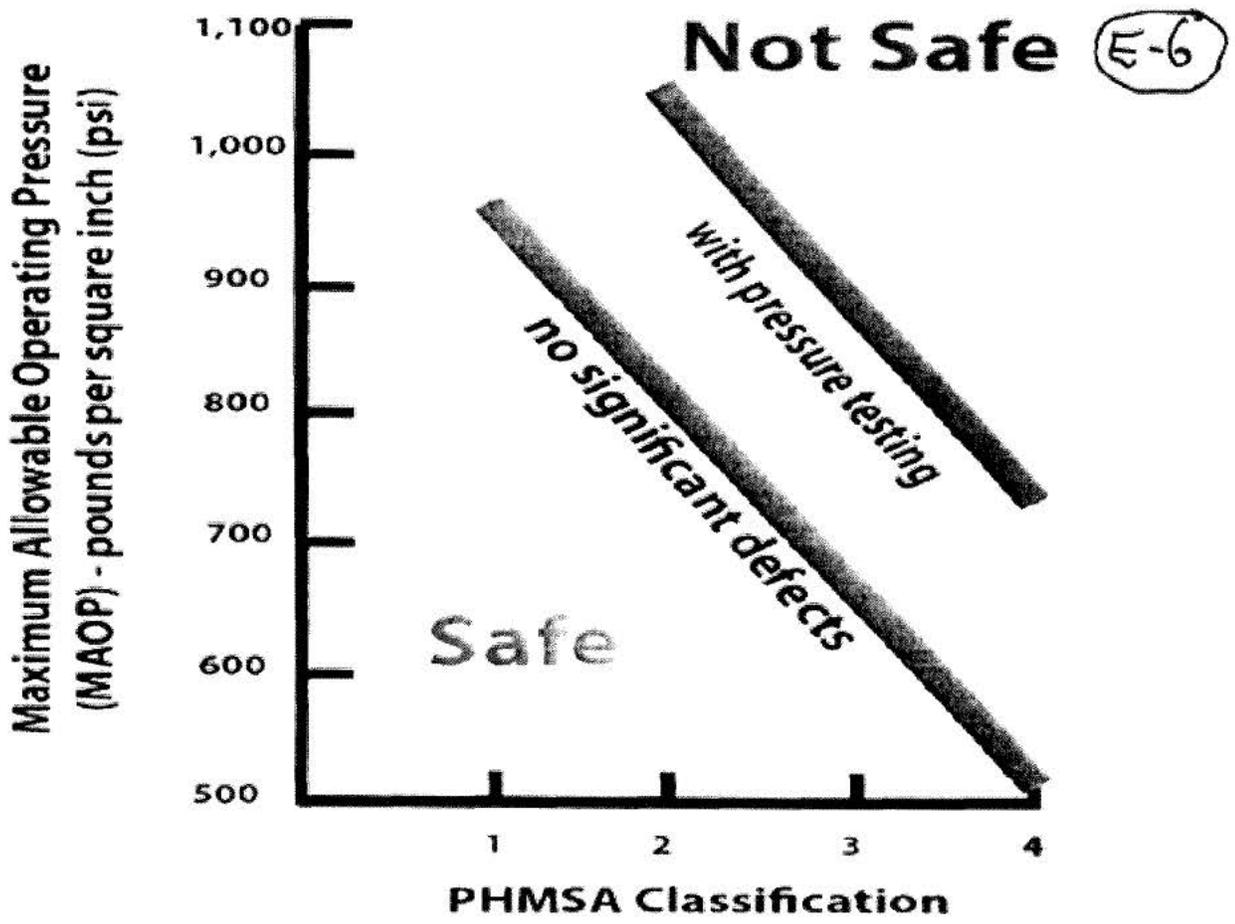


EXHIBIT C

[Memo from John Dolcini to San Francisco Planning
Department dated March 30, 2017]



Date: MARCH 30, 2017
To: JOY NAVARRETE – SAN FRANCISCO PLANNING DEPARTMENT
From: PG&E GAS TRANSMISSION PIPELINE SERVICES – INTEGRITY MANAGEMENT
Subject: 3516/3526 FOLSOM ST.

Dear Joy,

Thank you for making us aware that you plan to do grading work near the PG&E gas transmission pipeline located near 3516 and 3526 Folsom St. As you are aware, it has been confirmed that an active 26" PG&E gas transmission pipeline L-109 is routed through this location. It is imperative that any proposed demolition or construction work not impair the safety of the gas lines. This not only includes any immediate safety risk to the pipeline during demolition or construction activities, but also long-term public safety with respect to this critical piece of infrastructure. PG&E requires adequate access at all times to patrol, survey, excavate, inspect, test, and otherwise maintain the pipeline(s) on a continuous basis in accordance with PG&E Utility Standard TD-4490S "Gas Pipeline Rights-of-Way Management."

Please be aware that this letter is being sent to address PG&E gas transmission facilities only. This letter is not intended to address PG&E gas distribution or PG&E electric facilities.

If any changes are made to the site plans as discussed via previous email, PG&E will need to re-evaluate before site development begins. Considering any comments/feedback we may have, an ideal time to send us any plan changes would be during the design phase of the project, to allow the possibility of modifying the design as necessary before launching into the construction phase.

1. Standby Inspection: **A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity within 10 feet of the gas pipeline(s).** This includes all grading, trenching, gas line depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at **811 or 1-800-227-2600**. A minimum notice of 48 hours is required. This is absolutely required for your grading project.
2. Grading/Excavation: PG&E requires a minimum of existing grade or 36 inches of cover over gas lines (whichever is less), and a maximum of 7 feet cover. Current records show that the depth of cover (top of grade to top of pipe) could be as shallow as 24", however potholing would be required to confirm this. Any excavations, including grading work, above or around the gas transmission facilities must be performed while a PG&E inspector is present. This includes all laterals, subgrades, gas line depth verifications (potholes), etc. Please follow PG&E Work Procedure TD-4412P-05 "Excavation Procedures for Damage Prevention" when working in the vicinity of the gas transmission pipeline. Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Engineering in writing **PRIOR** to performing the work. **Any grading or digging within 2 feet of a gas pipeline must be dug by hand.** Water jetting to assist vacuum excavating must be limited to 125 psig.
3. Pipeline Markers: PG&E requires pipeline markers be placed along the pipeline route in order to ensure public awareness of the presence of the pipeline. Any existing markers can be temporarily relocated to accommodate construction work (with written PG&E approval), however markers must be reinstalled once construction is complete. It is unknown at this time how accurate the pipeline marker locations are at this specific site. As stated above, please coordinate an inspection through the Underground Service Alert (USA) service at **811 or 1-800-227-2600**.
4. Landscaping: Trees or deep rooted shrubs shall not be located within 10 feet of edge of pipe (pipe zone). Trees less than 12 inches in diameter with non-intrusive root structures can be placed outside of the 10 foot pipe zone. This is in accordance with PG&E Utility Standard TD-4490S "Gas Pipeline Rights-of-Way Management" Section 2. Removal of trees is acceptable, given the stumps are not removed. If stumps/roots are being removed, further evaluation will be required to ensure that removal will not interfere with the pipelines.

5. Fencing: Care must be taken to ensure the safety and accessibility of the pipelines. No parallel fencing will be allowed within 10 ft. of the pipeline, and any perpendicular fencing will require 14 foot wide access gates to be secured with PG&E corporation locks.
6. Structures: Permanent structures must be located a minimum distance of 10 ft. from edge of pipe. Additionally, for pipeline maintenance, future construction, emergency response provisions, etc., we need a total width of 45 ft. to access the location. Do not stockpile or store demolition/construction material or equipment within this distance. PG&E cannot compromise on the ability to safely access, operate and maintain our facilities, especially when considering emergency situations.
7. Construction Loading: Please refer to chart below for approved construction loading as applicable to this project. To prevent damage to the buried gas pipelines, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing a pipeline. Due to the weight variability of tracked equipment, cranes, vibratory compactors, etc., **do not allow any construction equipment within 10 ft. of the gas pipeline(s) without approval from the PG&E gas transmission pipeline engineer.** Wheel loading calculations will need to be determined, and the pipeline may need to be potholed by hand in a few areas to confirm the depth of the existing cover. These weight limits also depend on the support provided by the pipeline's internal gas pressure. If PG&E's operating conditions require the pipeline to be depressurized, maximum wheel loads over the pipeline will need to be further limited. For compaction, please use walk-behind compaction equipment if within 2 feet of the pipeline. Crane and backhoe outriggers must be set at least 10 feet from the centerline of the gas pipeline. **Specific to this project, please ensure max PPV vibration levels are less than 2in/sec.**

Referencing the chart below, for wheeled equipment only (excludes tracked equipment and vibratory rollers), for a depth of cover of 2ft over top of the 26" pipeline, the pipe may be subjected to a maximum half-axle wheel load of 4580 lbs. **Specific to this project, the 17,500 lb Takeuchi TB175 excavator and 8,000 lb Bobcat Excavator are approved for use.** If any equipment is planned to be operated within 10 ft. of the pipeline that exceeds the half-axel weight specified below, please contact the gas transmission pipeline engineer for approval. Half axle weight is the gross weight upon any one wheel, or wheels, supporting one end of an axle.

Depth of Cover (ft. to Top of Pipe)	Max. Half-Axle Wheel Loading (lbs.)
2	4580
3	6843
4	7775
5	7318

Feel free to contact me if there are any questions or concerns.

John Dolcini
 Pipeline Engineer - Gas Transmission
 Pacific Gas and Electric Company
 Email: J7DP@pge.com

EXHIBIT D

[Agreement to Implement Mitigation Measures
dated April 26, 2017]



SAN FRANCISCO PLANNING DEPARTMENT

Agreement to Implement Mitigation Measure(s)

Date: April 26, 2017
Case No. 2013.1383ENV
Project Title.: 3516 and 3526 Folsom Street
Project Sponsor: Fabien Lannoye, Bluorange Designs
Project Address: 3516 and 3526 Folsom Street
Block/Lot: 5626/013 and 014
City and County: San Francisco

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

Reception:
 415.558.6378

Fax:
 415.558.6409

Planning
 Information:
 415.558.6377

MITIGATION MEASURE(S):

Mitigation Measure M-NO-3, Vibration Management Plan:

The Project Sponsor shall retain the services of a qualified structural engineer to develop, and the Project Sponsor shall adopt, a vibration management and continuous monitoring plan to cover any construction equipment operations performed within 20 feet of PG&E Pipeline 109. The vibration management and monitoring plan shall be submitted to PG&E and Planning Department staff for review and approval prior to issuance of any construction permits. The vibration management plan shall include:

- **Vibration Monitoring:** Continuous vibration monitoring throughout the duration of the major structural project activities to ensure that vibration levels do not exceed the established standard.
- **Maximum PPV Vibration Levels:** Maximum PPV vibration levels for any equipment shall be less than 2 inches per second (in/sec). Should maximum PPV vibration levels exceed 2 in/sec, all construction work shall stop and PG&E shall be notified to oversee further work.
- **Standby Inspection:** A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity within 10 feet of the gas pipeline(s). This includes all grading, trenching, gas line depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection would be coordinated through the Underground Service Alert (USA) service at 811 or 1-800-227-2600. A minimum notice of 48 hours is required.
- **Grading/Excavation:** Any excavations, including grading work, above or around Pipeline 109 must be performed with a PG&E inspector present. This includes all laterals, subgrades, and gas line depth verifications (potholes). Work in the vicinity of Pipeline 109 must be completed consistent with PG&E Work Procedure TD-4412P-05 "Excavation Procedures for Damage Prevention." Any plans to expose and support Pipeline 109 across an open excavation must be approved by PG&E Pipeline Engineering in writing prior to performing the work. Any grading or digging within two (2) feet of Pipeline 109 shall be dug by hand. Water jetting to assist vacuum excavating must be limited to 125 pounds per square inch gage (psig).

www.sfplanning.org

- Pipeline Markers: Prior to the commencement of project activity, pipeline markers must be placed along the pipeline route. With written PG&E approval, any existing markers can be temporarily relocated to accommodate construction work, but must be reinstalled once construction is complete.
- Fencing: No parallel fencing is allowed within 10 feet of Pipeline 109 and any perpendicular fencing shall require 14 foot access gates to be secured with PG&E corporation locks.
- Structures: Permanent structures must be located a minimum distance of 10 feet from the edge of Pipeline 109. A total width of 45 feet shall be maintained for pipeline maintenance. No storage of construction or demolition materials is permitted within this 45 foot zone.
- Construction Loading: To operate or store any construction equipment within 10 feet of Pipeline 109 that exceeds the half-axle wheel load (half axle weight is the gross weight upon any one wheel, or wheels, supporting one end of an axle) in the table below, approval from a PG&E gas transmission pipeline engineer is required. Pipeline 109 may need to be potholed by hand in to confirm the depth of the existing cover. These weight limits also depend on the support provided by the Pipeline's internal gas pressure. If PG&E's operating conditions require the Pipeline to be depressurized, maximum wheel loads over the pipeline will need to be further limited. For compaction within two feet of Pipeline 109, walk-behind compaction equipment shall be required. Crane and backhoe outriggers shall be set at least 10 feet from the centerline of Pipeline 109. Maximum PPV vibration levels for any equipment shall be less than 2 in/sec.

Depth of Cover to Top of Pipe (ft.)	Maximum Half-Axle Wheel Loading (lbs)
2	4,580
3	6,843
4	7,775
5	7,318

I agree to implement the above mitigation measure(s) as a condition of project approval.


Project Sponsor Signature

4/27/17
Date

From: [BOS Legislation. \(BOS\)](#)
To: ryan@zfpplaw.com; Fabien@novadesignsbuilds.com; fabien@bluorange.com
Cc: [Givner, Jon \(CAT\)](#); [Stacy, Kate \(CAT\)](#); [Byrne, Marlena \(CAT\)](#); [Rahaim, John \(CPC\)](#); [Sanchez, Scott \(CPC\)](#); [Gibson, Lisa \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Lynch, Laura \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Horner, Justin \(CPC\)](#); [Jonin, Jonas \(CPC\)](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [BOS Legislation. \(BOS\)](#)
Subject: SUPPLEMENTAL APPEAL LETTERS: Mitigated Negative Declaration Appeal - Proposed Project at 3516 and 3526 Folsom Street - Appeal Hearing on September 12, 2017
Date: Thursday, August 31, 2017 4:15:11 PM
Attachments: [image001.png](#)

Good afternoon,

Please find linked below letters received by the Office of the Clerk of the Board from Ryan Patterson of Zacks, Freedman & Patterson, PC, on behalf of the Appellants, regarding the appeal of the Mitigated Negative Declaration under CEQA for the proposed project at 3516 and 3526 Folsom Street.

[Supplemental Appeal Letter - August 30, 2017 - LARGE FILE](#)

[Supplemental Appeal Letter - August 31, 2017 - LARGE FILE](#)

The appeal hearing for this matter is scheduled for a 3:00 p.m. special order before the Board on September 12, 2017.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 170851](#)

Regards,

Brent Jalipa

Legislative Clerk

Board of Supervisors - Clerk's Office

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

(415) 554-7712 | Fax: (415) 554-5163

brent.jalipa@sfgov.org | www.sfbos.org



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

***Disclosures:** Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board*

and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.

ZACKS, FREEDMAN & PATTERSON RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

A PROFESSIONAL CORPORATION

235 Montgomery Street, Suite 400
San Francisco, California 94104
Telephone (415) 956-8100
Facsimile (415) 288-9755
www.zfplaw.com

2017 AUG 31 AM 11:42

BY BJ

August 30, 2017

VIA HAND DELIVERY AND EMAIL

President London Breed
c/o Angela Calvillo, Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102

Re: Appeal of CEQA Mitigated Negative Declaration
Planning Case No. 2013.1383ENV
Building Permit Application Nos. 2013.12.16.4318 and 2013.12.16.4322
3516 and 3526 Folsom Street ("Project Site")

Dear President Breed and Honorable Members of the Board of Supervisors:

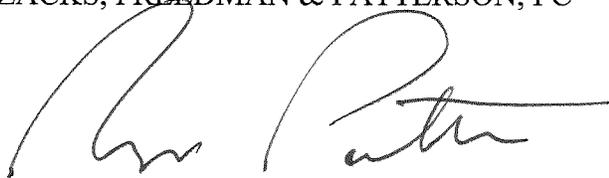
Please find the following documents enclosed:

Exhibit

- J. Letter from **The Sierra Club, San Francisco Group** in support of appeal
- K. Letter from **The Bernal Heights Neighborhood Center** in support of appeal
- L. Letters from **an additional 140+ concerned residents** in support of appeal

Very truly yours,

ZACKS, FREEDMAN & PATTERSON, PC



Ryan J. Patterson
Attorneys for Herb Felsenfeld and Gail Newman



SIERRA CLUB
SAN FRANCISCO BAY

San Francisco counties

SAN FRANCISCO GROUP, c/o Evans, 1474 Sacramento St., #305, San Francisco, CA 94109

August 23, 2017

To Whom it May Concern:

**SUPPORTING UPPER FOLSOM STREET APPEAL OR WITHDRAWAL OF MITIGATED NEGATIVE
DECLARATION**

The Sierra Club San Francisco Group supports the withdrawal or appeal of the Mitigated Negative Declaration for the Bernal Heights Upper Folsom Street Right-of-Way Housing Development (Planning Dept. Case No. 2013.1383ENV, hereinafter the "Project") and supports the preparation of an Environmental Impact Report for the Project.

The San Francisco Group speaks for the Sierra Club on city issues, on behalf of its 9,300 members and is one of the four chapters in the 4-county Bay Chapter's 38,000 members including Marin, Alameda, Contra Costa and San Francisco Counties. Our members, as well as the general public, will be directly affected by the Project's adverse environmental impacts on parkland, open space, and the Bernal Heights neighborhood.

The Upper Folsom Street Project received a Mitigated Negative Declaration under CEQA Guidelines Sections 15064, 15065, and 15070. Pursuant to CEQA Guidelines Section 15070, however, a mitigated negative declaration is only appropriate where "there is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment."

The Mitigated Negative Declaration was granted to this proposed Project despite the fact that the Project site is located in a particularly sensitive, hazardous area. The proposed access to the Project will be built over a 26-inch 30-year-old gas transmission pipeline on a City right-of-way with an approximately 35 percent grade slope – including significant excavation. The Project site is adjacent to Bernal Heights Park and Bernal Heights Community Garden, in a densely populated area. City departments have stated they do not take responsibility for the safety of the pipeline, which is one of only three major gas lines in San Francisco. Despite federal recommendations, no informed assessment has taken place to assure local residents of the safety of this Project. There is substantial and documented evidence in the record from highly qualified experts that this

circumstance poses an unacceptably high risk of catastrophic environmental impacts, yet no Environmental Impact Report has been completed.

The U.S. Department of Transportation's Office of Pipeline Safety states that most gas transmission pipeline accidents occur on rights-of-way by private contractors – exactly the situation being proposed. A new, privately built access road over a major transmission pipeline –with the potential for multiple future adjacent

2530 San Pablo Ave., Suite I, Berkeley, CA 94702 Tel. (510) 848-0800 Email: info@sfbaysc.org



SIERRA CLUB

San Francisco counties

private excavations on a steep slope – is unusual in San Francisco, if not unique. The proposed Project exposes a dense urban population to an unacceptable risk of environmental catastrophe, with insufficient environmental review.

The proposed Project will have a number of additional unmitigated impacts, including massing, loss of sunlight, and destruction of open space. It sets a precedent for large-scale houses in a neighborhood with traditionally smaller-scale housing and single car garages. The Project site is located within 300 feet of a possible urban bird refuge, within a steep slope district, and requires unusually extensive excavation. Moreover, the Project site "is in an area that would be exposed to strong earthquake shaking."

For these reasons, we request that the City withdraw the Mitigated Negative Declaration for Case No. 2013.1383ENV and complete an EIR for the proposed Project. Should the City fail to complete an EIR, the Sierra Club San Francisco Bay Chapter supports the appeal of the Project's flawed environmental determinations and opposes the issuance of Project permits, including BPA Nos. 2013.12.16.4322 and 2013.12.16.4318.

Sincerely,

Becky Evans



Bernal Heights Neighborhood Center

August 14, 2017,

San Francisco Board of Supervisors
City Hall
San Francisco, CA 94102

Dear Honorable Members of the Board

Re: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a **complete, open, coordinated and transparent environmental impact report (EIR)** for the proposed project at **3516 and 3526 Folsom Street**.

We are concerned that the Bernal Heights neighborhood will be negatively impacted by this project based on our understanding that:

- It would threaten public safety as it is located adjacent to an aging 26-inch major gas transmission line 109. Heavy equipment would be traveling over this line in this very steep area during construction.
- It would negatively impact traffic safety as well as parking availability.
- It would be a “gateway” for four other adjacent sites, creating in essence a six unit “mini-sub-division”. Such piecemeal planning is not in the best interests of San Francisco’s neighborhoods.

And while building design is not a CEQA issue, we remain concerned that the project design is out of character with that neighborhood area—much larger than adjacent and nearby homes. It appears that the project developer has not heeded the concerns expressed by the East Slope Design Review Board, which was established by the San Francisco Planning Commission in 1986.

Thank you for your consideration. We ask that you grant this request for an EIR

Sincerely,


BHNC Board of Directors

kilusan
acción
行動
action

BERNAL | 515 Cortland Avenue, San Francisco, CA 94110 | ph: 415.206.2140 | fx: 415.648.0793
EXCELSIOR | 4468 Mission Street, San Francisco, CA 94112 | ph: 415.334.9919 | fx: 415.334.9918

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Report (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

Heavy equipment would be travelling over this line. The whole area is on steep, shifting, and erosion prone terrain. We believe that public safety will be threatened, if the project goes ahead without proper review.

We agree with the assessment by a prominent Geo-Technical Engineer and Risk Management expert:

"In my opinion, the (San Francisco Planning Department) analyses are inadequate, incomplete, and fall short of a rigorous evaluation of pipeline integrity and assurance of public safety given the potential harm as a result of rupture and ignition of natural gas from this transmission pipeline."

Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



Abijah Crabtree 3590 Folsom Ave SF

email: abijahc@gmail.com phone (optional) _____

(Date) 80.20.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Report (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

Heavy equipment would be travelling over this line. The whole area is on steep, shifting, and erosion prone terrain. We believe that public safety will be threatened, if the project goes ahead without proper review.

We agree with the assessment by a prominent Geo-Technical Engineer and Risk Management expert:

"In my opinion, the (San Francisco Planning Department) analyses are inadequate, incomplete, and fall short of a rigorous evaluation of pipeline integrity and assurance of public safety given the potential harm as a result of rupture and ignition of natural gas from this transmission pipeline."

Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



1049 Cortland Ave, S. F., CA 94110

email: ec257148@gmail.com phone (optional) 4153741998

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

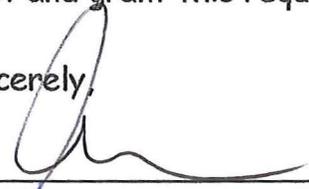
Heavy equipment would be travelling over this line. The whole area is on steep, shifting, and erosion prone terrain. We believe that public safety will be threatened, if the project goes ahead without proper review.

We agree with the assessment by a prominent Geo-Technical Engineer and Risk Management expert:

"In my opinion, the (San Francisco Planning Department) analyses are inadequate, incomplete, and fall short of a rigorous evaluation of pipeline integrity and assurance of public safety given the potential harm as a result of rupture and ignition of natural gas from this transmission pipeline."

Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



Signed GREG SPOONER, 129 WINFIELD ST

Print name/ address

email: Gjspooner@gmail.com phone (optional) 415 206 1421

(Date) 8.29.17

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Report (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

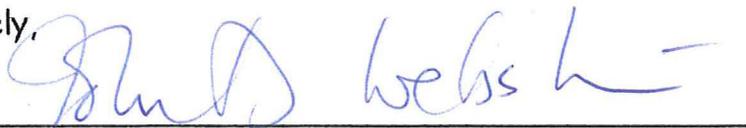
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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



Sign

JOHN. D. WEBSTER.

112 Gates ST

Print name & address

email:

phone (optional)

415-821-7620

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,


Signature, L. Suarez Prentiss St SF
Print name, Address
email: Lthelaws7@gmail.com phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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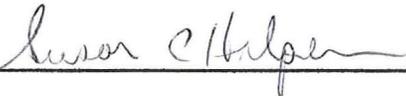
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Sincerely,



SUSAN C HALPERIN 27 MARSHALL ST SF 94110

email: _____ phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Leslie Siman

signed

Leslie Siman

print name/address

117 Brewster St SF 94110

email: simscha@sbcglobal.net

phone (optional) 415-377-5330

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Barbara Tell

signed

Barbara Tell

563 Peralta Ave

Print name/address

email: _____ phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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Sincerely,



Signed

JESSICA RICHARDSON

673 MOULTRIE STREET SF, CA

Print name / address

email: _____ phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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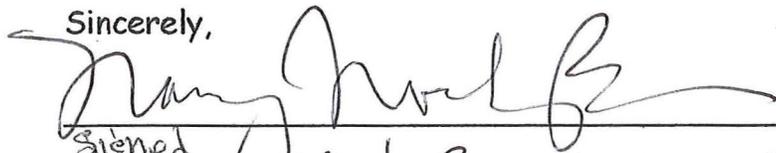
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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



signed
Nancy Noah-Bear 868 Peralta Ave. SF 94110

Print name/ address

email: nancy nb 22@gmail.com phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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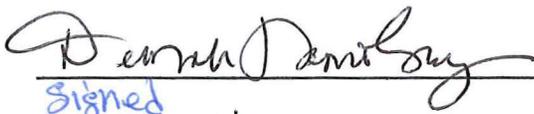
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Sincerely,



Signed

Deborah Hamolsky 354 Moultrie St SF 94110

Print name/address

email: debhamolsky@gmail.com phone (optional) _____

(Date) 8:29, 2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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Sincerely,


signed

Elizabeth Fallis 327 Mission St.
print name/address

email: _____ phone (optional) _____

(Date) Aug. 20, 2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Sincerely,

Albert Long ALBERT LACUNZA
237 ELLSWORTH ST. SAN FRAN. CA. 94110

email: _____ phone (optional) (628) 224-2695

(Date) 8.20.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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Sincerely,

Rachel McDonald

115B Andover St SF CA 94110

email: rachelmcdonald phone (optional) 415-871-4107
@mac.com

(Date) 8.20.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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Sincerely,

Samantha Zuvella

426 Utah St, San Francisco, CA 94110

email: Samantha-zuvella@ phone (optional) (415) 424-6665
yahoo.com

(Date) 8.20.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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Sincerely,

Theresa Mera Casey
15 Crescent Ave, S.F.

email: caseyfamily@justice.com phone (optional) _____

(Date) 8.20.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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Sincerely,

Peggy Mathews

161 Bonview St. SF

email: mathewspeggy66@gmail.com phone (optional) _____

(Date) 8.20.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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Sincerely,

Jeannette Bonifas
252 Andover St. Jeannette Bonifas
email: bonifasj@gmail.com phone (optional) _____

(Date) 8.20.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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Sincerely,

Neil Romanovsky

Neil Romanovsky 161 Bonview St
SF CA 94110

email: neil.romanovsky@att.net phone (optional) _____

(Date) 8.20.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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Sincerely,

MARK BARTLETT

311 MULLIN AVE

email: markabartlett@comcast.net phone (optional) _____

(Date) Aug. 20, 2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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Sincerely,

Catherine Lovazzano

209 Nevada St SF 94119

email: catherinehoward phone (optional) _____
@mac.cdu

(Date) Aug. 22, 2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Sincerely,

P. Peralta

121 Peralta

email: 11ESN50@comcast.net phone (optional) _____

(Date) August 21, 2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Sincerely,



Sharon Trahan
120 Banks St, SF CA 94110

email: Sheherzed@Gmail.com phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Sincerely,



S15N

Heather Findlay



245 Bonview St SF CA

print name/address

email: heatherannfindlay@gmail.com phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Sincerely,

Sandra D Barra
Signed Sandra Barra 18 Nebraska, SF, CA
Print name/ address
email: _____ phone (optional) _____ 9'

(Date) Aug. 21, 2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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Sincerely,

Beth Penzance

80 Bronte St. SF 94110

email: artcrazy@artfools.com phone (optional) _____

(Date) August 22, 2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Report (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

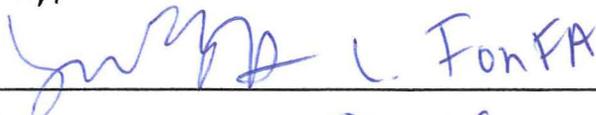
Heavy equipment would be travelling over this line. The whole area is on steep, shifting, and erosion prone terrain. We believe that public safety will be threatened, if the project goes ahead without proper review.

We agree with the assessment by a prominent Geo-Technical Engineer and Risk Management expert:

"In my opinion, the (San Francisco Planning Department) analyses are inadequate, incomplete, and fall short of a rigorous evaluation of pipeline integrity and assurance of public safety given the potential harm as a result of rupture and ignition of natural gas from this transmission pipeline."

Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



278 Nevada St SF 94110

email: _____ phone (optional) _____

(Date) Aug. 20, 2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Report (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

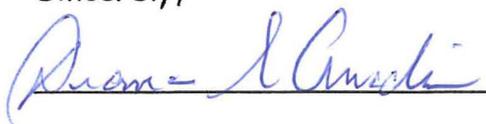
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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

 DIANA S. AMODIA

390 CHAPMAN ST SF CA

email: dsamodiamd@yahoo.com phone (optional) _____

(Date) 08-26-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Griffin Kettle
griffin.kettle@gmail.com 210 Crescent Ave

email: griffin.kettle@gmail.com phone (optional) _____

(Date) 08/30/2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



Sign

3574 Folsom St., San Francisco, CA

Print/address

email: nf2332@columbia.edu phone (optional) _____

(Date) 8-23-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

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"In my opinion, the (San Francisco Planning Department) analyses are inadequate, incomplete, and fall short of a rigorous evaluation of pipeline integrity and assurance of public safety given the potential harm as a result of rupture and ignition of natural gas from this transmission pipeline."

Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



Signed

Claudia Moutray 126 Ripley St. SF, CA 94110
Print name address

email: cmoutray@hotmail.com phone (optional) 303-884-7750

(Date) 8-22-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



Signed

Erica Venegas 500 Eugenia Ave, SF 94110

Print name/address

email: elewis888@yahoo.com phone (optional) _____

(Date) 8-25-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

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We agree with the assessment by a prominent Geo-Technical Engineer and Risk Management expert:

"In my opinion, the (San Francisco Planning Department) analyses are inadequate, incomplete, and fall short of a rigorous evaluation of pipeline integrity and assurance of public safety given the potential harm as a result of rupture and ignition of natural gas from this transmission pipeline."

Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



Signed

CARZO DE LISI
Print name (address)

146 PROSPECT AVE

email: _____ phone (optional) _____

(Date) 8-27-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

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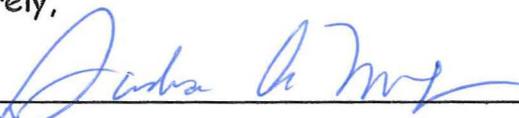
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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



Signed

SANDRA MAY 28 MULLEN

Print name/address

email: _____ phone (optional) _____

(Date) 8-24-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

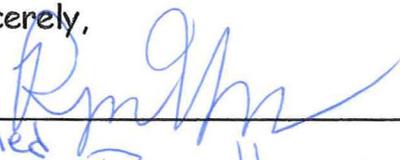
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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



signed

Ryan Hayes

print name/address

170 Andover St.

email:

frayhayes@yahoo.com

phone (optional) _____

(Date) 8-26-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Moses A. Ramirez
signed
227 Bradford St.
Print name/address

email: _____ phone (optional) _____

(Date) 8-25-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

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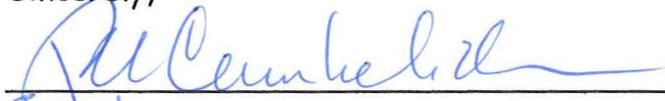
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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



Signed

Patricia Cumbelich, 28 Mullen Ave.

Print name/address

email: pk-cumbelich@yahoo.com phone (optional) _____

(Date) 8-27-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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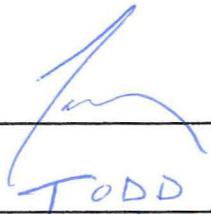
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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



Signed

TODD MANLEY 32 WOOD 94110

Print name/address

email: _____ phone (optional) _____

(Date) 8-24-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

sign William Hackensm

print name/address: William Hackensm 24 Elsworth St. SF, CA 94110

email: _____ phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Mary R. Moelli
signed

Mary R Moelli 425 Gates St
Print name / address

email: _____ phone (optional) _____

(Date) 8-24-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

R. MAX GAVRILICH

sign 

print name/address ~~3516~~ 229 MONTCALM ST

email: MAXXGAVRILICH@GMAIL.COM phone (optional) _____

(Date) 8-24-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

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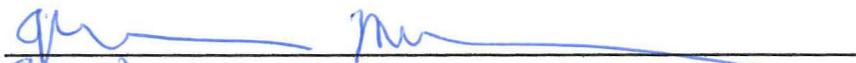
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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,


signed _____

Print name / address

email: gfamilanesi@gmail phone (optional) _____

(Date) 8-25-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

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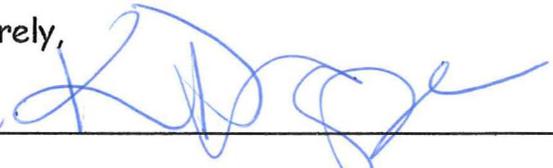
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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

sign 

print name/address KIMBERLY DRAPER 1650 FOLSOM ST

email: _____ phone (optional) _____

(Date) 8-27-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

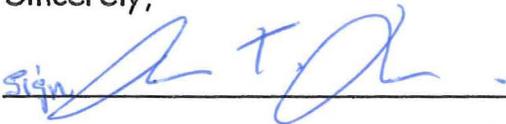
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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Sign 

print name/address Michael Morla 76 Cortland Ave, SF CA

74110

email: _____ phone (optional) _____

(Date) 8-26-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

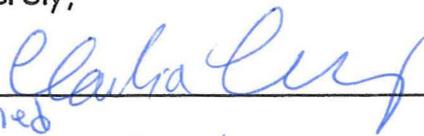
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"In my opinion, the (San Francisco Planning Department) analyses are inadequate, incomplete, and fall short of a rigorous evaluation of pipeline integrity and assurance of public safety given the potential harm as a result of rupture and ignition of natural gas from this transmission pipeline."

Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



signed

Claudia Leung, 282 Coleridge St. SF 94110

(Print name/address)

email: _____ phone (optional) _____

(Date) 8/30/2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

Heavy equipment would be travelling over this line. The whole area is on steep, shifting, and erosion prone terrain. We believe that public safety will be threatened, if the project goes ahead without proper review.

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"In my opinion, the (San Francisco Planning Department) analyses are inadequate, incomplete, and fall short of a rigorous evaluation of pipeline integrity and assurance of public safety given the potential harm as a result of rupture and ignition of natural gas from this transmission pipeline."

Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Kijafa Idalich, 3560 Folsom St. - SF 94110
Abijah Crabtree

email: kijafa@gmail.com phone (optional) _____

Abijah.c@gmail.com
2473

(Date) 8/17/17

San Francisco Board of Supervisors
City Hall
San Francisco, CA 94102
Dear Honorable Members of the Board

Re: Appeal of CEQA Categorical Exemption (“CatEx”) Determination for Planning Case No. 2013.1383E

We request a complete, open, coordinated and transparent environmental impact review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

- Our neighborhood is negatively impacted by this project. It threatens public safety as it is located adjacent to an aging 26-inch major gas transmission line 109. Line depth has never been determined. Line 109 is similar to one that blew up in the San Bruno disaster this past decade.
- If approved, heavy earth moving equipment will be travelling over this line for many months. In recent years a cement truck overturned on a nearby street. The area of Upper Folsom is one of the steepest in the City. We fear for public safety in this area.
- Parking impact and traffic will be similarly negatively affected. No new on-street parking is proposed; two garages and driveways currently in use will be rendered un-useable; residents will be unable to park cars needed for work and transportation. Traffic congestion at the corner of Folsom & Chapman, already difficult, will become unmanageable. The proposed project is a “gateway” for four (4) other sites on the property to be developed. When this occurs the project now becomes a six (6) unit “mini-sub-division”. The environmental problems will surely, only, get worse.

Thank you, for considering our concerns for opposing the “CatEx” for this project, and, instead determining the need for an EIR.

Sincerely,

Achi Yaffe 
55 GATES ST
SF, CA 94110

email: yaffe.achi@gmail.com phone (optional) 323-350-5084

(Date) 8/28/17

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

Heavy equipment would be travelling over this line. The whole area is on steep, shifting, and erosion prone terrain. We believe that public safety will be threatened, if the project goes ahead without proper review.

We agree with the assessment by a prominent Geo-Technical Engineer and Risk Management expert:

"In my opinion, the (San Francisco Planning Department) analyses are inadequate, incomplete, and fall short of a rigorous evaluation of pipeline integrity and assurance of public safety given the potential harm as a result of rupture and ignition of natural gas from this transmission pipeline."

Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Valerie Rhodes

173 A Highland Ave 94110

email: Valrhods49@gmail.com phone (optional) _____

(Date) 5-28-2011

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Noria Mahell

147 Highland ave S.F. Ca. 94110

email: _____ phone (optional) _____

(Date) 8-28-17

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Michael Gibson Pres

Holly Courts Resident Council President

email: MSgibson160@gmail.com phone (optional) 415-424-1277

(Date) 8/17/17

San Francisco Board of Supervisors
City Hall
San Francisco, CA 94102
Dear Honorable Members of the Board

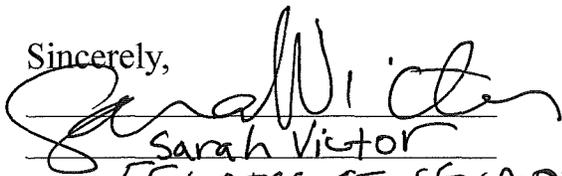
Re: Appeal of CEQA Categorical Exemption (“CatEx”) Determination for Planning Case No. 2013.1383E

We request a complete, open, coordinated and transparent environmental impact review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

- Our neighborhood is negatively impacted by this project. It threatens public safety as it is located adjacent to an aging 26-inch major gas transmission line 109. Line depth has never been determined. Line 109 is similar to one that blew up in the San Bruno disaster this past decade.
- If approved, heavy earth moving equipment will be travelling over this line for many months. In recent years a cement truck overturned on a nearby street. The area of Upper Folsom is one of the steepest in the City. We fear for public safety in this area.
- Parking impact and traffic will be similarly negatively affected. No new on-street parking is proposed; two garages and driveways currently in use will be rendered un-useable; residents will be unable to park cars needed for work and transportation. Traffic congestion at the corner of Folsom & Chapman, already difficult, will become unmanageable. The proposed project is a “gateway” for four (4) other sites on the property to be developed. When this occurs the project now becomes a six (6) unit “mini-sub-division”. The environmental problems will surely, only, get worse.

Thank you, for considering our concerns for opposing the “CatEx” for this project, and, instead determining the need for an EIR.

Sincerely,


Sarah Victor

55 GATES ST SF CA 94116

email: sarahvictor@hotmail.com phone (optional) 213-392-2525

(Date) Aug. 29 2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Seneca Belmont

Signed

Seneca 1301 Cornell Ave
Print Name/ address

email: _____ phone (optional) _____

(Date) 8/30/2017

San Francisco Board of Supervisors
City Hall
San Francisco, CA 94102
Dear Honorable Members of the Board

Re: Appeal of CEQA Categorical Exemption (“CatEx”) Determination for Planning Case No. 2013.1383E

We request a complete, open, coordinated and transparent environmental impact review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

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Thank you, for considering our concerns for opposing the “CatEx” for this project, and, instead determining the need for an EIR.

Sincerely,

Manuel Viotti
Manuel Viotti

email: viottimmanuel@gmail.com phone (optional) _____
2018 Cheney St San Francisco, CA

(Date) 8-30-17

San Francisco Board of Supervisors
City Hall
San Francisco, CA 94102
Dear Honorable Members of the Board

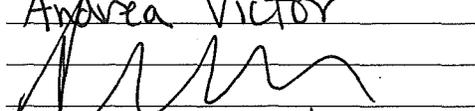
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Thank you, for considering our concerns for opposing the “CatEx” for this project, and, instead determining the need for an EIR.

Sincerely,

Andrea Victor


email: andrea.victor@gmail.com phone (optional) 646 752 2344
298 Chenery St.

(Date) 8/28/2017

San Francisco Board of Supervisors
City Hall
San Francisco, CA 94102
Dear Honorable Members of the Board

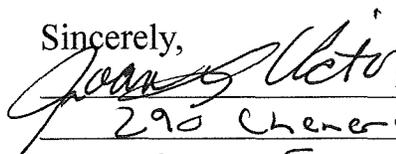
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Thank you, for considering our concerns for opposing the “CatEx” for this project, and, instead determining the need for an EIR.

Sincerely,


Joan Victor
290 Cheney St
San Francisco, CA

email: pjvictor@nyc.rr.com

phone (optional) 646-541-1971

(Date) Aug. 29, 2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

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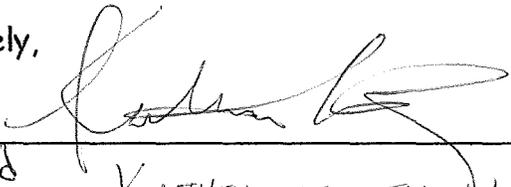
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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,


Signed _____

KATHERINE ZHAO, 2517 LINDENWOOD PR. WEXFORD, PA
Print name/ address L3090

email: _____ phone (optional) _____

(Date) 8/28/17

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Sincerely,

John H. McCabe

email: 65dart@gmail.com phone (optional) _____

(Date) 8/28/2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Irma Bajak
[Signature]

email: irmabajak@gmail.com phone (optional) _____

(Date) 08-28-17

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

CHARLIE ALVARADO

~~(708) 85~~ PATTON

email: NA phone (optional) NA

(Date) 8-28-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Gail Love

142 Appleton Ave. S.F. 94118

email: _____

phone (optional) _____

415 872 9491

(Date) 8 28 17

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

LaRhonda Groves

~~LaRhonda~~ 27 Patton

email: 415 826 0646 phone (optional) _____

(Date) 8-23-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

sign Evan Dorsky

print name address Evan Dorsky 3565 Mission St. Apt C SF 94110

email: _____ phone (optional) _____

(Date) _____

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

 Peter Fendler

Print name/address 204 Nevada St SF CA 94110

email: filrhwillk@pliesr.com phone (optional) _____

(Date) 8-23-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

sign Cynthia Eagleton

print name/address Cynthia Eagleton 1160 Brussels St SF CA 94134

email: _____ phone (optional) _____

(Date) 8-24-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Signature: [Handwritten Signature]

print name/address San Carpenter san.carpenter@legis.ca.gov

email: _____ phone (optional) _____

(Date) 8-23-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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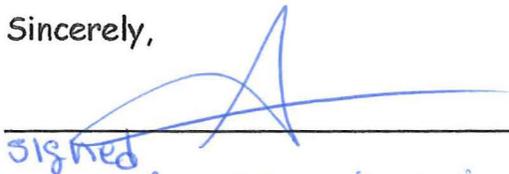
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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



Signed

Audrey Daniel 372 Highland SF CA 94110

Print name/address

email: _____ phone (optional) _____

(Date) 8-24-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

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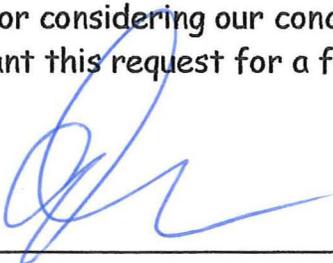
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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



sign

print name/address Edwin Olsson 70 Cambon dr SF
94132

email: _____ phone (optional) _____

(Date) 08-26-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



598 Missouri St

email: Pamhochman@ phone (optional) _____
gmail.com

(Date) 08.26.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Sincerely,

Connie Kong 2250 24th St., San Francisco



email: ccykc88@gmail.com phone (optional) _____

(Date) 8-23-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

Heavy equipment would be travelling over this line. The whole area is on steep, shifting, and erosion prone terrain. We believe that public safety will be threatened, if the project goes ahead without proper review.

We agree with the assessment by a prominent Geo-Technical Engineer and Risk Management expert:

"In my opinion, the (San Francisco Planning Department) analyses are inadequate, incomplete, and fall short of a rigorous evaluation of pipeline integrity and assurance of public safety given the potential harm as a result of rupture and ignition of natural gas from this transmission pipeline."

Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Jerry L. Cooper
signed

JERRY COOPER 419 MURRAY ST
Print name/ address

email: jerry@swirloncastro.com phone (optional) _____

(Date) 8-24-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

C VonLauf
signed

CHRIS VONLAUFEN 419 MURRAY ST
Print name/address

email: CHRIS@ALPHAENGINEERING.COM phone (optional) _____

(Date) 8-26-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

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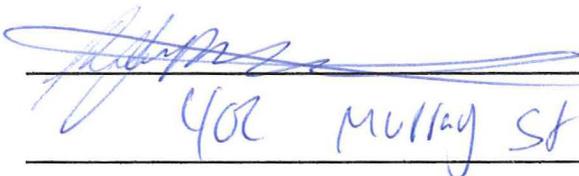
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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



402 Mullay St, SF

email: Ryan Delosada@gmail.com phone (optional) 503-314-3685

(Date) 8-25-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



Print Name/Address Megan Beckley 1402 Murray Street, San Francisco
CA 94110

email: megkbe@gmail.com phone (optional) _____

(Date) 8-24-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Patricia A. Majavi
Signed
Patricia A. Majavi, 319 Park St, SF 94110
Print name/address

email: _____ phone (optional) _____

(Date) 8-24-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,


signed

JEREMY SOLTURBECK 412 FRANCONIA
Print name/address

email: jsolturbeck@gmail.com phone (optional) 415.577.4836

(Date) 8-25-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



Signed

DOROTHY DOWSON 6 JOY ST SF, CA 94110
Print name/address

email: _____ phone (optional) _____

(Date) 8-22-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



Signed

D.C. Lucas 474 Day St. SF CA 94131

Print name/address

email: _____ phone (optional) _____

(Date) 8-24-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Lisa Kellman
Signed
Lisa Kellman 474 Day St SF CA 94131
Print name/address

email: _____ phone (optional) _____

(Date) 8.20.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Report (EIR) for the proposed project at 3516 and 3526 Folsom Street.

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Maureen Gonzalez
74 Arnold Ave SF 94110

email: maureen51846@gmail phone (optional) 415-641-4490

(Date) 8-23-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

signature Eliot M. Rawson

Print name Eliot M. Rawson Address 259 BRADFORD ST

email: eliot.m.rawson@sf.gov phone (optional) _____

(Date) 8-27-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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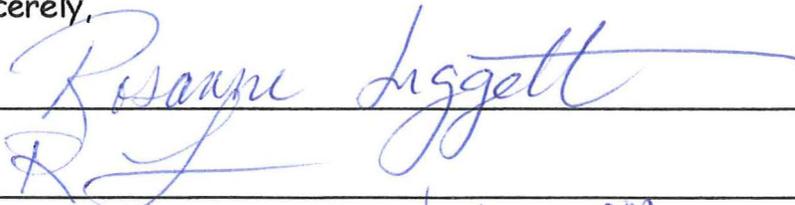
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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



R L

email: rosanneadana@hotmail.com phone (optional) _____

(Date) 8-27-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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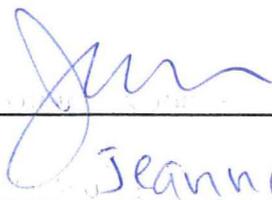
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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



Jeanne Penn, 40 Porter St, SF, CA 94110

email: _____ phone (optional) _____

(Date) 8-26-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Report (EIR) for the proposed project at 3516 and 3526 Folsom Street.

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Mary Ellen Casey

MARY ELLEN CASEY

email: BERNALMEME@GMAIL.COM phone (optional) _____

(Date) 08-26-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



Gordie C. Loveman 4471 Mission St #3 SF 94112

email: Gordie@folsomcity.com phone (optional) _____

(Date) 8-21-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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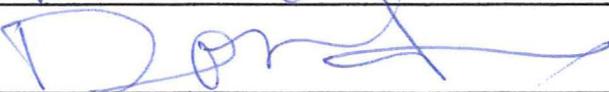
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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Dominica Kriz


email: vesela@sonic.net phone (optional) _____

(Date) 8-25-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

DAVID CASTRO

1063 FOLSOM ST SF 94134

email: _____ phone (optional) 555-8799

(Date) 8-24-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Maria Peralta

email: mariale999@gmail.com phone (optional) 415 629 6372

(Date) 8-23-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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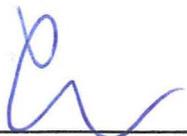
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Sincerely,



CHRIS ROLLETTA

email: CHRIS.ROLLETTA@GMAIL.COM phone (optional) _____

(Date) 08/24/17

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Heidy Gomez

148 Silliman St. 94134 San Francisco.

email: _____ phone (optional) _____

(Date) 08/02/17

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Daili Hernández

7 Tucker Ave San Francisco Ca.

email: _____ phone (optional) _____

(Date) 8-26-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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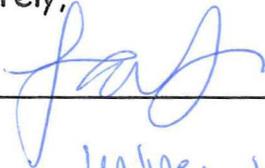
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Sincerely,



Wlye Wgo

email: § phone (optional) _____

(Date) 8-26-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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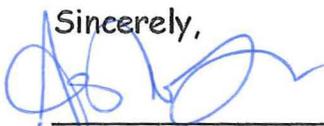
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"In my opinion, the (San Francisco Planning Department) analyses are inadequate, incomplete, and fall short of a rigorous evaluation of pipeline integrity and assurance of public safety given the potential harm as a result of rupture and ignition of natural gas from this transmission pipeline."

Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



ASHA DAVIS 2800 BUS HST SFCAL 94115

email: _____ phone (optional) _____

(Date) 8-26-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Steve Namara

Steve Namara, 1932 16th Ave St, CA 94116

email: _____ phone (optional) _____

(Date) 08-26-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



Dane Springmeyer 319 Highland Ave, SF

email: _____ phone (optional) _____

(Date) 08-26-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



Alex Paredes 319 Highland Ave, SF 94110

email: _____ phone (optional) _____

(Date) 08-26-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

VALERIO PAOLUCCI



4964 mission st.

email: _____ phone (optional) _____

(Date) 08-26-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Enkhjagd
5900 3rd Str, 94124 CA

email: a.enkhjad@yahoo.com phone (optional) _____

(Date) 08-26-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Martin Wittmann

480 Mission Bay Blvd North #316

email: martin.wittmann@gmail.com phone (optional) _____

(Date) 08-26-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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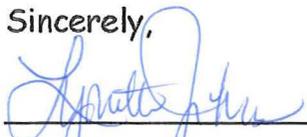
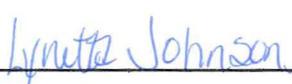
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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

108 Jewell Ave SF

email: _____ phone (optional) _____

(Date) 08-26-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

ALI AL-SHABIBI



302 SANCISCO ST

email: _____ phone (optional) _____

(Date) Aug. 31, 2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Report (EIR) for the proposed project at 3516 and 3526 Folsom Street.

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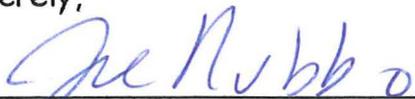
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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



Joe Rubbo

email: jm rubbo @ hotmail . com phone (optional) _____

(Date) Aug. 20, 2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Report (EIR) for the proposed project at 3516 and 3526 Folsom Street.

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Frank B. Harris

3 Macedonia St

email: frankbh@gmail.com phone (optional) _____

(Date) Aug. 23, 2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Report (EIR) for the proposed project at 3516 and 3526 Folsom Street.

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

CHARLOTTE A WILLIAMS

Charlotte Williams

email: COACHCHARLOTTE@GMAIL.COM phone (optional) _____

(Date) 8, 20, 2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Report (EIR) for the proposed project at 3516 and 3526 Folsom Street.

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



email: deenapartera@yahoo.com phone (optional) _____

Aug. 20.
2017
(Date) _____

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Linda K. Morgan

1882 Church St. 94131

email: _____ phone (optional) 415 867 - 4617

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



email: scottsyakel@gmail.com phone (optional) _____

(Date) 8, 20, 2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



email: pererafalcon@yahoo.com phone (optional) _____

(Date) Aug. 20 - 2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

VERNON REED

Vernon Reed

email: vernonreed3@hotmail phone (optional) _____

(Date) 8/20/2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Mary L. Kecsmer

230 Murray St SF 94112

email: _____ phone (optional) _____

(Date) 8-20-17

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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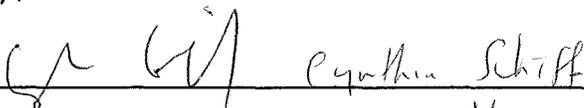
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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



3232 26th St SF 94110

email: _____ phone (optional) _____

(Date) 8.20.17

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

EDRIC ALUMAN



email: ALZNRREMOTE@Yahoo.com phone (optional) _____

(Date) 8.20.17

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



Chris O'KEEFE

email: christopherochs82@gmail.com phone (optional) _____

(Date) 8.20.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



email: muggsman2@icboddal.com phone (optional) _____

(Date) 8.20.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Devon Warner
[Signature]

AST 16th Ave SF CA 94118

email: devon.warner@cityofsf.org phone (optional) _____

(Date) 8.20.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Sincerely,

Jo Ann Ogden

325 Bocana St.

email: ogdenjo@yahoo.com phone (optional) _____

(Date) 8.20.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Report (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

Heavy equipment would be travelling over this line. The whole area is on steep, shifting, and erosion prone terrain. We believe that public safety will be threatened, if the project goes ahead without proper review.

We agree with the assessment by a prominent Geo-Technical Engineer and Risk Management expert:

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

LUCIANA PADILLA

56 ROSCOE ST.

email: _____ phone (optional) 415 - 641 5062

(Date) Aug. 20, 2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Aaron Watson

email: aaron.watson@gmail.com phone (optional) _____

(Date) 8-27-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Spadarella, Anthony

32 Nebraska St

email: Spadarella@me.com phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



Signed
Mateo Pablosolomon

Print name / address

email: _____ phone (optional) _____

599 MARKET ST
SF 94110 2546

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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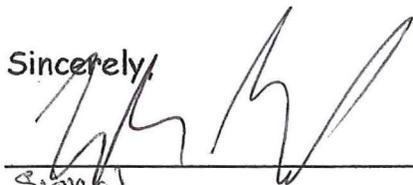
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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



Signed

Zack Goldberg, POB

184 Holladay Ave

Print name / address

email: _____ phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Robert A. Hoffman

signed

Robert A Hoffman

Print name/address

email: 321 Holly Park phone (optional) _____

(Date) 8.29-2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



signed
Ofelia Rosas 135 Santa Marina St.
print name/address

email: _____ phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Marie-Pierre C. De Francesco
Sign

Marie-Pierre De Francesco
print name address

email: 451 Holly Park Circle phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Claudia Elizabeth Pineda Mendez

Sign

1 Polk street.

Print name / address

email: _____ phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Gwen Sidley
sign
Gwen Sidley 157 Crescent Ave
Print name/ address

email: _____ phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



Sign

Kathleen Molnar
Print name/address

154 Valley St SF CA 94131

email: _____ phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Leslie H Kramer

Signed Leslie H Kramer

792 Rolph St.
SF 94112

Print name/ address

email: _____ phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



Signed

Nellie Knox

184 Holladay Ave

Print name/address

email: _____ phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

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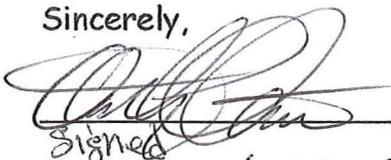
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Sincerely,



Signed

ANTHONY CRISANTO 375 CRESCENT AVE
Print name/ address

email: _____ phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Sincerely,

Isaiah Laviene

Signed

Isaiah Laviene 442 Velasco ave

Print Name/ address

email: _____ phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



Sign

Judith A Blankman

329 Richland Ave SF 94110

Print name Address

email: _____ phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

T. Dellone

Sign

Tiffany Dellone 610 Bacon SF CA 94134

Print name/address

email: tdellone@gmail.

phone (optional) o

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Sincerely,



sign

MYRNA DIAZ, 700 Crescent Ave, St 94110

Print name/address

email: _____ phone (optional) _____

(Date) 8.29.17

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Suzanne Fry
104 Banks Suzanne Fry

email: _____ phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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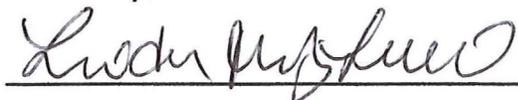
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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



1357 QUESADA AVE, SF CA 94124

email: linda.mayfield@gmail.com phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

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Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Maya Bonner

email: mayanoodte213@gmail.com phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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Sincerely,

R. Brian Rink

email: brian_rink@hotmail.com phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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Sincerely,



Ellen Shaylor

email: elshaylor@gmail.com phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

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RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

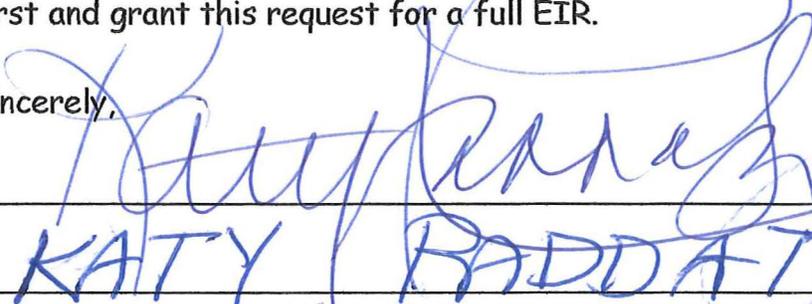
Heavy equipment would be travelling over this line. The whole area is on steep, shifting, and erosion prone terrain. We believe that public safety will be threatened, if the project goes ahead without proper review.

We agree with the assessment by a prominent Geo-Technical Engineer and Risk Management expert:

"In my opinion, the (San Francisco Planning Department) analyses are inadequate, incomplete, and fall short of a rigorous evaluation of pipeline integrity and assurance of public safety given the potential harm as a result of rupture and ignition of natural gas from this transmission pipeline."

Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



KATY RADDATZ

email: katyraddatz@comcast.net phone (optional) 415.706.6703

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

Heavy equipment would be travelling over this line. The whole area is on steep, shifting, and erosion prone terrain. We believe that public safety will be threatened, if the project goes ahead without proper review.

We agree with the assessment by a prominent Geo-Technical Engineer and Risk Management expert:

"In my opinion, the (San Francisco Planning Department) analyses are inadequate, incomplete, and fall short of a rigorous evaluation of pipeline integrity and assurance of public safety given the potential harm as a result of rupture and ignition of natural gas from this transmission pipeline."

Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



email: _____ phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

Heavy equipment would be travelling over this line. The whole area is on steep, shifting, and erosion prone terrain. We believe that public safety will be threatened, if the project goes ahead without proper review.

We agree with the assessment by a prominent Geo-Technical Engineer and Risk Management expert:

"In my opinion, the (San Francisco Planning Department) analyses are inadequate, incomplete, and fall short of a rigorous evaluation of pipeline integrity and assurance of public safety given the potential harm as a result of rupture and ignition of natural gas from this transmission pipeline."

Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Darin Chuck

email: daran_chuck@yahoo.com phone (optional) 415-990-5492

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

Heavy equipment would be travelling over this line. The whole area is on steep, shifting, and erosion prone terrain. We believe that public safety will be threatened, if the project goes ahead without proper review.

We agree with the assessment by a prominent Geo-Technical Engineer and Risk Management expert:

"In my opinion, the (San Francisco Planning Department) analyses are inadequate, incomplete, and fall short of a rigorous evaluation of pipeline integrity and assurance of public safety given the potential harm as a result of rupture and ignition of natural gas from this transmission pipeline."

Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



email: timothadrake@gmail.com phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Report (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

Heavy equipment would be travelling over this line. The whole area is on steep, shifting, and erosion prone terrain. We believe that public safety will be threatened, if the project goes ahead without proper review.

We agree with the assessment by a prominent Geo-Technical Engineer and Risk Management expert:

"In my opinion, the (San Francisco Planning Department) analyses are inadequate, incomplete, and fall short of a rigorous evaluation of pipeline integrity and assurance of public safety given the potential harm as a result of rupture and ignition of natural gas from this transmission pipeline."

Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



Marie Drennan 319 ~~Banks~~ ^{Banks} St.

print name address

email: marie.drennan@ymail.com phone (optional) _____

(Date) 8.29.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

Heavy equipment would be travelling over this line. The whole area is on steep, shifting, and erosion prone terrain. We believe that public safety will be threatened, if the project goes ahead without proper review.

We agree with the assessment by a prominent Geo-Technical Engineer and Risk Management expert:

"In my opinion, the (San Francisco Planning Department) analyses are inadequate, incomplete, and fall short of a rigorous evaluation of pipeline integrity and assurance of public safety given the potential harm as a result of rupture and ignition of natural gas from this transmission pipeline."

Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,

Signed ALAN G. ... 580 ELLSWORTH ST

Print name/ address

email: _____ phone (optional) _____

(Date) 8.20.2017

San Francisco Board of Supervisors
City Hall
San Francisco CA 94132

Dear Honorable Members of the Board,

RE: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

We request a complete, open, and transparent Environmental Impact Report (EIR) for the proposed project at 3516 and 3526 Folsom Street.

The neighborhood surrounding this project will be negatively impacted. The project is located adjacent to an aging 26-inch major gas transmission line. Line depth has never been determined. Transmission Line 109 is similar to the line that blew up in the San Bruno disaster in the past decade.

Heavy equipment would be travelling over this line. The whole area is on steep, shifting, and erosion prone terrain. We believe that public safety will be threatened, if the project goes ahead without proper review.

We agree with the assessment by a prominent Geo-Technical Engineer and Risk Management expert:

"In my opinion, the (San Francisco Planning Department) analyses are inadequate, incomplete, and fall short of a rigorous evaluation of pipeline integrity and assurance of public safety given the potential harm as a result of rupture and ignition of natural gas from this transmission pipeline."

Thank you, for considering our concerns. We hope that you will put public safety first and grant this request for a full EIR.

Sincerely,



276 Nevada St. San Francisco, CA 94110

email: dexag@atlanticbb.net phone (optional) _____

From: Board of Supervisors, (BOS)
To: BOS-Supervisors
Subject: FW: File 170851

BOS - W, C pages
File No. 170851

From: Ramon Romero [mailto:Ramon49r@aol.com]
Sent: Thursday, September 07, 2017 2:38 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Cc: Ronen, Hillary <hillary.ronen@sfgov.org>
Subject: File 170851

RAMON E. ROMERO
66 Banks Street
San Francisco, CA 94110

September 7, 2016

President London Breed & Members of the Board of Supervisors
c/o Angela Calvillo, Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City, Hall, Room 244
San Francisco, CA 94102

RE: Appeal of CEQA Mitigated Negative Declaration
Planning Case No. 2013.12.16.4318 and 2-13.12.16.4322
Building Permit Application Nos. 2013.12.16.4318 and 2-13.12.16.4322
3516-3526 Folsom Street

Dear President Breed and Members of the Board of Supervisors,

I am the resident and homeowner of 66 Banks Street located near the above-referenced lots. I have resided at that address since May of 1994. I am also the owner of the vacant lot (Lot29) located directly behind my home and directly across from the lot designated as 3516 Folsom. I am writing to comment on the matters before you.

President Breed may recall that I served with her on the San Francisco Redevelopment Commission which, of course, dealt extensively with real estate development projects both for residential and commercial purposes. I was appointed to the Redevelopment Commission in 1998 by Mayor Willie L. Brown, Jr. and reappointed by him in 2001. I was subsequently reappointed to the Commission in 2005 by Mayor Gavin Newsom. It was during my last appointment that I served on the Commission with President Breed. During my tenure, I was twice elected President of the Commission and had the honor of being the first Latino to serve in that capacity. My 11½ years of service on the Commission is described in detail in the resolution that was

adopted at the time of my resignation. See Item 4(b) of the Commission meeting minutes at this link: http://sfocii.org/sites/default/files/FileCenter/Documents/332-a_102009MINS.pdf

During 2015, I attended two meetings of the Bernal Heights East Slope Design Review Board at which Mr. Fabien Lannoye presented his and Mr. Fogarty's plans for development at the two sites in question. I found Mr. Lannoye to be congenial, cooperative, attentive, and understanding of the input provided by Bernal Heights residents who were in attendance. He presented his building plans in writing for everyone to review and answered questions directly and without equivocation. His behavior was professional and friendly at all times without exception. This was all true in the face of sometimes hostile, emotional, and irrational attacks from a couple of the individuals in attendance.

I should add that the development of the house that I reside in at 66 Banks, as well as the two houses next to mine, met hostile resistance from the neighbors when the homebuilder went through the planning process in the early-1990's. My house and the two next to me were built on the same hillside field where Mr. Lannoye and Mr. Fogarty seek to build. Similarly, the developer, Mr. Aldo Stemberga, was required to build a street in order to build the houses he eventually completed. Even though I was totally unaware and uninvolved in Mr. Stemberga's development, I was met with hostility from some of the neighbors simply because I purchased and moved into my house. I was shocked to see that kind of a reaction from otherwise rational San Franciscans who live in a dense urban environment and should accept the fact that privately owned, vacant, buildable lots will ultimately be developed as our city grows.

The appellants' objection concerning the gas pipeline is nothing more than a scare tactic. There is no gas leak in the pipeline on the slope in question. After careful study and review it has been determined that it is a stable pipeline. Its location is clearly marked by a PG&E post stating that there is a pipeline below. Is this the only underground gas pipeline in San Francisco? Of course not and streets and houses have been constructed all over the city without blowing up the surrounding neighborhoods. Leaflets were passed out throughout our neighborhood warning that we were in the "blast zone." My house is among the closest to the pipeline in question. I refuse to be swayed by such terroristic tactics and the Board should not be either.

I moved into my house in 1994 and purchased the lot directly behind my house in 1997. My desire was to keep open space behind me for as long as I could. I have succeeded in doing so for more than 20 years. However, I knew that because I did not buy all six lots behind my house that there might be development of the other five lots someday. These six lots sit on an attractive grassy hillside and it is understandable that residents in the area would want to keep it that way. I enhanced the beauty of my lot by planting a succulent garden. I intend to continue that use of my lot for the foreseeable future. The people who oppose this development want to keep all of these lots as open space, i.e., like a *de-facto* extension of Bernal Hill Park. Unfortunately, they do not have the right to do so and have conjured up any argument that they can think of to maintain this open space.

It is my understanding that Mr. Lannoye has cooperated with Planning Agency staff and Department of Public Works staff in advancing his development plans. In particular, he has expressed to me his willingness to mitigate as much as possible any potential adverse effect on the two houses that are located at the bottom of the extension of Folsom Street that he intends to construct.

All of the objections that have been stated by the appellants in previous Planning Commission meetings have been studied and dismissed by the Planning Commission.

It is inevitable that you reach the same conclusion that I have, i.e., that Mr. Lannoye and Mr. Fogarty have the right to build on their lots. These lots are zoned for the purpose that they intend. They have cooperated with Planning Department and Department of Public Works staff in planning the houses and the street. Most importantly, they have attempted to cooperate with the residents in good faith. San Franciscans who live in a

dense urban environment should accept the fact that privately owned, vacant, buildable lots will ultimately be developed as our city grows.

The Board should deny the instant appeals without further delay.

Very truly yours,

Ramon E. Romero

Sent from my iPhone

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors: Jalipa, Brent \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Subject: FW: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E
Date: Tuesday, September 05, 2017 5:39:51 PM

From: Jerry Schimmel [mailto:jschim40@sbcglobal.net]
Sent: Tuesday, September 05, 2017 3:07 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Appeal of CEQA Mitigated Negative Declaration for Planning Case No. 2013.1383E

September 5, 2017
Members of the Board of Supervisors
City Hall
San Francisco CA 94102

Re: Appeal of CEQA Mitigated Negative Declaration
for Planning Case No. 2013.1383E

Honorable Members:

I am writing in support of the neighbors on Folsom Street who will be affected by the construction proposal, the number of which is cited above. They are requesting a “complete, open and transparent Environmental Impact Report for the proposed project at 3516 and 3526 Folsom Street.”

I do not live at that site. I am about three blocks east, however the mentioned pipeline passes about twenty-five feet north of my house and continues east under the pavement of Bernal Heights Boulevard. I witnessed its installation some 35 odd years ago.

I was also here when the pipeline in San Bruno exploded and flattened more than 30 homes. Eight residents were killed in their homes when the explosion occurred and dozens were seriously injured.

From my standpoint the lack of knowledge about the depth of the line is a serious deficiency and begs for the openness requested by the Folsom Street neighbors.

For myself if the pipeline went off up here a minimum of four homes would be flattened. All are wood frame buildings which have no ability to withstand a detonation like the San Bruno incident.

I trust you will give the Folsom Street neighbors a fair hearing and that the process will work out for all concerned.

Jerry F. Schimmel
40 Prentiss Street
San Francisco CA 94110

cc. Hon. Hilary Ronen; Mr. Herbert Felsenfeld

August 28, 2017

File No. 170851
BUS-11, Craig

San Francisco Board of Supervisors
City Hall
San Francisco, CA 94102
Dear Honorable Members of the Board

Re: Appeal of CEQA Categorical Exemption ("CatEx") Determination for Planning Case No. 2013.1383E

We request a complete, open, coordinated and transparent environmental impact review (EIR) for the proposed project at 3516 and 3526 Folsom Street.

- Our neighborhood is negatively impacted by this project. It threatens public safety as it is located adjacent to an aging 26-inch major gas transmission line 109. Line depth has never been determined. Line 109 is similar to one that blew up in the San Bruno disaster this past decade.
- If approved, heavy earth moving equipment will be travelling over this line for many months. In recent years a cement truck overturned on a nearby street. The area of Upper Folsom is one of the steepest in the City. We fear for public safety in this area.
- Parking impact and traffic will be similarly negatively affected. No new on-street parking is proposed; two garages and driveways currently in use will be rendered un-useable; residents will be unable to park cars needed for work and transportation. Traffic congestion at the corner of Folsom & Chapman, already difficult, will become unmanageable. The proposed project is a "gateway" for four (4) other sites on the property to be developed. When this occurs the project now becomes a six (6) unit "mini-sub-division". The environmental problems will surely, only, get worse.

Thank you, for considering our concerns for opposing the "CatEx" for this project, and, instead determining the need for an EIR.

Sincerely,
Janet Moomaw and Karen K.C. Cohen
janetmoomaw@comcast.net

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco will hold a public hearing to consider the following appeal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: Tuesday, September 12, 2017

Time: 3:00 p.m.

Location: Legislative Chamber, City Hall, Room 250
1 Dr. Carlton B. Goodlett, Place, San Francisco, CA

Subject: **File No. 170851.** Hearing of persons interested in or objecting to the adoption of a Mitigated Negative Declaration under the California Environmental Quality Act for a proposed project at 3516 and 3526 Folsom Street, Assessor's Parcel Block No. 5626, Lot Nos. 013 and 014, identified in Planning Case No. 2013.1383ENV, adopted on June 15, 2017. (District 9) (Appellant: Ryan J. Patterson of Zacks Freedman & Patterson, PC, on behalf of Kathy Angus for Bernal Heights South Slope Organization, Marilyn Waterman and Sam Orr for Bernal Safe and Livable, Herbert Felsenfeld for Neighbors Against the Upper Folsom Street Extension, Gail Newman, and Ann Lockett.) (Filed July 17, 2017).

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments prior to the time the hearing begins. These comments will be made as part of the official public record in this matter and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA, 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information relating to this matter will be available for public review on Friday, September 8, 2017.


for Angela Calvillo
Clerk of the Board

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

July 27, 2017

File Nos. 170851-170854
Planning Case No. 2013.1383ENV

Received from the Board of Supervisors Clerk's Office one check, in the amount of Five Hundred Seventy Eight Dollars (\$578) representing the filing fee paid by Lawrence Nelson and Kathleen Angus, for the appeal of the California Environmental Quality Act (CEQA) Issuance of Mitigated Negative Declaration for the proposed project at 3516 and 3526 Folsom Street.

Planning Department
By:

Tony
Print Name

[Signature] 7/28/17
Signature and Date

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

PROOF OF MAILING

Legislative File No. 170851

Description of Items: Public Hearing Notices - Hearing - Appeal of Mitigated Negative Declaration - Proposed Project at 3516 and 3526 Folsom Street - 39 Notices Mailed

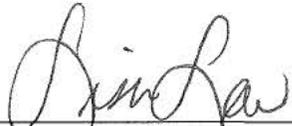
I, Lisa Lew, an employee of the City and County of San Francisco, mailed the above described document(s) by depositing the sealed items with the United States Postal Service (USPS) with the postage fully prepaid as follows:

Date: August 29, 2017

Time: 2:30 p.m.

USPS Location: Repro Pick-up Box in the Clerk of the Board's Office (Rm 244)

Mailbox/Mailslot Pick-Up Times (if applicable): N/A

Signature: 

Instructions: Upon completion, original must be filed in the above referenced file.

From: [BOS Legislation, \(BOS\)](#)
To: ryan@zfplaw.com; Fabien@novadesignsbuilds.com; fabien@bluorange.com
Cc: [Givner, Jon \(CAT\)](#); [Stacy, Kate \(CAT\)](#); [Byrne, Marlena \(CAT\)](#); [Rahaim, John \(CPC\)](#); [Sanchez, Scott \(CPC\)](#); [Gibson, Lisa \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Lynch, Laura \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Horner, Justin \(CPC\)](#); [Jonin, Jonas \(CPC\)](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Lew, Lisa \(BOS\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [BOS Legislation, \(BOS\)](#)
Subject: Appeal of CEQA Mitigated Negative Declaration - Proposed 3516-3526 Folsom Street - Appeal Hearing on September 12, 2017
Date: Thursday, July 27, 2017 10:30:09 AM
Attachments: [image001.png](#)

Good afternoon,

The Office of the Clerk of the Board has scheduled a hearing for Special Order before the Board of Supervisors on **September 12, 2017, at 3:00 p.m.** Please find linked below a letter of appeal filed against the proposed project at 3516-3526 Folsom Street, as well as direct links to the Planning Department's determination of timeliness for the appeal, and an informational letter from the Clerk of the Board.

[Mitigated Negative Declaration Appeal Letter - July 17, 2017](#)

[Planning Department Memo - July 24, 2017](#)

[Clerk of the Board Letter - July 25, 2017](#)

I invite you to review the entire matter on our [Legislative Research Center](#) by following the links below:

[Board of Supervisors File No. 170851](#)

Please note that the hearing date is swiftly approaching. Our office must notice this appeal hearing on Tuesday, November 29, 2016. If you have any special recipients for the hearing notice, kindly provide a list of addresses for interested parties to us in Excel spreadsheet format as soon as possible.

Thank you,

Brent Jalipa

Legislative Clerk

Board of Supervisors - Clerk's Office

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

(415) 554-7712 | Fax: (415) 554-5163

brent.jalipa@sfgov.org | www.sfbos.org



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

***Disclosures:** Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with*

the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

July 25, 2017

Ryan J. Patterson
Zacks, Freedman & Patterson
235 Montgomery Street, Suite 400
San Francisco, California 94104

**Subject: File No. 170851 - Appeal of California Environmental Quality Act (CEQA)
Adoption of Mitigated Negative Declaration - 3516 and 3526 Folsom
Street Project**

Dear Mr. Patterson:

The Office of the Clerk of the Board is in receipt of a memorandum dated July 24, 2017, from the Planning Department regarding their determination on the timely filing of appeal of the CEQA adoption of the Mitigated Negative Declaration for the proposed project at 3516 and 3526 Folsom Street.

The Planning Department has determined that the appeal was filed in a timely manner.

Pursuant to Administrative Code, Section 31.16, a hearing date has been scheduled for **Tuesday, September 12, 2017, at 3:00 p.m.**, at the Board of Supervisors meeting to be held in City Hall, 1 Dr. Carlton B. Goodlett Place, Legislative Chamber, Room 250, San Francisco, CA 94102.

Please provide to the Clerk's Office by noon:

20 days prior to the hearing: names and addresses of interested parties to be notified of the hearing, in spreadsheet format; and

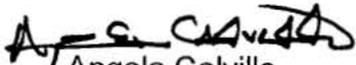
11 days prior to the hearing: any documentation which you may want available to the Board members prior to the hearing.

For the above, the Clerk's office requests one electronic file (sent to bos.legislation@sfgov.org) and two copies of the documentation for distribution.

NOTE: If electronic versions of the documentation are not available, please submit 18 hard copies of the materials to the Clerk's Office for distribution. If you are unable to make the deadlines prescribed above, it is your responsibility to ensure that all parties receive copies of the materials.

If you have any questions, please feel free to contact Legislative Clerks Brent Jalipa at (415) 554-7712, or Lisa Lew at (415) 554-7718.

Very truly yours,


Angela Calvillo
Clerk of the Board

- c: Fabien Lannoye, Project Sponsor, Blurange Designs
- Jon Givner, Deputy City Attorney
- Kate Stacy, Deputy City Attorney
- Marlena Byrne, Deputy City Attorney
- John Rahaim, Planning Director
- Scott Sanchez, Zoning Administrator, Planning Department
- Lisa Gibson, Environmental Review Officer, Planning Department
- Joy Navarrete, Environmental Planning, Planning Department
- Laura Lynch, Environmental Planning, Planning Department
- Aaron Starr, Manager of Legislative Affairs, Planning Department
- AnMarie Rodgers, Senior Policy Advisor, Planning Department
- Justin Horner, Staff Contact, Planning Department
- Jonas Ionin, Planning Commission Secretary, Planning Department



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: July 24, 2017

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: Lisa Gibson, Environmental Review Officer *LG*

RE: Appeal Timeliness Determination – 3516 and 3526 Folsom Street, Planning Department Case No. 2013.1383E

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

An appeal of the Final Mitigated Negative Declaration (Final MND) for the proposed project at 3516 and 3526 Folsom Street (Planning Department Case No. 2013.1383E) was filed with the Office of the Clerk of the Board of Supervisors on July 17, 2017 by Zacks, Freedman, and Patterson, on behalf of Bernal Heights South Slope Organization, Bernal Safe & Livable, Neighbors Against the Upper Folsom Street Extension, Gail Newman, and Ann Lockett (the Appellant). As explained below, the Planning Department finds the appeal to be timely filed.

Date of Approval Action	30 Days after Approval Action	Appeal Deadline (Must Be Day Clerk of Board's Office Is Open)	Date of Appeal Filing	Timely?
June 15, 2017	Saturday, July 15, 2017	Monday, July 17, 2017	July 17, 2017	Yes

Approval Action: On June 15, 2017, the Planning Commission held a Discretionary Review hearing on the proposed project. The Commission declined Discretionary Review, thereby approving the proposed project (Date of Approval Action).

Appeal Deadline: Section 31.16(a) and (d) of the San Francisco Administrative Code states that any person or entity that has filed an appeal of the Preliminary MND with the Planning Commission may appeal the adoption of the Final MND to the Board of Supervisors during the time period beginning with the Planning Commission approval of the Final MND and ending 30 days after the Date of the Approval Action. The 30th day after the Date of the Approval Action was Saturday, July 15, 2017. The next date when the Office of the Clerk of the Board was open was Monday, July 17, 2017 (Appeal Deadline).

Appeal Filing and Timeliness: The Appellant filed the appeal of the Final MND on July 17, 2017, prior to the end of the Appeal Deadline. Therefore, the appeal is considered timely.

Appellant Standing: The Appellant appealed the Preliminary MND to the Planning Commission, which held an appeal hearing on June 15, 2017. Therefore, the Appellant has standing to appeal the Final MND.

From: [BOS Legislation, \(BOS\)](#)
To: [Rahaim, John \(CPC\)](#)
Cc: [Givner, Jon \(CAT\)](#); [Stacy, Kate \(CAT\)](#); [Byrne, Marlena \(CAT\)](#); [Sanchez, Scott \(CPC\)](#); [Gibson, Lisa \(CPC\)](#); [Poling, Jeanie \(CPC\)](#); [Lynch, Laura \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Horner, Justin \(CPC\)](#); [Jonin, Jonas \(CPC\)](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Lew, Lisa \(BOS\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [BOS Legislation, \(BOS\)](#)
Subject: Appeal of CEQA Mitigated Negative Declaration - 3516 and 3526 Folsom Street - Timeliness Determination Request
Date: Wednesday, July 19, 2017 12:07:42 PM
Attachments: [image001.png](#)
[Appeal Ltr 071717.pdf](#)
[COB Ltr 071817.pdf](#)

Good afternoon, Director Rahaim:

The Office of the Clerk of the Board is in receipt of an appeal of the CEQA Mitigated Negative Declaration for the proposed project at 3516-3526 Folsom Street. The appeal was filed by Ryan J. Patterson, on behalf of Kathy Angus for Bernal Heights South Slope Organization, Marilyn Waterman and Sam Orr for Bernal Safe and Livable, Herbert Felsenfeld for Neighbors Against the Upper Folsom Street Extension, Gail Newman, and Ann Lockett, on July 17, 2017.

Please find the attached letter of appeal and timely filing determination request letter from the Clerk of the Board.

Kindly review for timely filing determination.

Regards,

Brent Jalipa

Legislative Clerk

Board of Supervisors - Clerk's Office

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

(415) 554-7712 | Fax: (415) 554-5163

brent.jalipa@sfgov.org | www.sfbos.org



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BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

July 18, 2017

To: John Rahaim
Planning Director

From: *ACC* Angela Calvillo
Clerk of the Board of Supervisors

Subject: Appeal of California Environmental Quality Act (CEQA) Issuance of Mitigated Negative Declaration - 3516 and 3526 Folsom Street

An appeal of the CEQA Mitigated Negative Declaration for the proposed project at 3516 and 3526 Folsom Street, was filed with the Office of the Clerk of the Board on July 17, 2017, by Ryan J. Patterson of Zacks, Freedman & Patterson, on behalf of Kathy Angus for Bernal Heights South Slope Organization, Marilyn Waterman and Sam Orr for Bernal Safe and Livable, Herbert Felsenfeld for Neighbors Against the Upper Folsom Street Extension, Gail Newman, and Ann Lockett.

Pursuant to Administrative Code, Chapter 31.16, I am forwarding this appeal, with attached documents, to the Planning Department to determine if the appeal has been filed in a timely manner. The Planning Department's determination should be made within three (3) working days of receipt of this request.

If you have any questions, please feel free to contact Legislative Clerks Brent Jalipa at (415) 554-7712, or Lisa Lew at (415) 554-7718.

c: Jon Givner, Deputy City Attorney
Kate Stacy, Deputy City Attorney
Marlena Byrne, Deputy City Attorney
Scott Sanchez, Zoning Administrator, Planning Department
Lisa Gibson, Environmental Review Officer, Planning Department
Jessica Range, Acting Environmental Review Officer, Planning Department
AnMarie Rodgers, Senior Policy Advisor, Planning Department
Aaron Starr, Manager of Legislative Affairs, Planning Department
Justin Horner, Staff Contact, Planning Department
Jonas Ionin, Planning Commission Secretary, Planning Department

Print Form

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Clerk of the Board

Subject:

Hearing - Appeal of Mitigated Negative Declaration - Proposed Project at 3516 and 3526 Folsom Street

The text is listed:

Hearing of persons interested in or objecting to the adoption of a Mitigated Negative Declaration under the California Environmental Quality Act for a proposed project at 3516 and 3526 Folsom Street, Assessor's Parcel Block No. 5626, Lot Nos. 013 and 014, identified in Planning Case No. 2013.1383ENV, adopted on June 15, 2017. (District 9) (Appellant: Ryan J. Patterson of Zacks Freedman & Patterson, PC, on behalf of Kathy Angus for Bernal Heights South Slope Organization, Marilyn Waterman and Sam Orr for Bernal Safe and Livable, Herbert Felsenfeld for Neighbors Against the Upper Folsom Street Extension, Gail Newman, and Ann Lockett.) (Filed July 17, 2017).

Signature of Sponsoring Supervisor:

Alicia Gomez

For Clerk's Use Only