

File No. 160120

Committee Item No. 2

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance

Date March 9, 2016

Board of Supervisors Meeting

Date _____

Cmte Board

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Completed by: Victor Young Date March 4, 2016

Completed by: Victor Young Date _____

1 [Amended Ten-Year Capital Expenditure Plan-FYs 2016-2025 - Certificates of Participation -
2 Animal Care and Control Shelter]

3 **Resolution amending the City's ten-year capital expenditure plan for FYs 2016-2025 to**
4 **provide for the financing of an Animal Care and Control Shelter with the execution and**
5 **delivery of Certificates of Participation or other forms of indebtedness, in accordance**
6 **with Capital Plan's General Fund Debt Program.**

7
8 WHEREAS, This Board of Supervisors (the "Board") of the City and County of San
9 Francisco (the "City") adopted Ordinance No. 216-05 (the "Capital Planning Ordinance")
10 amending San Francisco Administrative Code, Sections 3.20 and 3.21, to authorize the
11 formation of a Capital Planning Committee (the "Committee") and the biennial preparation and
12 adoption of a ten-year capital expenditure plan for the City, including an assessment of the
13 City's capital infrastructure needs, investments required to meet the needs identified through
14 this assessment, and a plan of finance to fund these investments; and

15 WHEREAS, The Capital Planning Ordinance requires that the ten-year capital
16 expenditure plan include all major planned investments to maintain, repair, and improve the
17 condition of the City's capital assets, including, but not limited to, City streets, sidewalks,
18 parks and rights-of-way; public transit infrastructure; airport and port; water, sewer, and power
19 utilities; and all City-owned facilities; and

20 WHEREAS, The Capital Planning Ordinance further requires that the ten-year capital
21 expenditure plan include a plan of finance for all recommended investments, including the
22 proposed uses of general and enterprise funds to be spent to meet these requirements; and
23 the use and timing of long-term debt to fund planned capital expenditures, including general
24 obligation bond measures; and

1 WHEREAS, The Capital Ordinance establishes March 1 as the target date for the City
2 Administrator's submission of the annual ten year Capital Plan to the Mayor of the City and
3 the Board, and calls for the Mayor and the Board to review, update, amend and adopt the ten
4 year capital plan by May 1 of each odd numbered year; and

5 WHEREAS, At the March 2, 2015, meeting the Committee unanimously adopted the
6 ten-year Capital Plan for FYs 2016-2025 and approved it for submission to the Mayor and the
7 Board for its consideration (as so adopted, the "Capital Plan"); and

8 WHEREAS, In Resolution No. 144-15 (the "Resolution") the Board approved the
9 Capital Plan on April 21, 2015; and

10 Whereas, The current Animal Care and Control Shelter (the "Old Animal Control
11 Shelter") located at 1200 15th Street provides critical and unique services in San Francisco
12 which include sheltering thousands of animals each year; facilitating the adoption of animals;
13 enforcing local and state laws pertaining to animal welfare; providing animal care and
14 veterinary services such as health screenings, vaccinations and microchippings; protecting
15 the public from dangerous animals; licensing dogs, service animals and commercial dog
16 walkers; and safeguarding animals for individuals displaced after a natural disaster or
17 unforeseen event; and

18 WHEREAS, The Old Animal Control Shelter was constructed in 1931 and does not
19 meet current health standards for animal care, and based on evaluations conducted by the
20 Department of Public Works in 2013 is particularly vulnerable and would likely become
21 inoperable after a major earthquake; and

22 WHEREAS, A new Animal Care and Control Shelter will provide a modern and
23 seismically safe building for animal care services, including the safeguarding of animals for
24 displaced individuals following a major earthquake to prevent the control of disease
25

1 WHEREAS, A new Animal Control Facility would likely remain operable or sustain less
2 damage after a major earthquake, and thus continue to provide animal control services in the
3 City; and

4 WHEREAS, The previously approved Capital Plan included financing through a
5 proposed general obligation bond to support a new Animal Care and Control Shelter at an
6 estimated construction cost of \$54,000,000; and

7 WHEREAS, The proposed general obligation bond was amended to delete funding for
8 the Animal Control Shelter with general obligation bonds, and recommended that such facility
9 be financed through the execution and delivery of Certificates of Participation; and

10 WHEREAS, The City and County of San Francisco Planning Department determined
11 that an Animal Care and Control Shelter at 1419 Bryant Street is consistent with the Eastern
12 Neighborhoods Rezoning and Area Plans and is therefore exempt from further environmental
13 review pursuant to CEQA; and

14 WHEREAS, It is expected that legislation will be presented to the Board on April 2016
15 appropriating funds for the Animal Care and Control Shelter and placing those funds on
16 Controller's Reserve pending the authorization and sale of the Certificates of Participation;
17 and

18 WHEREAS, In order to provide for the execution and delivery of the Certificates of
19 Participation it is necessary for the Board to amend the Capital Plan; and

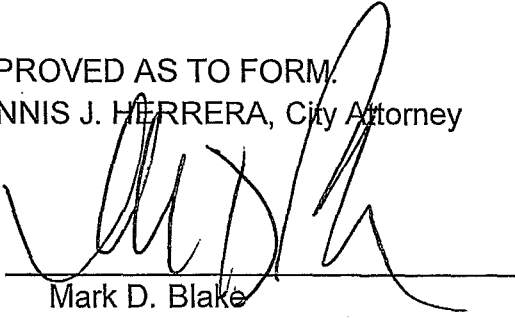
20 WHEREAS, The proposed Amended Capital Plan and the City Administrator's
21 transmittal letter are on file with the Clerk of the Board of Supervisors File No. 160120, which
22 is hereby declared to be a part of this resolution as if set forth fully herein; now, therefore, be it

23 RESOLVED, That the above recitals are true and correct; and, be it

24 FURTHER RESOLVED, That this Board has reviewed the Amended Capital Plan; and
25 be it

1 FURTHER RESOLVED, That this Board hereby adopts the Amended Capital Plan as
2 the City's ten-year capital expenditure plan for purposes of the Capital Planning Ordinance.

3
4 APPROVED AS TO FORM.
5 DENNIS J. HERRERA, City Attorney

6
7 By: 
8 Mark D. Blake
9 Deputy City Attorney
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OFFICE OF THE CITY ADMINISTRATOR



Edwin M. Lee, Mayor
Naomi M. Kelly, City Administrator

March 1, 2016

The Honorable Edwin M. Lee, Mayor
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Honorable Members of the Board of Supervisors
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: Amendment to the City and County of San Francisco Capital Plan FY 2016 – FY 2025

Dear Mayor Lee and Members of the Board of Supervisors:

In compliance with the San Francisco Administrative Code Section 3.20, I am pleased to submit an amendment to the current City and County of San Francisco capital expenditure plan to fund construction of the Animal Care and Control Shelter using Certificates of Participation (COP).

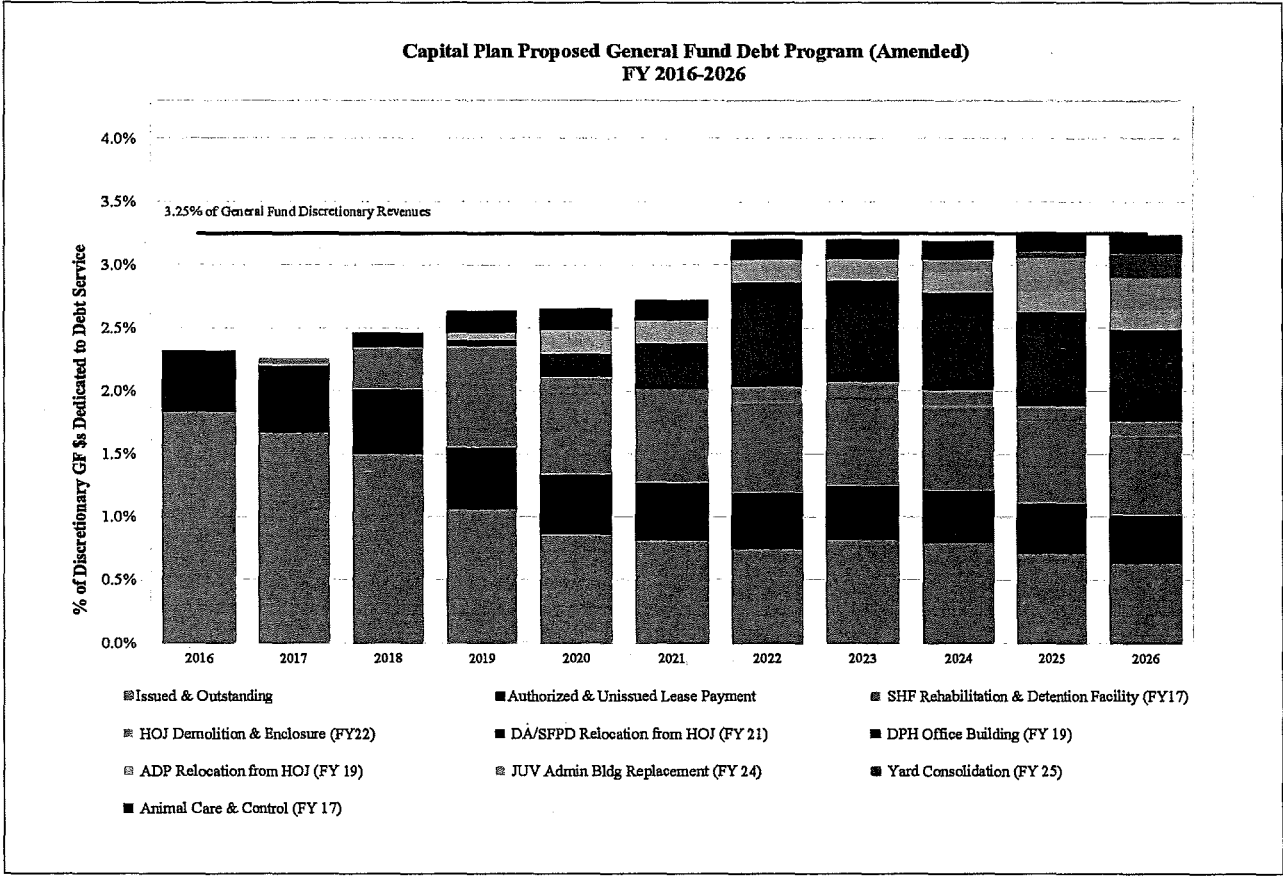
To make this adjustment, the Capital Planning Committee recommended the following amendments to the General Fund Debt Program table found on page 11 of the current plan:

- Add the Animal Care and Control Shelter to the COP program in FY 2017 for \$49 million in proposed debt issuance. This project was formerly included in the General Obligation Bond program.
- Push back the year of proposed debt issuance for the Rehabilitation and Detention Facility project and related Hall of Justice Site Acquisition from FY 2016 to FY 2017 to enable the Re-envisioning the Jail Replacement Project Working Group to complete its assessment and deliver recommendations.
- Reduce the proposed debt issuance amount for the Rehabilitation and Detention Facility project from \$278 million to \$251 million to reflect previously approved adjustments to the project scope and the cost of delaying the project.

Unanimously approved by the Capital Planning Committee on February 29, 2016, these amendments comply with San Francisco's policy of limiting General Fund debt service payments to less than 3.25% of General Fund Discretionary Revenue. The revised General Fund Debt Program table and graph on pages 11 and 12 of the Capital Plan are shown below:

General Fund Debt Program (Dollars in Millions)

| | <i>Proposed Debt Issuance</i> | <i>Amount</i> |
|--------------------------------|---|---------------|
| FY 2017 | Animal Care and Control Shelter | 49 |
| FY 2017 | SHF Rehabilitation and Detention Facility | 251 |
| FY 2017 | HOJ Site Acquisition | 8 |
| FY 2019 | Adult Probation Relocation from HOJ | 59 |
| FY 2019 | DPH Admin Building Relocation | 60 |
| FY 2021 | DA and SFPD Relocation from HOJ | 227 |
| FY 2021 | HOJ Land Purchase, Demolition & Enclosure | 48 |
| FY 2024 | JUV Admin Building Replacement | 107 |
| FY 2025 | Yard Consolidation | 100 |
| General Fund Debt Total | | \$908 |



Copies of the Capital Plan, along with materials related to the Capital Plan Amendment can be found at www.onesanfrancisco.org or by contacting the Capital Planning Program at (415) 558-4515.

Sincerely,

Naomi M. Kelly
City Administrator



OFFICE OF THE
CITY ADMINISTRATOR



Edwin M. Lee, Mayor
Naomi M. Kelly, City Administrator

PROPOSED CAPITAL PLAN AMENDMENTS

The following pages contain the proposed amendments to the City and County of San Francisco FY 2016 – 2025 Capital Plan, in accordance with Resolution 160120.

Unlike G.O. bonds, lease revenue bonds and Certificates of Participation (COPs) are typically repaid from the City's General Fund or revenue that would otherwise flow to the General Fund. The City utilizes lease revenue bonds and COPs to leverage General Fund receipts, such as fees and charges, to finance capital projects and acquisitions, many of which provide direct revenue benefit or cost savings. Debt service payments for lease revenue bonds and COPs are typically paid from revenues of the related project, or fees, taxes or surcharges imposed by users of the project. Below is an overview of the Capital Plan Proposed General Fund Debt Program for the next ten years. Like the G.O. Debt Program, these estimates may need to be adjusted in future plans to account for new federal and state law, programmatic changes, site acquisition, alternate delivery methods, changing rates of construction cost escalation and/or newly emerged City needs.

The following chart illustrates debt service costs of existing and proposed COPs and lease

| General Fund Debt Program | | |
|----------------------------------|---|---------------|
| (Dollars in Millions) | | |
| | <i>Proposed Debt Issuance</i> | <i>Amount</i> |
| FY 2016 | SHF Rehabilitation and Detention Facility | \$278 |
| FY 2016 | HOJ Site Acquisition | \$8 |
| FY 2019 | Adult Probation Relocation from HOJ | \$59 |
| FY 2019 | DPH Admin Building Relocation | \$60 |
| FY 2021 | DA and SFPD Relocation from HOJ | \$227 |
| FY 2022 | HOJ Land Purchase, Demolition & Enclosure | \$48 |
| FY 2024 | JUV Admin Building Replacement | \$107 |
| FY 2025 | Yard Consolidation | \$100 |
| General Fund Debt Total | | \$886 |

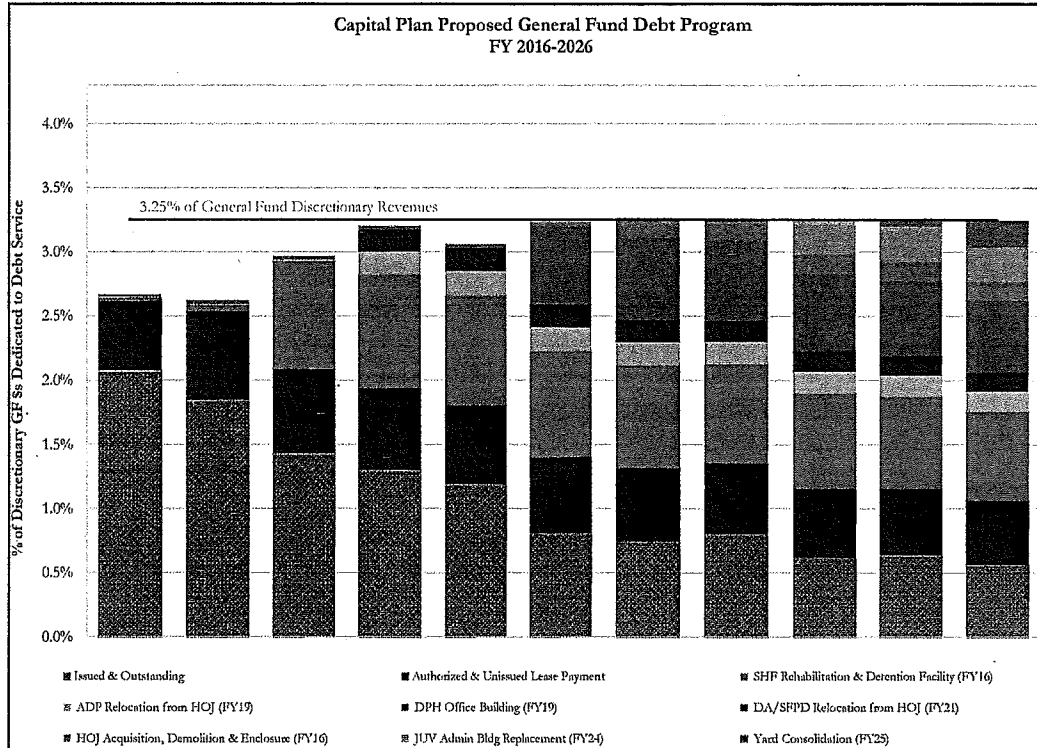
Note: The General Fund Debt Program has been amended to fund construction of the Animal Care and Control Shelter using Certificates of Participation. The details of the adjustments to the General Fund Debt Program, as well as the revised General Fund Debt Program table and graph, can be found at the end of the Executive Summary.

revenue bonds. These funds support critical city responsibilities such as project to relocate from the seismically deficient Hall of Justice, the JUV Probation Administrative Building, and effort to modernize the Public Works yard. The bottom portion of the columns represents debt service commitments for previously issued and authorized but unissued General Fund Debt, including the debt issued for the Moscone Centers, San Bruno jail, City office buildings in the Civic Center, and War Memorial Veteran's Building. New obligations are represented by the top portion of the columns starting in 2018.



Youth Guidance Center Admin Building

Note: The General Fund Debt Program has been amended to fund construction of the Animal Care and Control Shelter using Certificates of Participation. The details of the adjustments to the General Fund Debt Program, as well as the revised General Fund Debt Program table and graph, can be found at the end of the Executive Summary.



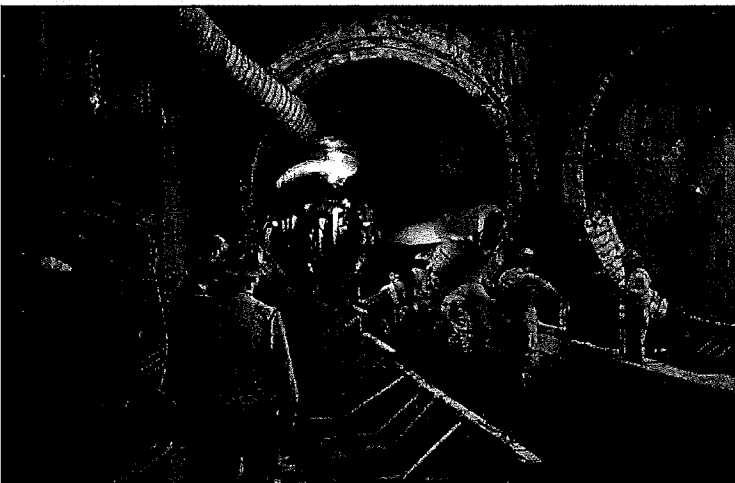
Enterprise & External Agencies - Program Summary

Unlike most of the General Fund Departments, many of the Enterprise Departments and External Agencies have dedicated systems and staff to develop capital plans. The following programs and estimated costs were compiled by Enterprise Department and External Agency staff with the guidance of their boards and commissions.

Enterprise Department Highlights

Capital investments for Enterprise Departments during the next ten years are approximately \$18.2 billion. This 28 percent increase from the FY 2014-2023 Capital Plan is the result of several large projects and programs described below.

The Central Subway, currently under construction, remains a high priority transit project for San Francisco and the single largest capital project in the SFMTA Capital Plan. Encompassing a 1.7 mile extension of the existing Third Street light rail line to Chinatown, the project's ten year total is \$589 million. It is expected to open by 2019.



Central Subway Construction

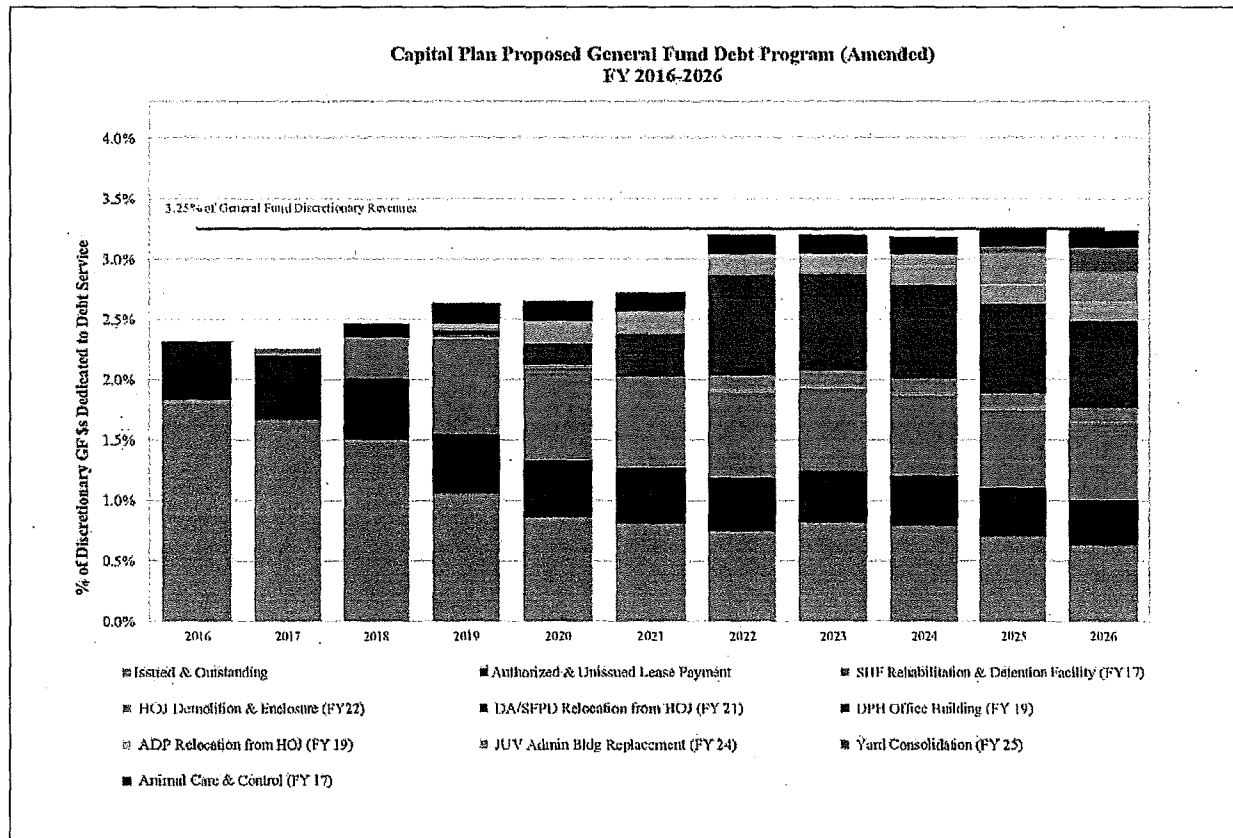
Other high priority transportation projects include projects related to the Muni Forward and Vision Zero programs, as well as transit fleet investments. The Transit Optimization Program (which includes the Transit Effectiveness Project (TEP), as well as wide ranging operational and capital improvements such as the Bus Rapid Transit projects) - calls for \$885 million over the next decade to make large scale improvements that will make transit faster and more reliable. The City's Vision Zero program - which focuses on increasing pedestrian safety in high injury corridors - includes \$99 million in

The FY 2016 – 2025 Capital Plan was amended on March 9, 2016, via Resolution 160120.

The table below replaces the table on page 11 of the FY 2016 – 2025 Capital Plan:

| General Fund Debt Program | | |
|----------------------------------|---|---------------|
| (Dollars in Millions) | | |
| | <i>Proposed Debt Issuance</i> | <i>Amount</i> |
| FY 2017 | Animal Care and Control Shelter | 49 |
| FY 2017 | SHF Rehabilitation and Detention Facility | 251 |
| FY 2017 | HOJ Site Acquisition | 8 |
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| FY 2019 | DPH Admin Building Relocation | 60 |
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| FY 2021 | HOJ Land Purchase, Demolition & Enclosure | 48 |
| FY 2024 | JUV Admin Building Replacement | 107 |
| FY 2025 | Yard Consolidation | 100 |
| General Fund Debt Total | | \$908 |

The graph below replaces the graph on page 12 of the FY 2016 – 2025 Capital Plan:



Wong, Linda (BOS)

From: Strong, Brian (311)
Sent: Wednesday, March 02, 2016 1:20 PM
To: Wong, Linda (BOS)
Cc: Blake, Mark (CAT); Quizon, Dyanna (BOS)
Subject: RE: REQUEST FOR DOCUMENTS - File No. 160120 - Amended Ten-Year Capital Expenditure Plan
Attachments: Capital Plan Amendment.pdf

Hi Linda,

Please find the attached amended Capital Plan pages and cover sheet. As we discussed, all we did was add a table and graph and insert two paragraphs in the sidebar referencing the change. I think this is much simpler and more clear than submitting the entire 220 page capital plan.

You already have a copy of the transmittal letter so this should complete the legislative packet and enable a hearing on March 9, 2016 at the Budget and Finance Committee. Let me know you have any questions.

Regards,
Brian

Brian Strong, Director
Capital Planning Program
Office of the City Administrator
City and County of San Francisco
415.558.4558



From: Wong, Linda (BOS)
Sent: Tuesday, March 01, 2016 2:00 PM
To: Strong, Brian (311)
Subject: FW: REQUEST FOR DOCUMENTS - File No. 160120 - Amended Ten-Year Capital Expenditure Plan

Hi Brian,

Thank you for submitting the City Administrator's transmittal letter to our office.

Page 3 of the attached legislation states that the Clerk of the Board of Supervisors has the Amended Capital Plan. Could you please provide that to us?

I am also missing the March 2, 2015 Capital Plan Committee minutes.

Sincerely,
Linda

From: Wong, Linda (BOS)
Sent: Thursday, February 11, 2016 4:53 PM



BOS-11, B+F
clerk
1 page

Capital Planning Committee

Naomi M. Kelly, City Administrator, Chair

MEMORANDUM

February 29, 2016

To: Supervisor London Breed, Board President *N. Kelly*

From: Naomi Kelly, City Administrator and Capital Planning Committee Chair

Copy: Members of the Board of Supervisors
Angela Calvillo, Clerk of the Board
Capital Planning Committee

Regarding: (1) Capital Plan Amendment

In accordance with Section 3.21 of the Administrative Code, on February 29, 2016, the Capital Planning Committee (CPC) approved the following action items to be considered by the Board of Supervisors. The CPC's recommendations are set forth below.

1. Board File Number: 160120 Approval of a Capital Plan amendment to fund the Animal Care and Control Shelter with Certificates of Participation

Recommendation: Recommend the Board of Supervisors (BOS) approve the Capital Plan amendment.

Comments: The CPC recommends approval of these items by a vote of 10-0.

Committee members or representatives in favor include: Naomi Kelly, City Administrator; Conor Johnston, Board President's Office; Melissa Whitehouse, Mayor's Budget Office; Ben Rosenfield, Controller; Mohammed Nuru, Director, Public Works; Ed Reiskin, Director, SFMTA; Thomas DiSanto, Planning Department; Dawn Kamalanathan, Recreation and Parks Department; Ivar Satero, San Francisco International Airport; and Elaine Forbes, Interim Director, Port of San Francisco.

[Handwritten signature]
APPROVED
FEB 29 2016



Capital Planning Committee

DOS -11
COB
B+F Clerk
C Page

Naomi M. Kelly, City Administrator, Chair

MEMORANDUM

March 2, 2015

To: Supervisor London Breed, Board President *N. Kelly*

From: Naomi Kelly, City Administrator and Capital Planning Committee Chair

Copy: Members of the Board of Supervisors
Angela Calvillo, Clerk of the Board
Capital Planning Committee

Regarding: (1) Recommendation on the City & County of San Francisco 10-Year Capital Plan FY 2016 – FY 2025

(2) Department of Public Work's Supplemental Appropriation

RECEIVED
BOARD OF SUPERVISORS
SFPUC/11/15/15
MARCH -5 PM 4:11

In accordance with Section 3.21 of the Administrative Code, on March 2, 2015, the Capital Planning Committee (CPC) approved the following action items to be considered by the Board of Supervisors. The CPC's recommendations are set forth below.

1. Board File Number: 150224 Recommendation on the City & County of San Francisco 10-Year Capital Plan FY 2016 – FY 2025.

Recommendation: Recommend the Board of Supervisors (BOS) approve the Proposed 10-Year Capital Plan.

Comments: The CPC recommends approval of these items by a vote of 11-0.

Committee members or representatives in favor include: Naomi Kelly, City Administrator; Conor Johnston, Board President's Office; Ben Rosenfield, Controller; Kate Howard, Mayor's Budget Director; Mohammed Nuru, Director, Public Works; Ed Reiskin, Director, SFMTA; Harlan Kelly, General Manager, SFPUC; John Rahaim, Director, Planning Department; Phil Ginsburg, General Manager, Recreation and Parks Department; Kevin Kone, San Francisco International Airport; and Brad Benson, Port of San Francisco.

2. Board File Number: TBD Approval of the Department of Public Work's supplemental appropriation request, re-appropriating \$6,201,602 from Developer Construction Contribution and \$116,454 from reimbursement for infrastructure improvements, totaling \$6,354,478, with \$4,016,454 appropriated to the Public Safety Building, and \$2,338,024 to be placed on Board Reserve pending future re-appropriation to an alternate ESER 2010 bond program.

Recommendation:

Recommend the Board of Supervisors approve the supplemental appropriation.

Comments:

The CPC recommends approval of these items by a vote of 8-0.

Committee members or representatives in favor include: Naomi Kelly, City Administrator; Conor Johnston, Board President's Office; Ben Rosenfield, Controller; Mohammed Nuru, Director, Public Works; Kate Howard, Mayor's Budget Director; Ed Reiskin, Director, SFMTA; Kevin Kone, San Francisco International Airport; and Brad Benson, Port of San Francisco.



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

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

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

Reception:
 415.558.6378

Fax:
 415.558.6409

Planning
 Information:
 415.558.6377

PROJECT DESCRIPTION

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

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

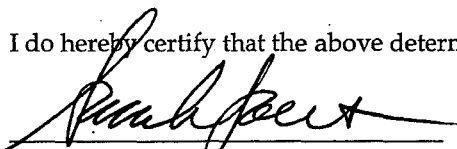
(Continued on next page.)

EXEMPT STATUS

Exempt per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3

DETERMINATION

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


 SARAH B. JONES

Environmental Review Officer

January 6, 2016
 Date

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

PROJECT DESCRIPTION (continued)

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

PROJECT APPROVAL

The proposed project would require issuance of a building permit by the Department of Building Inspection (DBI), which would be the Approval Action for the project. If discretionary review before the Planning Commission is requested, the Approval Action would be project approval at the discretionary review hearing instead of the building permit issuance. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

COMMUNITY PLAN EXEMPTION OVERVIEW

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

This determination evaluates the potential project-specific environmental effects of the 1419 Bryant Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR)¹. Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods PEIR was adopted in December 2008. The Eastern Neighborhoods PEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods PEIR also included changes to existing height and bulk districts in some areas, including the project site at 1419 Bryant Street.

The Planning Commission held public hearings to consider the various aspects of the proposed Eastern Neighborhoods Rezoning and Area Plans and related Planning Code and Zoning Map amendments. On

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

August 7, 2008, the Planning Commission certified the Eastern Neighborhoods PEIR by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.^{2,3}

In December 2008, after further public hearings, the Board of Supervisors approved and the Mayor signed the Eastern Neighborhoods Rezoning and Planning Code amendments. New zoning districts include districts that would permit PDR uses in combination with commercial uses; districts mixing residential and commercial uses and residential and PDR uses; and new residential-only districts. The districts replaced existing industrial, commercial, residential single-use, and mixed-use districts.

The Eastern Neighborhoods PEIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a "No Project" alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the PEIR. The Eastern Neighborhoods PEIR estimated that implementation of the Eastern Neighborhoods Plan could result in approximately 7,400 to 9,900 net dwelling units and 3,200,000 to 6,600,000 square feet of net non-residential space (excluding PDR loss) built in the Plan Area throughout the lifetime of the Plan (year 2025).

A major issue of discussion in the Eastern Neighborhoods rezoning process was the degree to which existing industrially-zoned land would be rezoned to primarily residential and mixed-use districts, thus reducing the availability of land traditionally used for PDR employment and businesses. Among other topics, the Eastern Neighborhoods PEIR assesses the significance of the cumulative land use effects of the rezoning by analyzing its effects on the City's ability to meet its future PDR space needs as well as its ability to meet its housing needs as expressed in the City's General Plan.

The project site is within a P (Public) zoning district. The P District is intended to apply to land that is owned by a governmental agency and in some form of public use. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in the Community Plan Exemption (CPE) Checklist, under Land Use. The 1419 Bryant Street site, which is located in the Mission District of the Eastern Neighborhoods, was designated as a site with a building up to 68 feet in height (increased from 40 feet as part of the Eastern Neighborhoods rezoning process).

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 1419 Bryant Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods PEIR, including the Eastern Neighborhoods PEIR development projections. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 1419 Bryant Street project, and identified the mitigation measures applicable to the 1419 Bryant Street project. The proposed project is also consistent with the zoning controls and the

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

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

provisions of the Planning Code applicable to the project site.⁴⁵ Therefore, no further CEQA evaluation for the 1419 Bryant Street project is required. In sum, the Eastern Neighborhoods PEIR and this Certificate of Exemption for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

PROJECT SETTING

The project site is surrounded primarily by PDR land uses. Adjacent properties contain surface parking lots, former railroad right-of-way, storage buildings, manufacturing businesses, a truck rental lot, and office space. A commercial retail development (Potrero Center) is located on the block south of the project site. The blocks immediately north of the project site, across the US 101 Freeway and Division Street, contain storage, manufacturing, and warehouse retail uses. Building heights range from one to nine stories, with most buildings having two or three stories (approximately 30 to 40 feet tall).

POTENTIAL ENVIRONMENTAL EFFECTS

The Eastern Neighborhoods PEIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods Rezoning and Area Plans. The proposed 1419 Bryant Street project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods PEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods plan areas. Thus, the plan analyzed in the Eastern Neighborhoods PEIR considered the incremental impacts of the proposed 1419 Bryant Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

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

The Eastern Neighborhoods PEIR identified feasible mitigation measures to address significant impacts related to noise, air quality, archeological resources, historical resources, hazardous materials, and transportation. **Table 1** below lists the mitigation measures identified in the Eastern Neighborhoods PEIR and states whether each measure would apply to the proposed project.

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

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

Table 1 – Eastern Neighborhoods PEIR Mitigation Measures

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

| Mitigation Measure | Applicability | Compliance |
|--|---|---|
| | generator | generators. |
| J. Archeological Resources | | |
| J-1: Properties with Previous Studies | Not Applicable: project site is not within this mitigation area | N/A |
| J-2: Properties with no Previous Studies | Applicable: soil disturbance to approximately three feet below grade proposed in this mitigation area | Preliminary archeological review has been completed, and no further mitigation is necessary. |
| J-3: Mission Dolores Archeological District | Not Applicable: project site is not within this mitigation area | N/A |
| K. Historical Resources | | |
| K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan area | Not Applicable: plan-level mitigation completed by Planning Department | N/A |
| K-2: Amendments to Article 10 of the Planning Code Pertaining to Vertical Additions in the South End Historic District (East SoMa) | Not Applicable: plan-level mitigation completed by Planning Commission | N/A |
| K-3: Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in the Dogpatch Historic District (Central Waterfront) | Not Applicable: plan-level mitigation completed by Planning Commission | N/A |
| L. Hazardous Materials | | |
| L-1: Hazardous Building Materials | Applicable: proposed project includes construction activities in a building with known prior industrial use | The project sponsor has agreed to comply with hazardous building material abatement requirements. |
| E. Transportation | | |
| E-1: Traffic Signal Installation | Not Applicable: plan level mitigation by SFMTA | N/A |
| E-2: Intelligent Traffic Management | Not Applicable: plan level mitigation by SFMTA | N/A |
| E-3: Enhanced Funding | Not Applicable: plan level mitigation by SFMTA & SFTA | N/A |
| E-4: Intelligent Traffic Management | Not Applicable: plan level mitigation by SFMTA & | N/A |

| Mitigation Measure | Applicability | Compliance |
|--|--|------------|
| | Planning Department | |
| E-5: Enhanced Transit Funding | Not Applicable: plan level mitigation by SFMTA | N/A |
| E-6: Transit Corridor Improvements | Not Applicable: plan level mitigation by SFMTA | N/A |
| E-7: Transit Accessibility | Not Applicable: plan level mitigation by SFMTA | N/A |
| E-8: Muni Storage and Maintenance | Not Applicable: plan level mitigation by SFMTA | N/A |
| E-9: Rider Improvements | Not Applicable: plan level mitigation by SFMTA | N/A |
| E-10: Transit Enhancement | Not Applicable: plan level mitigation by SFMTA | N/A |
| E-11: Transportation Demand Management | Not Applicable: plan level mitigation by SFMTA | N/A |

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

PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was mailed on December 1, 2015 to adjacent occupants and owners of properties within 300 feet of the project site. One comment was received, along with requests for project information. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. The one comment received asked whether the existing building on the project site would be converted to technology office space. As noted in the project description above, the proposed project would convert the building to an Animal Care and Control Facility. The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Eastern Neighborhoods PEIR.

CONCLUSION

As summarized above and further discussed in the CPE Checklist⁶:

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

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

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

Therefore, the proposed project is exempt from further environmental review pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

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

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

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

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

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

| MITIGATION MEASURES | Responsibility for Implementation | Mitigation Schedule | Monitoring/Report Responsibility | Status/Date Completed |
|---|---|--|---|---|
| <p>To reduce potential conflicts between existing sensitive receptors and new noise-generating uses, for new development including commercial, industrial or other uses that would be expected to generate noise levels in excess of ambient noise, either short-term, at nighttime, or as a 24-hour average, in the proposed project site vicinity, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-sensitive uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that the proposed use would comply with the use compatibility requirements in the General Plan and in Police Code Section 2909I, would not adversely affect nearby noise-sensitive uses, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels that would be generated by the proposed use. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action.</p> | <p>subsequent development project undertaken pursuant to the Eastern Neighborhoods Rezoning and Area Plans Project.</p> | <p>project design and evaluated in environmental/building permit review, prior to issuance of a final building permit and certificate of occupancy</p> | <p>Inspection</p> | |
| AIR QUALITY | | | | |
| <p><i>Project Mitigation Measure 4 – Construction Air Quality (Implementing Eastern Neighborhoods Mitigation Measure G-1)</i></p> <p>The project sponsor or the project sponsor's Contractor shall comply with the following</p> <p>A. Engine Requirements.</p> <p>1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this</p> | <p>Project Sponsor along with Project Contractor of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Rezoning and Area Plans Project.</p> | <p>During construction</p> | <p>Each Project Sponsor to provide Planning Department with monthly reports during construction period.</p> | <p>Considered complete upon receipt of final monitoring report at completion of construction.</p> |

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

| MITIGATION MEASURES | Responsibility for Implementation | Mitigation Schedule | Monitoring/Report Responsibility | Status/Date Completed |
|---|-----------------------------------|---------------------|----------------------------------|-----------------------|
| <p>requirement.</p> <p>2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.</p> <p>3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute idling limit.</p> <p>4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.</p> <p>B. Waivers.</p> <p>1. The Planning Department's Environmental Review Officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1).</p> <p>2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to Table below.</p> <p>Table – Off-Road Equipment Compliance Step-down Schedule</p> | | | | |

MITIGATION MONITORING AND REPORTING PROGRAM
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|--|-----------------------------------|---------------------|----------------------------------|-----------------------|
| <p>Compliance Alternative Engine Emission Standard Emissions Control</p> <p>1 Tier 2 ARB Level 2 VDECS</p> <p>2 Tier 2 ARB Level 1 VDECS</p> <p>3 Tier 2 Alternative Fuel*</p> | | | | |
| <p>How to use the table: If the ERO determines that the equipment requirements cannot be met, then the project sponsor would need to meet Compliance Alternative 1. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 1, then the Contractor must meet Compliance Alternative 2. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 2, then the Contractor must meet Compliance Alternative 3.</p> <p>** Alternative fuels are not a VDECS.</p> <p>C. Construction Emissions Minimization Plan. Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.</p> <p>1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.</p> <p>2. The ERO shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully</p> | | | | |

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

| MITIGATION MEASURES | Responsibility for Implementation | Mitigation Schedule | Monitoring/Report Responsibility | Status/Date Completed |
|---|--|---|--|---|
| <p>with the Plan.</p> <p>3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.</p> <p>D. Monitoring. After start of Construction Activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.</p> | | | | |
| <p><i>Project Mitigation Measure 5 – Best Available Control Technology for Diesel Generators (Implementing Eastern Neighborhoods Mitigation Measure G-4)</i></p> <p>The project sponsor shall ensure that the backup diesel generator meet or exceed one of the following emission standards for particulate matter: (1) Tier 4 certified engine, or (2) Tier 2 or Tier 3 certified engine that is equipped with a California Air Resources Board (ARB) Level 3 Verified Diesel Emissions Control Strategy (VDECS). A non-verified diesel emission control strategy may be used if the filter has the same particulate matter reduction as the identical ARB verified model and if the Bay Area Air Quality Management District (BAAQMD) approves of its use. The project sponsor shall submit documentation of compliance with the BAAQMD New Source Review permitting process (Regulation 2, Rule 2, and Regulation 2, Rule 5) and the emission standard requirement of this mitigation measure to the Planning Department for review and approval prior to issuance of a permit for a backup diesel generator from any City agency.</p> | Project Sponsor of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Areas Plans and Rezoning | Upon initiation of environmental review for specific development projects that fall within the use characteristics and geographic parameters established by mitigation measure. | San Francisco Planning Department, Department of Public Health and the Department of Building Inspection | Prior to approval of final site plan for subsequent development projects. |
| HAZARDOUS MATERIALS | | | | |
| <p><i>Project Mitigation Measure 6 – Hazardous Building Materials (Eastern Neighborhoods Mitigation Measure L-1)</i></p> | Project Sponsor/project | Prior to approval of each | Planning Department, in consultation with | Considered complete upon approval of each |

MITIGATION MONITORING AND REPORTING PROGRAM
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| MITIGATION MEASURES | Responsibility for Implementation | Mitigation Schedule | Monitoring/Report Responsibility | Status/Date Completed |
|--|--|---|--|----------------------------|
| <p>The City shall condition future development approvals to require that the subsequent project sponsors ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.</p> | <p>archeologist of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Areas Plans and Rezoning</p> | <p>subsequent project, through Mitigation Plan.</p> | <p>DPH; where Site Mitigation Plan is required, Project Sponsor or contractor shall submit a monitoring report to DPH, with a copy to Planning Department and DBI, at end of construction.</p> | <p>subsequent project.</p> |



SAN FRANCISCO PLANNING DEPARTMENT

Community Plan Exemption Checklist

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

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PROJECT DESCRIPTION

The project site at 1419 Bryant Street is located at the northern edge of San Francisco's Mission District neighborhood. The approximately 47,998 square foot site (Assessor's Block 3904, Lot 002) is located at the northeast corner of Bryant and Alameda Streets. The subject block is bounded by Bryant Street to the west, Division Street and US Highway 101 (Central Freeway) to the north, 10th Street and Potrero Avenue to the east, and Alameda Street to the south (see **Figure 1, Project Location**). The project site is a corner lot, with frontages on both Bryant Street and Alameda Street. US Highway 101, a six-lane elevated freeway, is located immediately north of the project site, and the nearest access ramp is the southbound ramp at the corner of 10th and Bryant Streets.

The project site currently contains a 34,350 square foot, one-story-plus-mezzanine masonry building constructed in 1893 and expanded in 1902, which is currently used as a maintenance facility for Muni's overhead power lines by the San Francisco Municipal Transportation Agency (SFMTA) (see **Figure 2, Site Plan; Figure 3, Existing Floor Plan; and Figure 6, Existing and Proposed Elevations**). The building is approximately 42 feet tall, measured from the curb to the top of the parapet at the northern edge of the Bryant Street face of the building. The site is sloped and the building is approximately 36 feet tall, measured from the curb to the top of the parapet at the corner of Bryant Street and Alameda Street. The peak of the highest gabled roof is about 10 feet above the parapet at the corner of Bryant Street and Alameda Street. The building was formerly used as a powerhouse for streetcars. A second, smaller building is located at the eastern end of project site, and is used for SFMTA storage purposes. A curb cut is present along the building's Bryant Street frontage, near the northern edge of the site, to provide access to a 22-space surface parking lot. A second curb cut is present along the Alameda Street frontage, near the eastern edge of the site, to provide access to the smaller storage building. Two commercial rollup loading doors are located along the north side of the larger building, facing the surface parking lot. An additional commercial rollup door and curb cut are present on the south side of the larger building, near Bryant Street. The smaller building has a single roll-up loading door facing Alameda Street.

The proposed project would convert the larger building to an Animal Care and Control Facility. As part of the conversion, a second story would be added within the existing building (the single story building currently has high ceilings, tall enough to accommodate a second level). New exterior dog runs and gardens would be added at ground level adjacent to the parking lot and on the roof. The project would

increase the total square footage of the building to 44,600 square feet. No expansion of the building envelope would occur, and the building height would remain the same as the existing building.

The ground floor of the building would house animal holding areas, dog runs, public lobbies, staff work areas, veterinary offices, and a sally port for loading use. The existing rollup doors and one of the existing windows on the Alameda Street frontage would be converted to two sally port doors. A new curb cut would be added along Alameda Street at the window that is being converted to a door, to allow sally port access. The rollup doors on the north side of the building would be removed. New windows and pedestrian entrances would be added on the north, west, and south sides of the building. Bicycle parking would be provided inside the sally port (9 spaces) and outdoors near the north entrance to the building (3 spaces), and 16 off-street surface parking spaces would continue to be provided along the north side of the building. Parking lot access would continue to be available from the existing curb cut on Bryant Street. Four new street trees would be added along Bryant Street, and six new street trees would be added along Alameda Street adjacent to the project site. **Figure 4, Proposed Floor Plans; Figure 5, Proposed Sections; and Figure 6 – Existing and Proposed Elevations** show additional details of the proposed changes to the building.

The new second floor of the building (added within the existing building envelope) would house adoption facilities, classrooms, accessory offices, staff rooms, and additional animal holding areas. The roof would contain a dog run, an aviary, solar panels, and a roof garden for use by small animals. A diesel backup generator would be installed for emergency use.

Construction activities would last approximately 26 months, and would require approximately 500 cubic yards of excavation, reaching depths of up to three feet below grade. Structural work to improve the building's seismic safety would also be performed. The existing Animal Care and Control Facility at 1200 15th Street would be closed once the proposed project is completed. The smaller building on the project site would remain in use as SFMTA storage.

The proposed 1419 Bryant Street project would require issuance of a building permit by the Department of Building Inspection (DBI), which would be the Approval Action for the project.

Figure 1 – Project Location

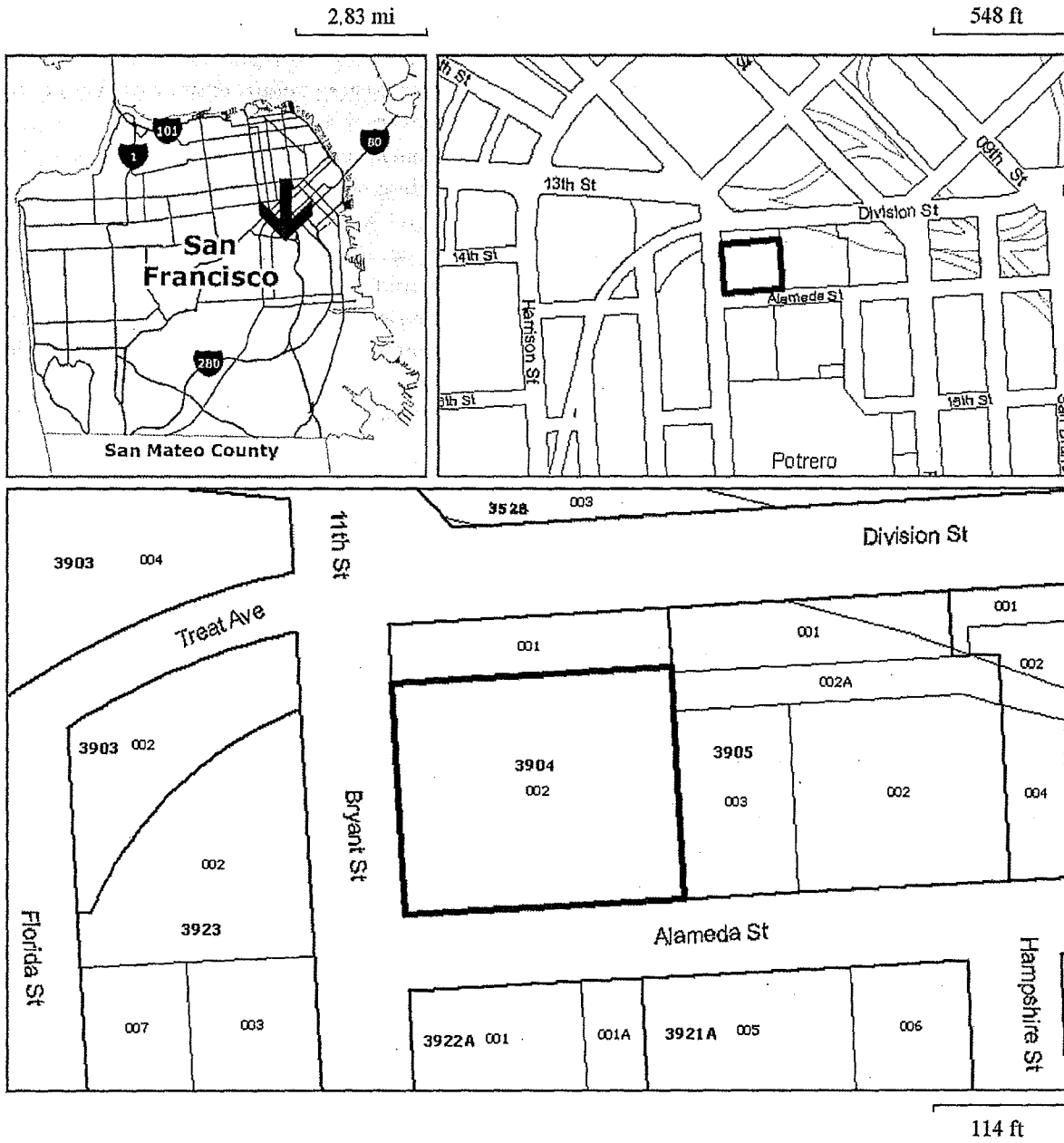
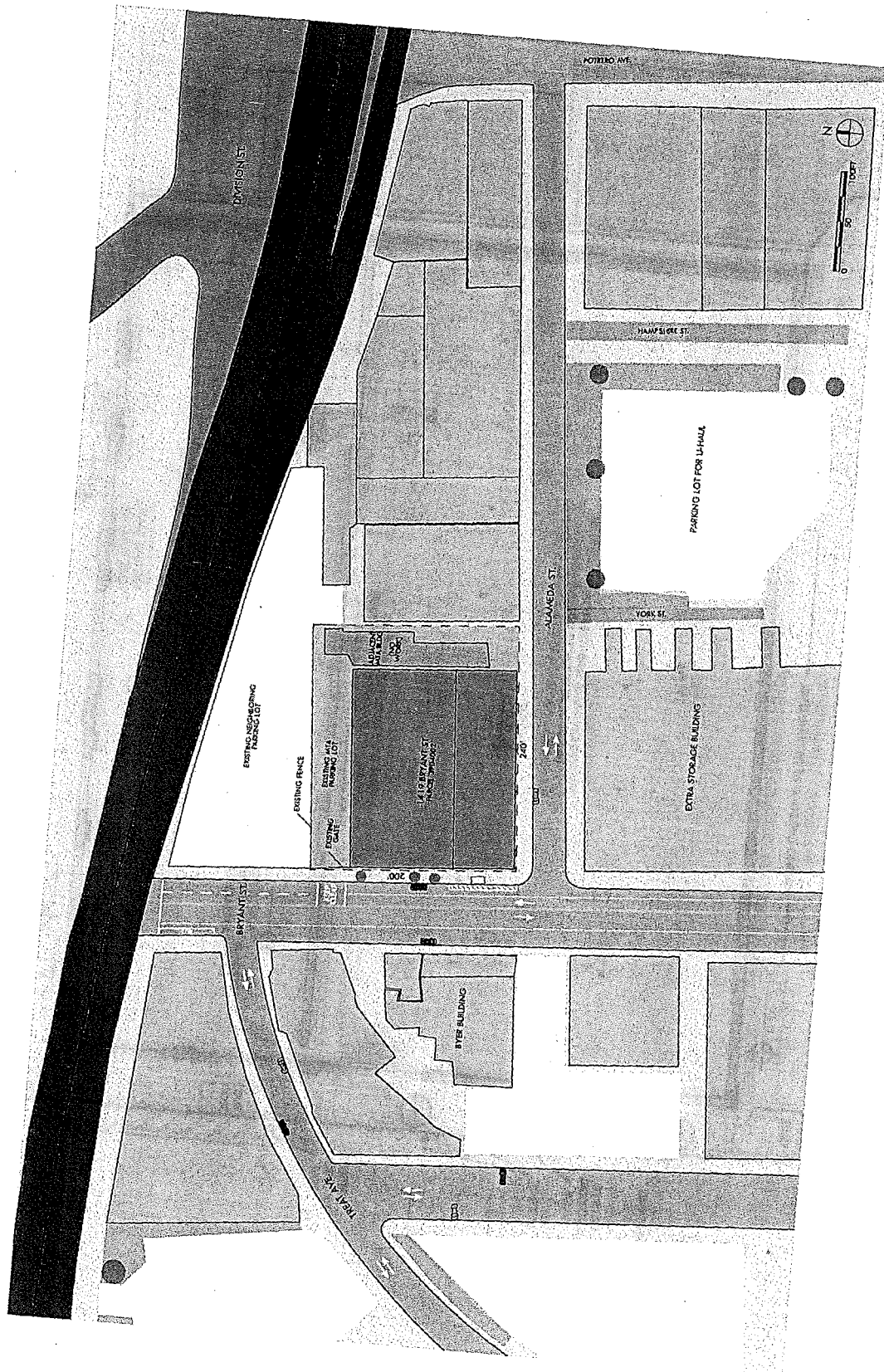


Figure 2 – Site Plan



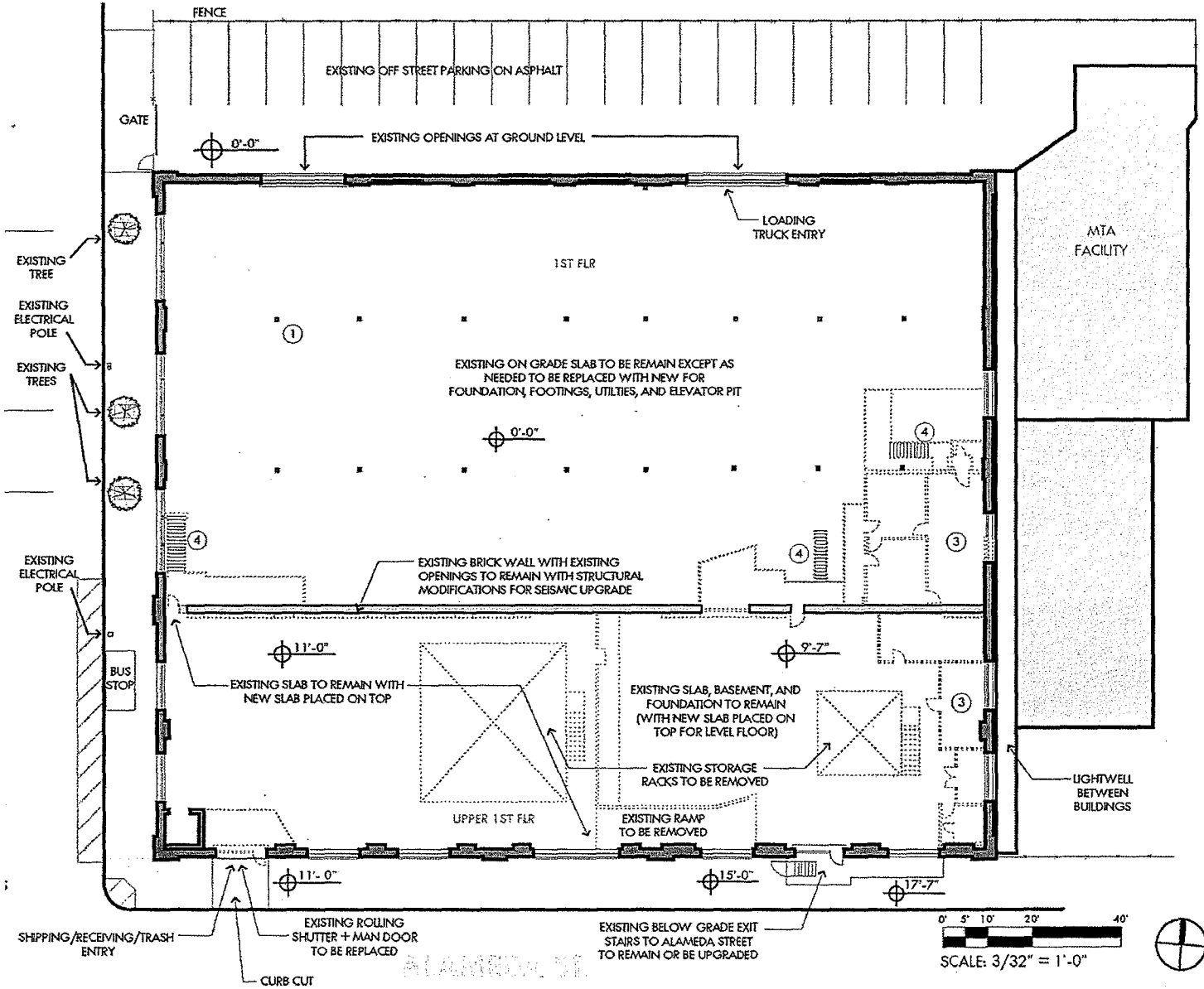


Figure 3(a) – Existing Floor Plan (Single Floor)

Figure 3(b) – Existing Floor Plan (Roof)

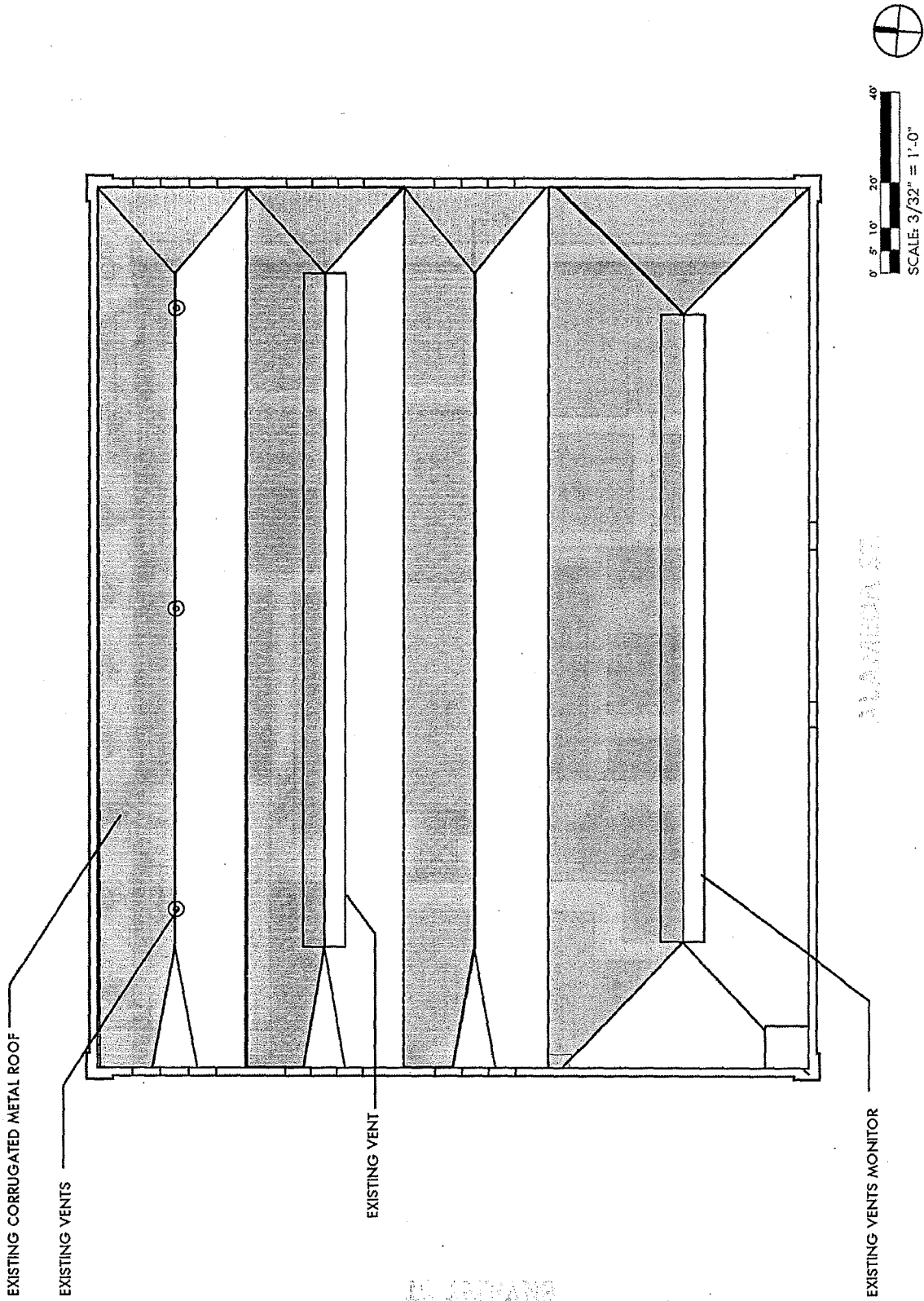
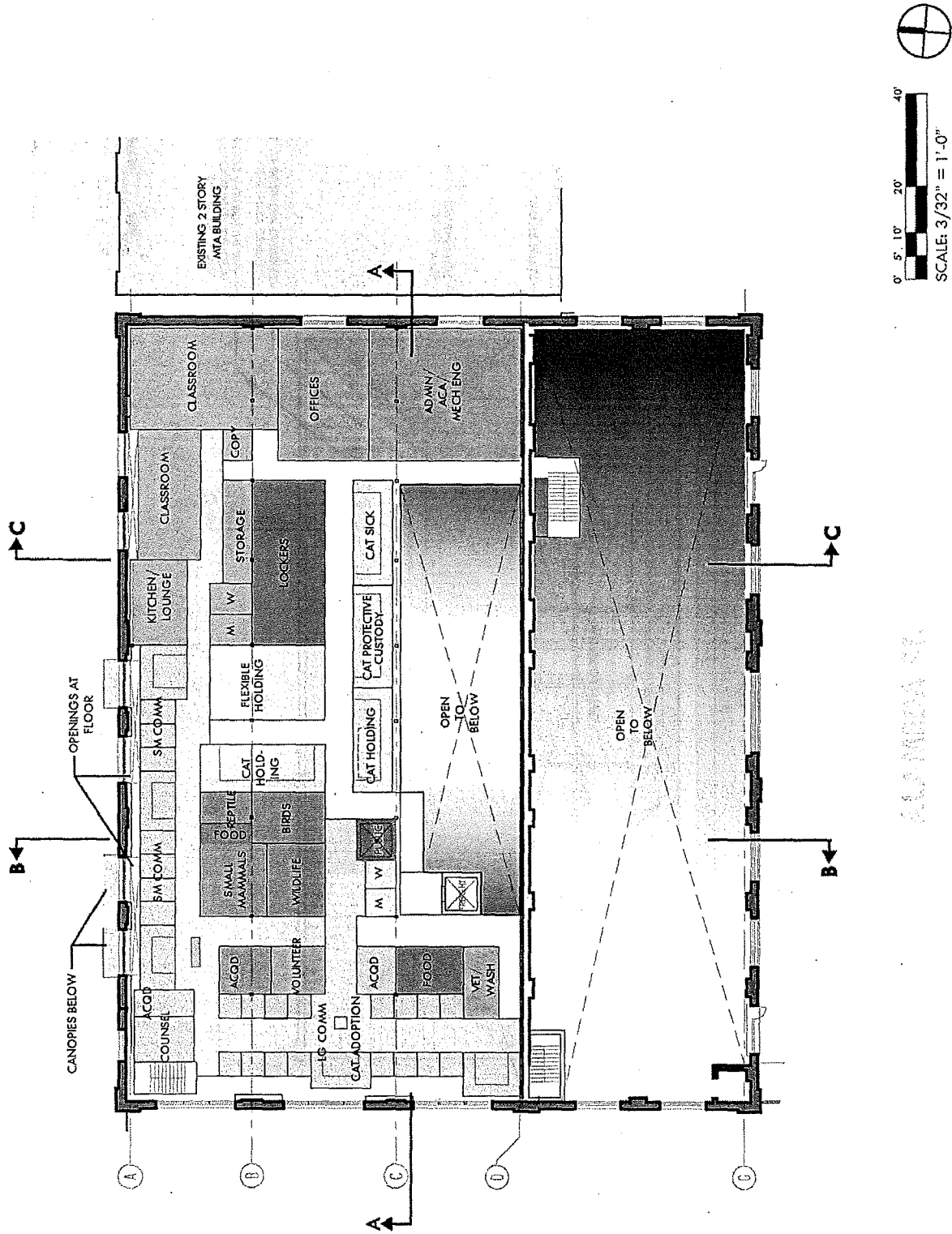


Figure 4(b) – Proposed Floor Plans (2nd Floor)



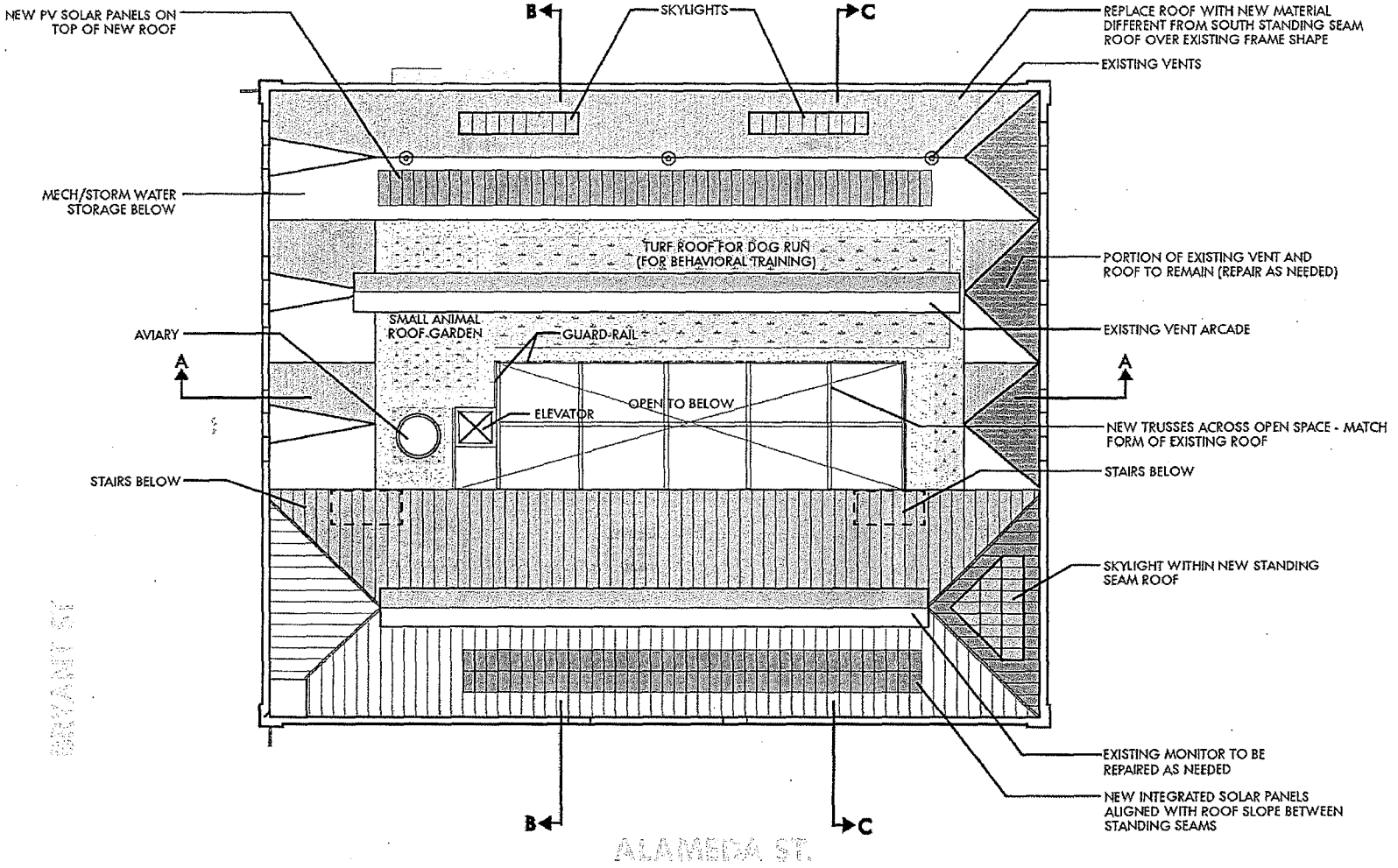
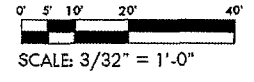
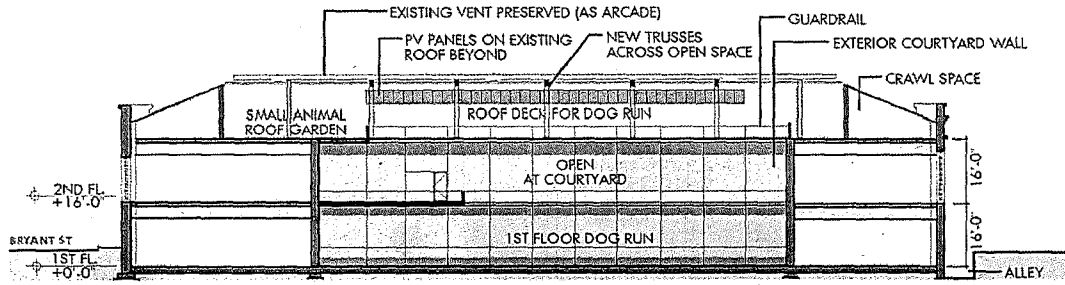


Figure 4(c) - Proposed Floor Plans (Roof)

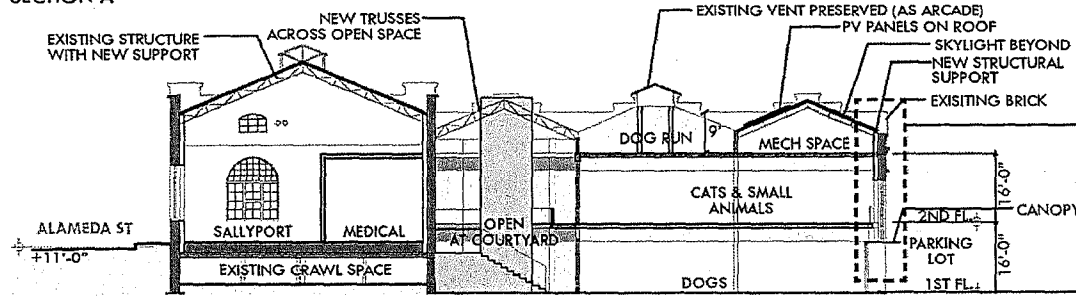
Community Plan Exemption Checklist

1419 Bryant Street (Animal Care and Control Facility)
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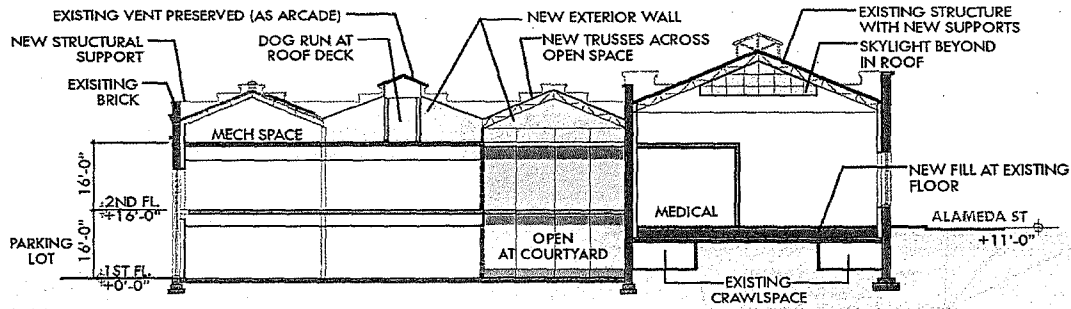




SECTION A

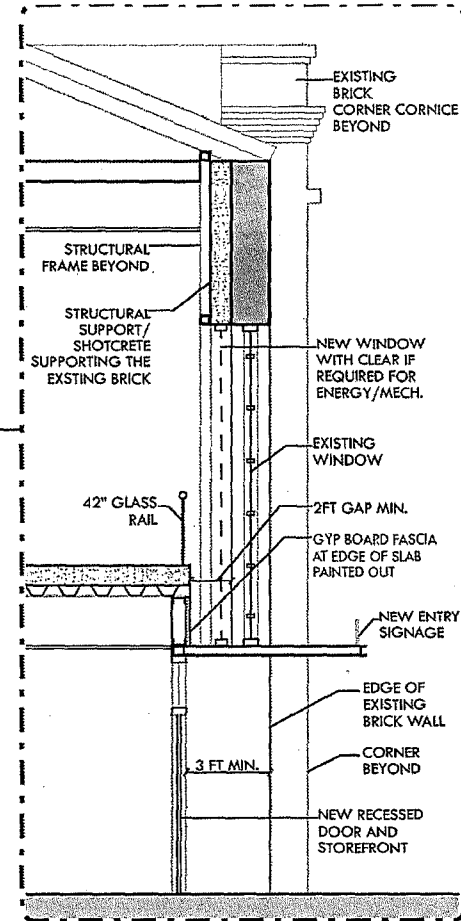
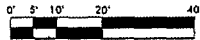


SECTION B



SECTION C

SCALE: 3/32" = 1'-0"



WALL SECTION TYP.

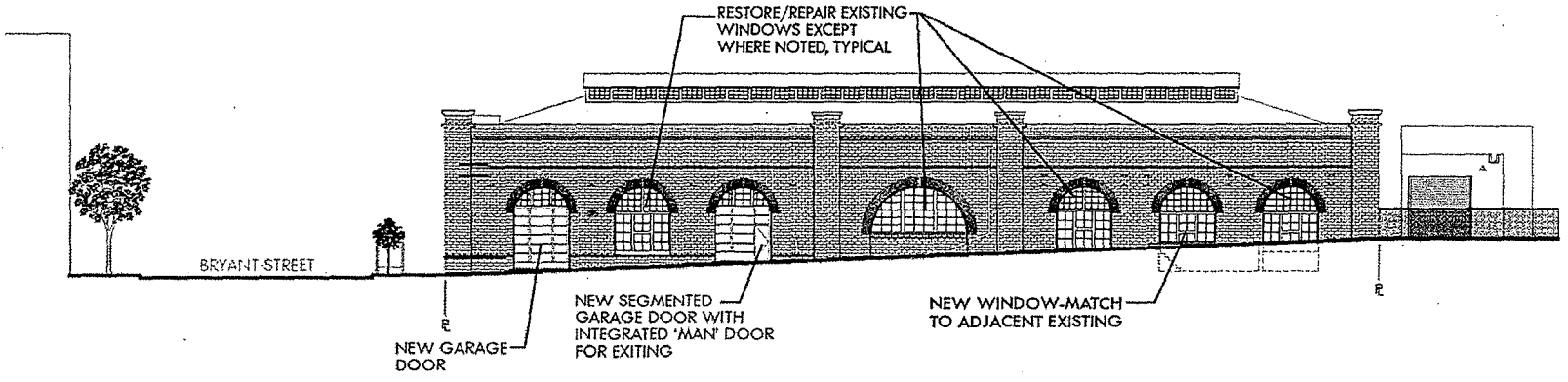
NEW CONSTRUCTION EXISTING TO REMAIN

Figure 5 – Proposed Sections

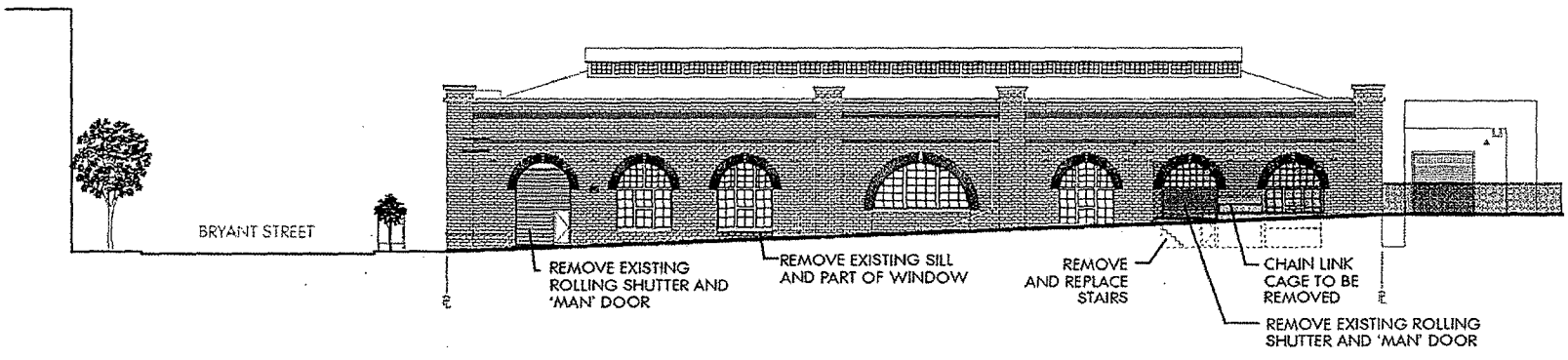
Community Plan Exemption Checklist

1419 Bryant Street (Animal Care and Control Facility)
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Figure 6(a) – Existing and Proposed Elevations (South – Alameda Street Side)



NEW



CURRENT

Figure 6(b) – Existing and Proposed Elevations (East Side)

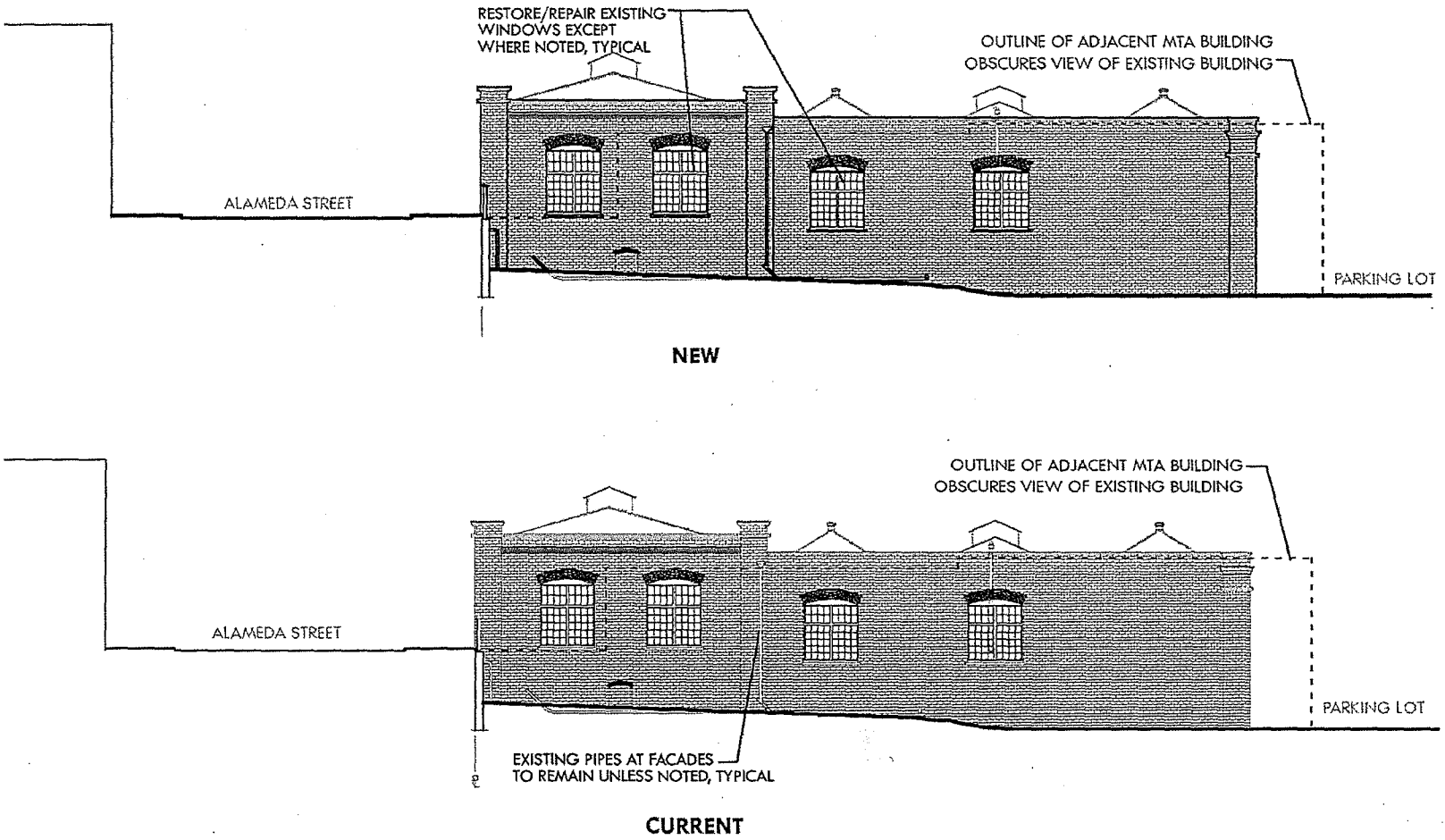
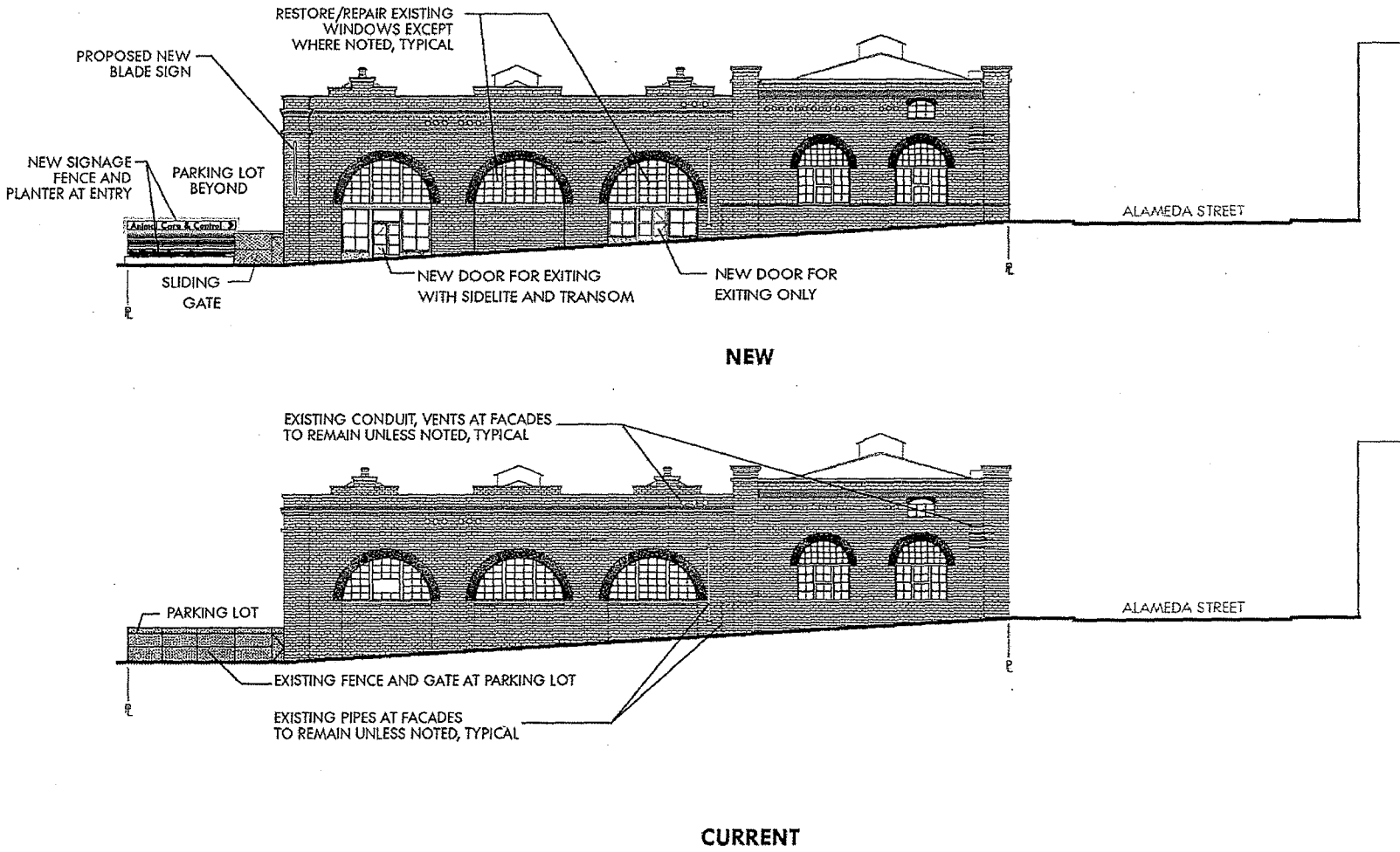
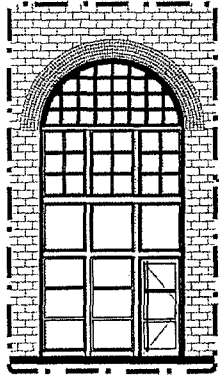
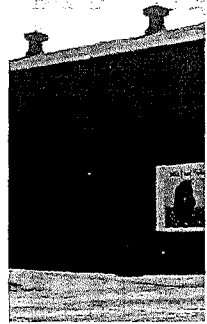


Figure 6(c) - Existing and Proposed Elevations (West - Bryant Street Side)

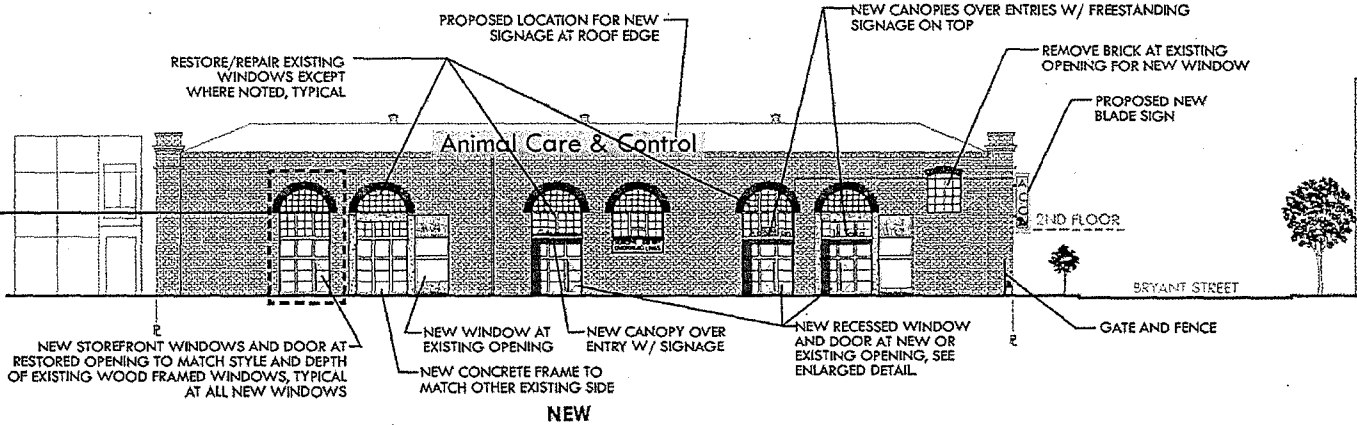




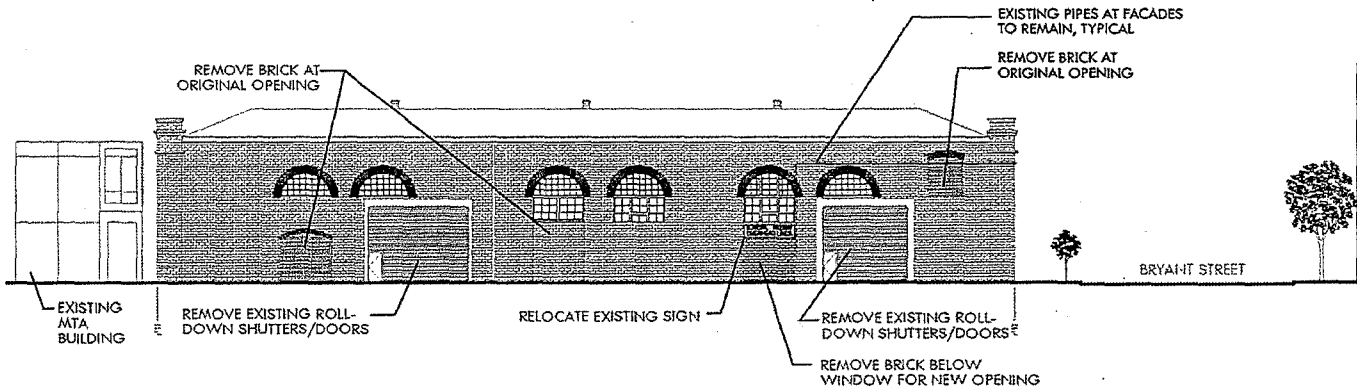
TYPICAL NEW WINDOW/ DOOR



Front Door Historical Precedent



NEW



CURRENT

Figure 6(d) – Existing and Proposed Elevations (North Side)

Community Plan Exemption Checklist

1419 Bryant Street (Animal Care and Control Facility)
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EVALUATION OF ENVIRONMENTAL EFFECTS

This Community Plan Exemption (CPE) Checklist evaluates whether the environmental impacts of the proposed project are addressed in the Programmatic Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans (Eastern Neighborhoods PEIR).¹ The CPE Checklist indicates whether the proposed project would result in significant impacts that: (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the PEIR; or (3) are previously identified significant effects, which as a result of substantial new information that was not known at the time that the Eastern Neighborhoods PEIR was certified, are determined to have a more severe adverse impact than discussed in the PEIR. Such impacts, if any, will be evaluated in a project-specific Mitigated Negative Declaration or Environmental Impact Report. If no such impacts are identified, the proposed project is exempt from further environmental review in accordance with Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

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

The Eastern Neighborhoods PEIR identified significant impacts related to land use, transportation, cultural resources, shadow, noise, air quality, and hazardous materials. Additionally, the PEIR identified significant cumulative impacts related to land use, transportation, and cultural resources. Mitigation measures were identified for the above impacts and reduced all impacts to less-than-significant except for those related to land use (cumulative impacts on Production, Distribution, and Repair (PDR) use), transportation (program-level and cumulative traffic impacts at nine intersections; program-level and cumulative transit impacts on seven Muni lines), cultural resources (cumulative impacts from demolition of historical resources), and shadow (program-level impacts on parks).

The proposed project would include conversion of an SFMTA maintenance building to an Animal Care and Control Facility. As discussed below in this checklist, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods PEIR.

CHANGES IN THE REGULATORY ENVIRONMENT

Since the certification of the Eastern Neighborhoods PEIR in 2008, several new policies, regulations, statutes, and funding measures have been adopted, passed, or are underway that affect the physical environment and/or environmental review methodology for projects in the Eastern Neighborhoods plan areas. As discussed in each topic area referenced below, these policies, regulations, statutes, and funding measures have or will implement mitigation measures or further reduce less-than-significant impacts identified in the PEIR. These include:

- State statute regulating Aesthetics and Parking Impacts for Transit Priority Infill, effective January 2014 (see associated heading below);
- San Francisco Bicycle Plan update adoption in June 2009, Better Streets Plan adoption in 2010, Transit Effectiveness Project (aka "Muni Forward") adoption in March 2014, Vision Zero

¹ San Francisco Planning Department, Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (PEIR), Planning Department Case No. 2004.0160E, State Clearinghouse No. 2005032048, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

adoption by various City agencies in 2014, Proposition A and B passage in November 2014, and the Transportation Sustainability Program process (see Checklist section "Transportation");

- San Francisco ordinance establishing Noise Regulations Related to Residential Uses Near Places of Entertainment effective June 2015 (see Checklist section "Noise");
- San Francisco ordinances establishing Construction Dust Control, effective July 2008, and Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, effective December 2014 (see Checklist section "Air Quality");
- San Francisco Clean and Safe Parks Bond passage in November 2012 and San Francisco Recreation and Open Space Element of the General Plan adoption in April 2014 (see Checklist section "Recreation");
- Urban Water Management Plan adoption in 2011 and Sewer System Improvement Program process (see Checklist section "Utilities and Service Systems"); and
- Article 22A of the Health Code amendments effective August 2013 (see Checklist section "Hazardous Materials").

CHANGES IN THE PHYSICAL ENVIRONMENT

Since the certification of the Eastern Neighborhoods PEIR in 2008, as evidenced by the volume of development applications submitted to the Planning Department since 2012, the pace of development activity has increased in the Eastern Neighborhoods plan areas. The Eastern Neighborhoods PEIR projected that implementation of the Eastern Neighborhoods Plan could result in a substantial amount of growth within the Eastern Neighborhoods Plan area, resulting in an increase of approximately 7,400 to 9,900 net dwelling units and 3,200,000 to 6,600,000 square feet of net non-residential space (excluding PDR loss) through throughout the lifetime of the Plan (year 2025).² The growth projected in the Eastern Neighborhoods PEIR was based on a soft site analysis (i.e., assumptions regarding the potential for a site to be developed through the year 2025) and not based upon the created capacity of the rezoning options (i.e., the total potential for development that would be created indefinitely).³

As of July 31, 2015, projects containing 8,559 dwelling units and 2,231,595 square feet of non-residential space (excluding PDR loss) have completed or are proposed to complete environmental review⁴ within

² Tables 12 through 16 of the Eastern Neighborhoods Draft EIR and Table C&R-2 in the Comments and Responses show projected net growth based on proposed rezoning scenarios. A baseline for existing conditions in the year 2000 was included to provide context for the scenario figures for parcels affected by the rezoning, not projected growth totals from a baseline of the year 2000. Estimates of projected growth were based on parcels that were to be rezoned and did not include parcels that were recently developed (i.e., parcels with projects completed between 2000 and March 2006) or have proposed projects in the pipeline (i.e., projects under construction, projects approved or entitled by the Planning Department, or projects under review by the Planning Department or Department of Building Inspection). Development pipeline figures for each Plan Area were presented separately in Tables 5, 7, 9, and 11 in the Draft EIR. Environmental impact assessments for these pipeline projects were considered separately from the Eastern Neighborhoods rezoning effort.

³ San Francisco Planning Department, Community Planning in the Eastern Neighborhoods, Rezoning Options Workbook, Draft, February 2003. This document is available at: <http://www.sf-planning.org/index.aspx?page=1678#background>.

⁴ For this and the Population and Housing section, environmental review is defined as projects that have or are relying on the growth projections and analysis in the Eastern Neighborhoods PEIR for environmental review (i.e., Community Plan Exemptions or Focused Mitigated Negative Declarations and Focused Environmental Impact Reports with an attached Community Plan Exemption Checklist).

the Eastern Neighborhoods Plan area. These estimates include projects that have completed environmental review (4,885 dwelling units and 1,472,688 square feet of non-residential space) and foreseeable projects, including the proposed project (3,674 dwelling units and 758,907 square feet of non-residential space). Foreseeable projects are those projects for which environmental evaluation applications have been submitted to the San Francisco Planning Department. Of the 4,885 dwelling units that have completed environmental review, building permits have been issued for 3,710 dwelling units, or approximately 76 percent of those units (information is not available regarding building permit non-residential square footage). An issued building permit means the buildings containing those dwelling units are currently under construction or open for occupancy.

Within the Mission subarea, the Eastern Neighborhoods PEIR projected that implementation of the Eastern Neighborhoods Plan could result in an increase of 800 to 2,100 net dwelling units and 700,000 to 3,500,000 net non-residential space (excluding PDR loss) through the year 2025. As of July 31, 2015, projects containing 1,906 dwelling units and 257,943 square feet of non-residential space (excluding PDR loss) have completed or are proposed to complete environmental review within the Mission subarea. These estimates include projects that have completed environmental review (1,202 dwelling units and 75,013 square feet of non-residential space) and foreseeable projects, excluding the proposed project (704 dwelling units and 182,930 square feet of non-residential space). Of the 1,202 dwelling units that have completed environmental review, building permits have been issued for 1,176 dwelling units, or approximately 98 percent of those units.

Growth that has occurred within the Plan area since adoption of the Eastern Neighborhoods PEIR has been planned for and the effects of that growth were anticipated and considered in the Eastern Neighborhoods PEIR. Although the reasonably foreseeable growth in the residential land use category is approaching the projections within the Eastern Neighborhoods PEIR, the non-residential reasonably foreseeable growth is between approximately 7 and 37 percent of the non-residential projections in the Eastern Neighborhoods PEIR. The Eastern Neighborhoods PEIR utilized the growth projections to analyze the physical environmental impacts associated with that growth for the following environmental impact topics: Land Use; Population, Housing, Business Activity, and Employment; Transportation; Noise; Air Quality; Parks, Recreation, and Open Space; Utilities/Public Services; and Water. The analysis took into account the overall growth in the Eastern Neighborhoods and did not necessarily analyze in isolation the impacts of growth in one land use category, although each land use category may have differing severities of effects. Therefore, given the growth from the reasonably foreseeable projects have not exceeded the overall growth that was projected in the Eastern Neighborhoods PEIR, information that was not known at the time of the PEIR has not resulted in new significant environmental impacts or substantially more severe adverse impacts than discussed in the PEIR.

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

The Eastern Neighborhoods PEIR analyzed a range of potential rezoning options and considered the effects of losing between approximately 520,000 to 4,930,000 square feet of PDR space in the Plan Area throughout the lifetime of the Plan (year 2025). This was compared to an estimated loss of approximately 4,620,000 square feet of PDR space in the Plan Area under the No Project scenario. Within the Mission subarea, the Eastern Neighborhoods PEIR considered the effects of losing up to approximately 3,370,000 square feet of PDR space through the year 2025. The Eastern Neighborhoods PEIR determined that adoption of the Area Plans would result in an unavoidable significant impact on land use due to the cumulative loss of PDR space. This impact was addressed in a Statement of Overriding Considerations with CEQA Findings and adopted as part of the Eastern Neighborhoods Rezoning and Areas Plans approval on January 19, 2009.

As of July 31, 2015, projects containing the removal of 1,748,422 net square feet of PDR space have completed or are proposed to complete environmental review within the Eastern Neighborhoods Plan area. These estimates include projects that have completed environmental review (796,446 square feet of PDR space loss) and foreseeable projects, including the proposed project (951,976 square feet of PDR space loss). Foreseeable projects are those projects for which environmental evaluation applications have been submitted to the San Francisco Planning Department. As of July 31, 2015, projects containing the removal of approximately 377,000 net square feet of PDR space have completed or are proposed to complete environmental review within the Mission subarea. These estimates include projects that have completed environmental review (144,000 square feet of PDR space loss) and foreseeable projects, excluding the proposed project (233,000 square feet of PDR space loss).

Development of the proposed project would result in the net loss of approximately 34,350 square feet of PDR building space. This would contribute considerably to the significant cumulative land use impact related to loss of PDR uses that was identified in the Eastern Neighborhoods PEIR. The project site is located in the P (Public) Use District, which is intended to apply to land that is owned by a governmental agency and is in some form of public use, and development is within the development density as envisioned for the site under the Eastern Neighborhoods PEIR. The proposed loss of 34,350 square feet of existing PDR uses represents a considerable contribution to the cumulative loss of PDR space analyzed in the Eastern Neighborhoods PEIR, but would not result in significant impacts that were not identified or a more severe adverse impact than analyzed in the PEIR.

The Eastern Neighborhoods PEIR determined that implementation of the Area Plans would not create any new physical barriers in the Eastern Neighborhoods because the rezoning and Area Plans do not provide for any new major roadways, such as freeways that would disrupt or divide the project area or individual neighborhoods or subareas.

The Citywide Planning and Current Planning Divisions of the Planning Department have determined that the proposed project is permitted in the P Use District and is consistent with the 68-X Height and Bulk District, which allows buildings up to 68 feet in height with no bulk restrictions. The P Use District allows public structures and land uses of the City and County of San Francisco and other governmental agencies.

Two of the goals of the Mission Area Plan include Objective 3.1, to promote an urban form that reinforces the Mission’s distinctive place in the City’s larger form and strengthen its physical fabric and character; and Objective 8.2, to protect, preserve, and reuse the Historic Resources within the Plan Area. The proposed project is consistent with these objectives by retaining and reusing the Historic Resource, Municipal Railway Overhead Lines building, and reusing it as an Animal Care and Control Facility.

The plan also calls for improvements and expansion of bicycle infrastructure as an important mode of transportation in Objective 4.7. The proposed project supports this objective by increasing the amount of bicycle parking and not adding any new vehicle parking spaces.

Therefore, the proposed project is permitted by zoning and is consistent with the development density envisioned in the Eastern Neighborhoods Mission Area Plan.^{5,6}

Because the proposed project is consistent with the development density established in the Eastern Neighborhoods Rezoning and area Plans, implementation of the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods PEIR related to land use and land use planning, and no mitigation measures are necessary.

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

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

⁶ Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 1401-1419 Bryant Street, December 30, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2015-005388ENV.

| Topics: | <i>Significant Impact Peculiar to Project or Project Site</i> | <i>Significant Impact not Identified in PEIR</i> | <i>Significant Impact due to Substantial New Information</i> | <i>No Significant Impact not Previously Identified in PEIR</i> |
|---|---|--|--|--|
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

One of the objectives of the Eastern Neighborhoods Area Plans is to identify appropriate locations for housing in the City’s industrially zoned land to meet the citywide demand for additional housing. The PEIR concluded that an increase in population in the Plan Areas is expected to occur as a secondary effect of the proposed rezoning and that any population increase would not, in itself, result in adverse physical effects, but would serve to advance key City policy objectives, such as providing housing in appropriate locations next to Downtown and other employment generators and furthering the City’s Transit First policies. It was anticipated that the rezoning would result in an increase in both housing development and population in all of the Area Plan neighborhoods. The Eastern Neighborhoods PEIR determined that the anticipated increase in population and density would not result in significant adverse physical effects on the environment. No mitigation measures were identified in the PEIR.

The proposed project would convert approximately 34,350 square feet of SFMTA maintenance space to a 50,800 square foot Animal Care and Control Facility (an interior second story would be added within the existing building envelope), resulting in a net increase of approximately 17 jobs on the project site. No housing units would be added as part of the proposed project. As stated in the “Changes in the Physical Environment” section above, these direct effects of the proposed project on population and housing are within the scope of the population growth anticipated under the Eastern Neighborhoods Rezoning and Area Plans and evaluated in the Eastern Neighborhoods PEIR.

For the above reasons, the proposed project would not result in significant impacts on population and housing that were not identified in the Eastern Neighborhoods PEIR.

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

Historic Architectural Resources

Pursuant to CEQA Guidelines Sections 15064.5(a)(1) and 15064.5(a)(2), historical resources are buildings or structures that are listed, or are eligible for listing, in the California Register of Historical Resources or are identified in a local register of historical resources, such as Articles 10 and 11 of the San Francisco Planning Code. The Eastern Neighborhoods PEIR determined that future development facilitated through the changes in use districts and height limits under the Eastern Neighborhoods Area Plans could have substantial adverse changes on the significance of both individual historical resources and on historical districts within the Plan Areas. The PEIR determined that approximately 32 percent of the known or potential historical resources in the Plan Areas could potentially be affected under the preferred alternative. The Eastern Neighborhoods PEIR found this impact to be significant and unavoidable. This impact was addressed in a Statement of Overriding Considerations with findings and adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009.

The existing building on the project site has been determined eligible for the California Register of Historic Resources (CRHR) as an individual resource, and is a contributing resource within the CRHR-listed Showplace Square Heavy Timber and Steel-Frame Brick Warehouse and Factory Historic District. A Historic Resource Evaluation Response (HREER) was prepared in the form of a Preservation Team Review Form. The HREER found that, although the proposed project would make visible changes to the interior and exterior of the existing building, the proposed project would retain the building's character-defining features, including: exterior brick walls, standing seam metal roofs, industrial wood windows, and street-facing openings. New openings, signage, and interior features to be added would be consistent with existing materials and would confirm to the Secretary of the Interior's Standards for the Treatment of Historic Properties.^{7,8} Therefore, the proposed project would not contribute to the significant historic resource impact identified in the Eastern Neighborhoods PEIR, and no historic resource mitigation measures would apply to the proposed project.

For these reasons, the proposed project would not result in significant impacts on historic architectural resources that were not identified in the Eastern Neighborhoods PEIR.

Archeological Resources

The Eastern Neighborhoods PEIR determined that implementation of the Area Plan could result in significant impacts on archeological resources and identified three mitigation measures that would reduce these potential impacts to a less than significant level. Eastern Neighborhoods PEIR Mitigation Measure J-1 applies to properties for which a final archeological research design and treatment plan is on file at the Northwest Information Center and the Planning Department. Mitigation Measure J-2 applies to properties for which no archeological assessment report has been prepared or for which the archeological documentation is incomplete or inadequate to serve as an evaluation of potential effects on archeological resources under CEQA. Mitigation Measure J-3, which applies to properties in the Mission Dolores

⁷ Justin Greving, San Francisco Planning Department, *Preservation Team Review Form*, November 11, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2015-005388ENV.

⁸ Carey & Co., Inc., *Historic Resource Evaluation – Part 2 – 1401 Bryant Street, San Francisco, California*, August 10, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2015-005388ENV.

Archeological District, requires that a specific archeological testing program be conducted by a qualified archeological consultant with expertise in California prehistoric and urban historical archeology.

Therefore, Mitigation Measure J-2 is applicable to the proposed project. The project sponsor has agreed to implement Eastern Neighborhoods PEIR Mitigation Measure J-2 as Project Mitigation Measure 1. Through the preliminary archeological review process, Planning Department archeology staff determined that the proposed excavation on the project site (500 cubic yards reaching approximately three feet below grade) would have no effect on archeological resources.⁹

For these reasons, the proposed project would not result in significant impacts on archeological resources that were not identified in the Eastern Neighborhoods PEIR.

| <u>Topics:</u> | <i>Significant Impact Peculiar to Project or Project Site</i> | <i>Significant Impact not Identified in PEIR</i> | <i>Significant Impact due to Substantial New Information</i> | <i>No Significant Impact not Previously Identified in PEIR</i> |
|---|---|--|--|--|
| 4. TRANSPORTATION AND CIRCULATION— Would the project: | | | | |
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The Eastern Neighborhoods PEIR anticipated that growth resulting from the zoning changes would not result in significant impacts related to pedestrians, bicyclists, loading, emergency access, or construction.

⁹ Randall Dean, San Francisco Planning Department, *Preliminary Archeological Review Log*, November 5, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2015-005388ENV.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on pedestrians, bicyclists, loading, emergency access, or construction beyond those analyzed in the Eastern Neighborhoods PEIR.

However, the Eastern Neighborhoods PEIR anticipated that growth resulting from the zoning changes could result in significant impacts on traffic and transit ridership, and identified 11 transportation mitigation measures, which are described further below in the Traffic and Transit sub-sections. Even with mitigation, however, it was anticipated that the significant adverse cumulative traffic impacts and the cumulative impacts on transit lines could not be fully mitigated. Thus, these impacts were found to be significant and unavoidable.

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

Trip Generation

The proposed project would convert the existing building on the project site, which currently contains a 34,350 square foot SFMTA maintenance facility to a 50,800 Animal Care and Control Facility.

Trip generation of the proposed project was calculated using staffing information provided by SFMTA and the existing Animal Care and Control Facility at 1200 15th Street. Trip generation analysis was performed in accordance with the 2002 *Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department. The proposed project would generate an estimated 398 daily person trips (inbound and outbound) on a weekday daily basis. The 116 daily person trips generated by the existing SFMTA maintenance facility would no longer occur, resulting in a net increase of 282 daily person trips.¹⁰ During the p.m. peak hour, 76 net new person trips would occur, consisting of 56 net new person trips by auto (56 new net new vehicle trips), 11 net new transit trips, 4 net new walk trips and 5 net new bicycle trips.

Traffic

Mitigation Measures E-1 through E-4 in the Eastern Neighborhoods PEIR were adopted as part of the Plan with uncertain feasibility to address significant traffic impacts. These measures are not applicable to the proposed project, as they are plan-level mitigations to be implemented by City and County agencies. Since certification of the PEIR, SFMTA has been engaged in public outreach regarding some of the parking-related measures identified in Mitigation Measures E-2 and E-4: Intelligent Traffic Management, although they have not been implemented. Measures that have been implemented include traffic signal installation at Rhode Island/16th streets as identified in Mitigation Measure E-1 and enhanced funding as identified in Mitigation Measure E-3 through San Francisco propositions A and B passed in November 2014. Proposition A authorized the City to borrow \$500 million through issuing general obligation bonds in order to meet some of the transportation infrastructure needs of the City. These funds are allocated for constructing transit-only lanes and separated bikeways, installing new boarding islands and escalators at Muni/BART stops, installing sidewalk curb bulb-outs, raised crosswalks, median islands, and bicycle parking and upgrading Muni maintenance facilities, among various other improvements. Proposition B, which also passed in November 2014, amends the City Charter to increase the amount the City provided to the SFMTA based on the City's population, with such funds to be used to improve Muni service and

¹⁰ CHS Consulting Group, *SFPW Animal Control Center Relocation Project Transportation Memo*, December 8, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2015-005388ENV.

street safety. Some of this funding may be applied to transportation projects within the Eastern Neighborhoods Plan area.

The proposed project would generate an estimated 56 new p.m. peak hour vehicle trips that could travel through surrounding intersections. This amount of new p.m. peak hour vehicle trips would not substantially increase traffic volumes at these or other nearby intersections, would not substantially increase average delay that would cause intersections that currently operate at acceptable LOS to deteriorate to unacceptable LOS, or would not substantially increase average delay at intersections that currently operate at unacceptable LOS.

During the p.m. peak hour, the project would generate approximately 56 vehicle trips and increase traffic volumes on nearby streets such as Bryant Street, Division Street, 10th Street, 11th Street, and Alameda Street. Because these trips would spread over multiple streets and directions, Division Street, 10th Street, 11th Street, and Alameda Street would each experience a marginal increase in traffic volumes. On Bryant Street, where the main vehicular access to the proposed project would be located, traffic volumes could potentially increase approximately six percent (from 925 trips to 981 trips) during the p.m. peak hour. Traffic queues along northbound Bryant Street could also increase. The limited addition of project-related vehicles would not cause traffic volumes to exceed the carrying capacity of the nearby roadways. Since the Animal Care and Control Facility would be relocating a short distance from its present location at 1200 15th Street, approximately 900 feet west of the project site, the majority of trips from the proposed project would occur along the same streets. The addition of 56 new p.m. peak hour vehicle trips would not substantially increase traffic volumes at these or other nearby intersections, would not substantially increase average delay that would cause intersections that currently operate at acceptable LOS to deteriorate to unacceptable LOS, or would not substantially increase average delay at intersections that currently operate at unacceptable LOS. The proposed project would not contribute considerably to LOS delay conditions as its contribution of an estimated 56 new p.m. peak-hour vehicle trips would not be a substantial proportion of the overall traffic volume or the new vehicle trips generated by Eastern Neighborhoods' Plan projects. The proposed project would also not contribute considerably to 2025 cumulative conditions and thus, the proposed project would not have any significant cumulative traffic impacts.

For the above reasons, the proposed project would not result in significant impacts on traffic that were not identified in the Eastern Neighborhoods PEIR.

Transit

Mitigation Measures E-5 through E-11 in the Eastern Neighborhoods PEIR were adopted as part of the Plan with uncertain feasibility to address significant transit impacts. These measures are not applicable to the proposed project, as they are plan-level mitigations to be implemented by City and County agencies. In compliance with a portion of Mitigation Measure E-5: Enhanced Transit Funding, the City adopted impact fees for development in Eastern Neighborhoods that contributes to the funding of transit and complete streets. In addition, the City is currently conducting outreach regarding Mitigation Measures E-5: Enhanced Transit Funding and Mitigation Measure E-11: Transportation Demand Management as part of the Transportation Sustainability Program.¹¹ In compliance with all or portions of Mitigation Measure E-6: Transit Corridor Improvements, Mitigation Measure E-7: Transit Accessibility, Mitigation Measure E-9: Rider Improvements, and Mitigation Measure E-10: Transit Enhancement, the SFMTA is implementing

¹¹ <http://tsp.sfplanning.org>

the Transit Effectiveness Project (TEP), which was approved by the SFMTA Board of Directors in March 2014. The TEP (now called Muni Forward) includes system-wide review, evaluation, and recommendations to improve service and increase transportation efficiency. Examples of transit priority and pedestrian safety improvements within the Eastern Neighborhoods Plan area as part of Muni Forward include the 14 Mission Rapid Transit Project, the 22 Fillmore Extension along 16th Street to Mission Bay (expected construction between 2017 and 2020), and the Travel Time Reduction Project on Route 9-San Bruno (initiation in 2015). In addition, Muni Forward includes service improvements to various routes with the Eastern Neighborhoods Plan area; for instance the implemented new Route 55 on 16th Street.

Mitigation Measure E-7 also identifies implementing recommendations of the Bicycle Plan and Better Streets Plan. As part of the San Francisco Bicycle Plan, adopted in 2009, a series of minor, near-term, and long-term bicycle facility improvements are planned within the Eastern Neighborhoods, including along 2nd Street, 5th Street, 17th Street, Townsend Street, Illinois Street, and Cesar Chavez Boulevard. The San Francisco Better Streets Plan, adopted in 2010, describes a vision for the future of San Francisco's pedestrian realm and calls for streets that work for all users. The Better Streets Plan requirements were codified in Section 138.1 of the Planning Code and new projects constructed in the Eastern Neighborhoods Plan area are subject to varying requirements, dependent on project size. Another effort which addresses transit accessibility, Vision Zero, was adopted by various City agencies in 2014. Vision Zero focuses on building better and safer streets through education, evaluation, enforcement, and engineering. The goal is to eliminate all traffic fatalities by 2024. Vision Zero projects within the Eastern Neighborhoods Plan area include pedestrian intersection treatments along Mission Street from 18th to 23rd streets, the Potrero Avenue Streetscape Project from Division to Cesar Chavez streets, and the Howard Street Pilot Project, which includes pedestrian intersection treatments from 4th to 6th streets.

The project site is located within a quarter mile of several local transit lines including Muni lines 9-San Bruno, 9R-San Bruno Rapid, 22-Fillmore, 27-Bryant, 33-Ashbury/18th, and 47-Van Ness. The proposed project would be expected to generate 11 net new p.m. peak hour transit trips. Given the wide availability of nearby transit, the addition of 11 net new p.m. peak hour transit trips would be accommodated by existing capacity. As such, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service could result.

Each of the rezoning options in the Eastern Neighborhoods PEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on Muni lines, with the Preferred Project having significant impacts on seven lines. Of those lines, the project site is located within a quarter-mile of Muni lines 9-San Bruno, 22-Fillmore, 27-Bryant, and 33-Ashbury/18th. The proposed project would not contribute considerably to these conditions as its minor contribution of 11 net new p.m. peak hour transit trips would not be a substantial proportion of the overall additional transit volume generated by Eastern Neighborhood projects. The proposed project would also not contribute considerably to 2025 cumulative transit conditions and thus would not result in any significant cumulative transit impacts.

For the above reasons, the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods PEIR related to transit and would not contribute considerably to cumulative transit impacts that were identified in the Eastern Neighborhoods PEIR.

Loading

The proposed project would generate up to 20 daily loading trips to transport animals to and from the

project site. Approximately three of the loading trips would be during the p.m. peak hour. Loading and unloading is anticipated to take approximately 30 minutes per trip. Loading would occur at the proposed sally port accessible via Alameda Street. This space would accommodate up to three loading vehicles and would have sufficient space to accommodate the peak loading demand.¹²

There are no on-street freight loading (yellow) spaces immediately adjacent to the site. The nearest commercial zone is located on the north side of Alameda Street west of Potrero Avenue, approximately 700 feet southeast of the project site. It is anticipated that daily delivery services for packages and mail would temporarily use nearby on-street parking or freight loading spaces (e.g. on the north side of Alameda Street or west side of Bryant Street) or the parking lot to make deliveries. Based on the parking survey, while on-street auto parking is generally full during business hours, yellow freight loading spaces are generally available in the vicinity of the project site. Therefore, the proposed project's loading activities could be accommodated on-site or in nearby on-street parking/loading spaces, and would not create potentially hazardous traffic conditions or significant delays affecting traffic, transit, bicycles or pedestrians.

For the above reasons, the proposed project would not result in significant impacts regarding loading that were not identified in the Eastern Neighborhoods PEIR.

Parking

As presented above, there would be a total of 53 employees, 7 volunteers, and 25 visitors at the project site during the peak hour. Assuming approximately 75 percent would drive to the project site and stay for an average of 9 hours for employees, 2.5 hours for volunteers and 30 minutes for visitors, the proposed project would generate the peak parking demand of 55 parking spaces. In addition, there would be 14 Animal Care and Control vehicles (12 standard vehicles and two disaster trailers), of which approximately eight would be out in the field responding to calls and six would be parked on site during the business hours.¹³ As a result, the proposed project would have a peak parking demand of 61 parking spaces. Since the proposed project would provide a total of 16 off-street parking spaces in the adjacent parking lot, including 10 spaces for visitor and volunteers and six spaces for ACC vehicles, the project would have an unmet parking demand of 45 spaces. The proposed project would potentially remove one on-street parking space on Alameda Street to provide curb cuts to access the proposed sally port. Though the number of proposed off-street parking spaces would be less than the calculated parking demand for the project, the unmet parking demand could be accommodated within existing on-street and off-street parking spaces within a reasonable distance of the project vicinity. Additionally, the project site is well served by public transit and bicycle facilities. Therefore, any unmet parking demand associated with the project would not materially affect the overall parking conditions in the project vicinity such that hazardous conditions or significant delays are created.

For the above reasons, the proposed project would not result in significant parking impacts that were not identified in the Eastern Neighborhoods PEIR.

¹² During normal operations, there would be two trucks in the sally port at the same time. Under special circumstances, with coordination among drivers, three trucks can be accommodated.

¹³ During business hours, the majority of these vehicles would be out in the field responding to calls, and about six vehicles would be parked in the parking lot (six out of 16 spaces would be reserved for these vehicles in the parking lot). All 14 vehicles would be parked in the parking lot or in the sally port (two off-street loading spaces) during non-business hours.

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

The Eastern Neighborhoods PEIR determined that implementation of the Eastern Neighborhoods Area Plans and Rezoning would result in significant noise impacts during construction activities and due to conflicts between noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural/institutional/educational uses, and office uses. The Eastern Neighborhoods PEIR also determined that incremental increases in traffic-related noise attributable to implementation of the Eastern Neighborhoods Area Plans and Rezoning would be less than significant. The Eastern Neighborhoods PEIR therefore identified six noise mitigation measures that would reduce noise impacts from construction and noisy land uses to less-than-significant levels.

Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2 relate to construction noise. Mitigation Measure F-1 addresses individual projects that include pile-driving, and Mitigation Measure F-2 addresses individual projects that include particularly noisy construction procedures (including pile-driving). Pile driving is not proposed as part of the proposed project, so Mitigation Measure F-1 is not applicable. Other noise generating construction equipment, such as excavators and backhoes, would be used. Therefore, Mitigation Measure F-2 is applicable. The project sponsor has agreed to implement Eastern Neighborhoods PEIR Mitigation Measure F-2 as Project Mitigation Measure 2 (full text provided in the Mitigation Measures section below).

In addition, all construction activities for the proposed project (approximately 26 months) would be subject to and would comply with the San Francisco Noise Ordinance (Article 29 of the San Francisco

Police Code) (Noise Ordinance). Construction noise is regulated by the Noise Ordinance. The Noise Ordinance requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of the Department of Public Works (DPW) or the Director of DBI to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Director of DPW authorizes a special permit for conducting the work during that period.

DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the construction period for the proposed project of approximately 26 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. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project, because the construction noise would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be required to comply with the Noise Ordinance and Eastern Neighborhoods PEIR Mitigation Measure F-2, which would reduce construction noise impacts to a less than significant level.

Eastern Neighborhoods PEIR Mitigation Measures F-3 and F-4 require that a detailed analysis of noise reduction requirements be conducted for new development that includes noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn) or near existing noise-generating uses. The proposed project does not include any noise-sensitive uses, therefore Mitigation Measures F-3 and F-4 do not apply.

Eastern Neighborhoods PEIR Mitigation Measure F-5 addresses impacts related to individual projects that include new noise-generating uses that would be expected to generate noise levels in excess of ambient noise in the proposed project site vicinity. The proposed project includes new potential noise sources (barking dogs in outdoor dog runs), therefore Mitigation Measure F-5 is applicable. The project sponsor has agreed to implement Eastern Neighborhoods PEIR Mitigation Measure F-5 as Project Mitigation Measure 3 (full text provided in the Mitigation Measures section below). The noise study prepared for the proposed project indicated that the exterior noise generated by barking dogs would not substantially exceed background noise at neighboring buildings, and no further noise attenuation would be required.

Mitigation Measure F-6 addresses impacts from existing ambient noise levels on open space required under the Planning Code for new development that includes noise-sensitive uses. The proposed project does not include any noise-sensitive uses, therefore Mitigation Measure F-6 does not apply.

The project site is not located within an airport land use plan area, within two miles of a public airport, or in the vicinity of a private airstrip. Therefore, topics 12e and f from the CEQA Guidelines, Appendix G are not applicable.

For the above reasons, the proposed project would not result in significant noise impacts that were not identified in the Eastern Neighborhoods PEIR.

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

The Eastern Neighborhoods PEIR identified potentially significant air quality impacts resulting from construction activities and impacts to sensitive land uses¹⁴ as a result of exposure to elevated levels of diesel particulate matter (DPM) and other toxic air contaminants (TACs). The Eastern Neighborhoods PEIR identified four mitigation measures that would reduce these air quality impacts to less-than-significant levels and stated that with implementation of identified mitigation measures, the Area Plan would be consistent with the Bay Area 2005 Ozone Strategy, the applicable air quality plan at that time. All other air quality impacts were found to be less than significant.

Eastern Neighborhoods PEIR Mitigation Measure G-1 addresses air quality impacts during construction, PEIR Mitigation Measure G-2 addresses the siting of sensitive land uses near sources of TACs and PEIR Mitigation Measures G-3 and G-4 address proposed uses that would emit DPM and other TACs.

Construction Dust Control

Eastern Neighborhoods PEIR Mitigation Measure G-1 Construction Air Quality requires individual projects involving construction activities to include dust control measures and to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. The San Francisco Board of Supervisors subsequently approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to stop work by DBI. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities. In compliance with the Construction Dust Control Ordinance, the project sponsor and contractor responsible for construction activities at the project site

¹⁴ The Bay Area Air Quality Management District (BAAQMD) considers sensitive receptors as: children, adults or seniors occupying or residing in: 1) residential dwellings, including apartments, houses, condominiums, 2) schools, colleges, and universities, 3) daycares, 4) hospitals, and 5) senior care facilities. BAAQMD, Recommended Methods for Screening and Modeling Local Risks and Hazards, May 2011, page 12.

would be required to control construction dust on the site through a combination of watering disturbed areas, covering stockpiled materials, street and sidewalk sweeping and other measures.

The regulations and procedures set forth by the San Francisco Dust Control Ordinance would ensure that construction dust impacts would not be significant. These requirements supersede the dust control provisions of PEIR Mitigation Measure G-1. Therefore, the portion of PEIR Mitigation Measure G-1 Construction Air Quality that addresses dust control is no longer applicable to the proposed project.

Criteria Air Pollutants

While the Eastern Neighborhoods PEIR determined that at a program-level the Eastern Neighborhoods Rezoning and Area Plans would not result in significant regional air quality impacts, the PEIR states that "Individual development projects undertaken in the future pursuant to the new zoning and area plans would be subject to a significance determination based on the BAAQMD's quantitative thresholds for individual projects."¹⁵ The BAAQMD's *CEQA Air Quality Guidelines* (Air Quality Guidelines) provide screening criteria¹⁶ for determining whether a project's criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the Air Quality Guidelines, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. Criteria air pollutant emissions during construction and operation of the proposed project would be below the Air Quality Guidelines screening criteria. The proposed project would convert an existing building to a 50,800 square foot Animal Care and Control Facility, which is below construction and operational screening criteria for similar land uses such as General Light Industry (541,000 square feet for operational/259,000 square feet for construction) and General Heavy Industry (1,899,000 square feet for operational/259,000 square feet for construction). Therefore, the project would not have a significant impact related to criteria air pollutants, and a detailed air quality assessment is not required.

Construction

The project site is located within an identified Air Pollutant Exposure Zone; therefore, the ambient health risk to sensitive receptors from air pollutants is considered substantial. The proposed project would require heavy-duty off-road diesel vehicles and equipment during the 26-month construction period. Thus, Project Mitigation Measure 4 (Construction Air Quality) has been identified to implement the portions of Eastern Neighborhoods PEIR Mitigation Measure G-1 related to emissions exhaust by requiring engines with higher emissions standards on construction equipment. Project Mitigation Measure 4 would reduce DPM exhaust from construction equipment by 89 to 94 percent compared to

¹⁵ San Francisco Planning Department, Eastern Neighborhood's Rezoning and Area Plans Final Environmental Impact Report. See page 346. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=4003>. Accessed June 4, 2014.

¹⁶ Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2011. See pp. 3-2 to 3-3.

uncontrolled construction equipment.¹⁷ Therefore, impacts related to construction health risks would be less than significant through implementation of Project Mitigation Measure 4. The full text of Project Mitigation Measure 4 is provided in the Mitigation Measures section below.

Siting New Sources

The proposed project would not be expected to generate 100 trucks per day or 40 refrigerated trucks per day. Therefore, Eastern Neighborhoods PEIR Mitigation Measure G-3 is not applicable. However, the proposed project would include a backup diesel generator, which would emit DPM, a TAC. Therefore, Project Mitigation Measure 5 (Best Available Control Technology for Diesel Generators) has been identified to implement the portions of Eastern Neighborhoods PEIR Mitigation Measure G-4 related to siting of uses that emit TACs by requiring the engine to meet higher emission standards. Project Mitigation Measure 5 would reduce DPM exhaust from stationary sources by 89 to 94 percent compared to uncontrolled stationary sources. Impacts related to new sources of health risk would be less than significant through implementation of Project Mitigation Measure 5. The full text of Project Mitigation Measure 5 is provided in the Mitigation Measures Section below.

Conclusion

For the above reasons, only the portions of Eastern Neighborhoods PEIR Mitigation Measure G-1 related to emissions exhaust by requiring engines with higher emissions standards on construction equipment are applicable to the proposed project. The proposed project would not result in significant air quality impacts that were not identified in the PEIR.

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

¹⁷ PM emissions benefits are estimated by comparing off-road PM emission standards for Tier 2 with Tier 1 and 0. Tier 0 off-road engines do not have PM emission standards, but the United States Environmental Protection Agency's *Exhaust and Crankcase Emissions Factors for Nonroad Engine Modeling – Compression Ignition* has estimated Tier 0 engines between 50 hp and 100 hp to have a PM emission factor of 0.72 g/hp-hr and greater than 100 hp to have a PM emission factor of 0.40 g/hp-hr. Therefore, requiring off-road equipment to have at least a Tier 2 engine would result in between a 25 percent and 63 percent reduction in PM emissions, as compared to off-road equipment with Tier 0 or Tier 1 engines. The 25 percent reduction comes from comparing the PM emission standards for off-road engines between 25 hp and 50 hp for Tier 2 (0.45 g/bhp-hr) and Tier 1 (0.60 g/bhp-hr). The 63 percent reduction comes from comparing the PM emission standards for off-road engines above 175 hp for Tier 2 (0.15 g/bhp-hr) and Tier 0 (0.40 g/bhp-hr). In addition to the Tier 2 requirement, ARB Level 3 VDECSs are required and would reduce PM by an additional 85 percent. Therefore, the mitigation measure would result in between an 89 percent (0.0675 g/bhp-hr) and 94 percent (0.0225 g/bhp-hr) reduction in PM emissions, as compared to equipment with Tier 1 (0.60 g/bhp-hr) or Tier 0 engines (0.40 g/bhp-hr).

The Eastern Neighborhoods PEIR assessed the GHG emissions that could result from rezoning of the Mission Area Plan under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B, and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of CO₂E¹⁸ per service population,¹⁹ respectively. The Eastern Neighborhoods PEIR concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. No mitigation measures were identified in the PEIR.

The proposed project was determined to be consistent with San Francisco’s GHG Reduction Strategy²⁰, which is comprised of regulations that have proven effective in reducing San Francisco’s overall GHG emissions; GHG emissions have measurably reduced when compared to 1990 emissions levels, demonstrating that the City has met and exceeded Executive Order S-3-05, AB 32, and the Bay Area 2010 Clean Air Plan GHG reduction goals for the year 2020.²¹ Other existing regulations, such as those implemented through Assembly Bill (AB) 32, will continue to reduce a proposed project’s contribution to climate change. Therefore, the proposed project’s GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations, and thus the proposed project’s contribution to GHG emissions would not be cumulatively considerable or generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on greenhouse gas emissions beyond those analyzed in the Eastern Neighborhoods PEIR.

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

Wind

The proposed project would not change the exterior dimensions of the existing building on the project site. Therefore, no changes in wind speeds around the project site would occur, and the proposed project

¹⁸ CO₂E, defined as equivalent Carbon Dioxide, is a quantity that describes other greenhouse gases in terms of the amount of Carbon Dioxide that would have an equal global warming potential.
¹⁹ Memorandum from Jessica Range to Environmental Planning staff, Greenhouse Gas Analyses for Community Plan Exemptions in Eastern Neighborhoods, April 20, 2010. This memorandum provides an overview of the GHG analysis conducted for the Eastern Neighborhoods PEIR and provides an analysis of the emissions using a service population (equivalent of total number of residents and employees) metric.
²⁰ San Francisco Planning Department, *Compliance Checklist – Greenhouse Gas Analysis*, December 30, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2015-005388ENV.
²¹ 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.

would not result in significant impacts related to wind that were not identified in the Eastern Neighborhoods PEIR.

Shadow

The proposed project would not change the exterior dimensions of the existing building on the project site. Therefore, no changes in the shadows cast by the building would occur, and the proposed project would not result in significant impacts related to shadow that were not identified in the Eastern Neighborhoods PEIR.

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

The Eastern Neighborhoods PEIR concluded that implementation of the Eastern Neighborhoods Rezoning and Area Plans would not result in substantial or accelerated deterioration of existing recreational resources or require the construction or expansion of recreational facilities that may have an adverse effect on the environment. No mitigation measures related to recreational resources were identified in the Eastern Neighborhoods PEIR.

As part of the Eastern Neighborhoods adoption, the City adopted impact fees for development in Eastern Neighborhoods that goes towards funding recreation and open space. Since certification of the PEIR, the voters of San Francisco passed the 2012 San Francisco Clean and Safe Neighborhood Parks Bond providing the Recreation and Parks Department an additional \$195 million to continue capital projects for the renovation and repair of parks, recreation, and open space assets. This funding is being utilized for improvements and expansion to Garfield Square, South Park, Potrero Hill Recreation Center, Warm Water Cove Park, and Pier 70 Parks Shoreline within the Eastern Neighborhoods Plan area. The impact fees and the 2012 San Francisco Clean and Safe Neighborhood Parks Bond are funding measures similar to that described in PEIR Improvement Measure H-1: Support for Upgrades to Existing Recreation Facilities.

An update of the Recreation and Open Space Element (ROSE) of the General Plan was adopted in April 2014. The amended ROSE provides a 20-year vision for open spaces in the City. It includes information and policies about accessing, acquiring, funding, and managing open spaces in San Francisco. The amended ROSE identifies areas within the Eastern Neighborhoods Plan area for acquisition and the locations where proposed new open spaces and open space connections should be built, consistent with PEIR Improvement Measure H-2: Support for New Open Space. Two of these open spaces, Daggett Park and at 17th and Folsom, are both set to open in 2016. In addition, the amended ROSE identifies the role of

both the Better Streets Plan (refer to "Transportation" section for description) and the Green Connections Network in open space and recreation. Green Connections are special streets and paths that connect people to parks, open spaces, and the waterfront, while enhancing the ecology of the street environment. Six routes identified within the Green Connections Network cross the Eastern Neighborhoods Plan area: Mission to Peaks (Route 6); Noe Valley to Central Waterfront (Route 8), a portion of which has been conceptually designed; Tenderloin to Potrero (Route 18); Downtown to Mission Bay (Route 19); Folsom, Mission Creek to McLaren (Route 20); and Shoreline (Route 24).

As the proposed project would not increase the use of existing recreational facilities, nor degrade recreational facilities, and it is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on recreation beyond those analyzed in the Eastern Neighborhoods PEIR.

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

The Eastern Neighborhoods PEIR determined that the anticipated increase in population would not result in a significant impact to the provision of water, wastewater collection and treatment, and solid waste collection and disposal. No mitigation measures were identified in the PEIR.

Since certification of the PEIR, the San Francisco Public Utilities Commission (SFPUC) adopted the 2010 Urban Water Management Plan (UWMP) in June 2011. The UWMP update includes City-wide demand projections to the year 2035, compares available water supplies to meet demand and presents water

demand management measures to reduce long-term water demand. Additionally, the UWMP update includes a discussion of the conservation requirement set forth in Senate Bill 7 passed in November 2009 mandating a statewide 20% reduction in per capita water use by 2020. The UWMP includes a quantification of the SFPUC's water use reduction targets and plan for meeting these objectives. The UWMP projects sufficient water supply in normal years and a supply shortfall during prolonged droughts. Plans are in place to institute varying degrees of water conservation and rationing as needed in response to severe droughts.

In addition, the SFPUC is in the process of implementing the Sewer System Improvement Program, which is a 20-year, multi-billion dollar citywide upgrade to the City's sewer and stormwater infrastructure to ensure a reliable and seismically safe system. The program includes planned improvements that will serve development in the Eastern Neighborhoods Plan area including at the Southeast Treatment Plant, the Central Bayside System, and green infrastructure projects, such as the Mission and Valencia Green Gateway.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on utilities and service systems beyond those analyzed in the Eastern Neighborhoods PEIR.

| <i>Topics:</i> | <i>Significant Impact Peculiar to Project or Project Site</i> | <i>Significant Impact not Identified in PEIR</i> | <i>Significant Impact due to Substantial New Information</i> | <i>No Significant Impact not Previously Identified in PEIR</i> |
|---|---|--|--|--|
| 11. PUBLIC SERVICES—Would the project: | | | | |
| a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The Eastern Neighborhoods PEIR determined that the anticipated increase in population would not result in a significant impact to public services, including fire protection, police protection, and public schools. No mitigation measures were identified in the PEIR.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on public services beyond those analyzed in the Eastern Neighborhoods PEIR.

| <i>Topics:</i> | <i>Significant Impact Peculiar to Project or Project Site</i> | <i>Significant Impact not Identified in PEIR</i> | <i>Significant Impact due to Substantial New Information</i> | <i>No Significant Impact not Previously Identified in PEIR</i> |
|--|---|--|--|--|
| 12. BIOLOGICAL RESOURCES—Would the project: | | | | |
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

As discussed in the Eastern Neighborhoods PEIR, the Eastern Neighborhoods Plan area is in a developed urban environment that does not provide native natural habitat for any rare or endangered plant or animal species. There are no riparian corridors, estuaries, marshes, or wetlands in the Plan Area that could be affected by the development anticipated under the Area Plan. In addition, development envisioned under the Eastern Neighborhoods Area Plan would not substantially interfere with the movement of any resident or migratory wildlife species. For these reasons, the PEIR concluded that implementation of the Area Plan would not result in significant impacts on biological resources, and no mitigation measures were identified.

The project site is located within Mission Plan area of the Eastern Neighborhoods Area Plan and therefore, does not support habitat for any candidate, sensitive or special status species. As such, implementation of the proposed project would not result in significant impacts to biological resources not identified in the Eastern Neighborhoods PEIR.

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

The Eastern Neighborhoods PEIR concluded that implementation of the Plan would indirectly increase the population that would be subject to an earthquake, including seismically induced ground-shaking, liquefaction, and landslides. The PEIR also noted that new development is generally safer than comparable older development due to improvements in building codes and construction techniques. Compliance with applicable codes and recommendations made in project-specific geotechnical analyses would not eliminate earthquake risks, but would reduce them to an acceptable level, given the seismically active characteristics of the Bay Area. Thus, the PEIR concluded that implementation of the Plan would not result in significant impacts with regard to geology, and no mitigation measures were identified in the Eastern Neighborhoods PEIR.

A geotechnical investigation was prepared for the proposed project.²² The geotechnical investigation indicated that the existing structure is likely to be constructed on shallow perimeter footings with isolated spread footing under walls and columns. Recommended foundation upgrades could include a continuous concrete footing at the perimeter of the building, at interior column locations, and locations where interior elevations would change. The report found that such upgrades could be designed to meet the load bearing criteria required for the dense sand and weathered serpentine rock soil composition present at the project site.

The project is required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the City. DBI will review the project-specific geotechnical report during its review of the building permit for the project. In addition, DBI may require additional site specific soils report(s) through the building permit application process, as needed. The DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI's implementation of the Building Code would ensure that the proposed project would have no significant impacts related to soils, seismic or other geological hazards.

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

| <i>Topics:</i> | <i>Significant Impact Peculiar to Project or Project Site</i> | <i>Significant Impact not Identified in PEIR</i> | <i>Significant Impact due to Substantial New Information</i> | <i>No Significant Impact not Previously Identified in PEIR</i> |
|---|---|--|--|--|
| 14. HYDROLOGY AND WATER QUALITY—Would the project: | | | | |
| a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

²² Reza Baradaran, G.E. and Stephan Leung G.E., San Francisco Public Works, *Geotechnical Memorandum – Seismic Retrofit of Animal Shelter at 1401 Bryant Street, San Francisco*, August 31, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2015-005388ENV.

| <i>Topics:</i> | <i>Significant Impact Peculiar to Project or Project Site</i> | <i>Significant Impact not Identified in PEIR</i> | <i>Significant Impact due to Substantial New Information</i> | <i>No Significant Impact not Previously Identified in PEIR</i> |
|---|---|--|--|--|
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The Eastern Neighborhoods PEIR determined that the anticipated increase in population would not result in a significant impact on hydrology and water quality, including the combined sewer system and the potential for combined sewer outflows. No mitigation measures were identified in the PEIR.

The proposed project would not expand the envelope of the existing building on the project site, and would not create new impervious surfaces. By adding an outdoor dog run in the existing parking lot, the proposed project would decrease the amount of existing impervious surfaces on the project site. As a result, the proposed project would not increase stormwater runoff.

Therefore, the proposed project would not result in any significant impacts related to hydrology and water quality that were not identified in the Eastern Neighborhoods PEIR.

| <i>Topics:</i> | <i>Significant Impact Peculiar to Project or Project Site</i> | <i>Significant Impact not Identified in PEIR</i> | <i>Significant Impact due to Substantial New Information</i> | <i>No Significant Impact not Previously Identified in PEIR</i> |
|---|---|--|--|--|
| 15. HAZARDS AND HAZARDOUS MATERIALS— Would the project: | | | | |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

The Eastern Neighborhoods PEIR noted that implementation of any of the proposed project’s rezoning options would encourage construction of new development within the project area. The PEIR found that there is a high potential to encounter hazardous materials during construction activities in many parts of the project area because of the presence of 1906 earthquake fill, previous and current land uses associated with the use of hazardous materials, and known or suspected hazardous materials cleanup cases. However, the PEIR found that existing regulations for facility closure, Under Storage Tank (UST) closure, and investigation and cleanup of soil and groundwater would ensure implementation of measures to protect workers and the community from exposure to hazardous materials during construction.

Hazardous Building Materials

The Eastern Neighborhoods PEIR determined that future development in the Plan Area may involve demolition or renovation of existing structures containing hazardous building materials. Some building materials commonly used in older buildings could present a public health risk if disturbed during an accident or during demolition or renovation of an existing building. Hazardous building materials addressed in the PIER include asbestos, electrical equipment such as transformers and fluorescent light ballasts that contain PCBs or di (2 ethylhexyl) phthalate (DEHP), fluorescent lights containing mercury vapors, and lead-based paints. Asbestos and lead based paint may also present a health risk to existing building occupants if they are in a deteriorated condition. If removed during demolition of a building, these materials would also require special disposal procedures. The Eastern Neighborhoods PEIR identified a significant impact associated with hazardous building materials including PCBs, DEHP, and mercury and determined that that Mitigation Measure L-1: Hazardous Building Materials, as outlined below, would reduce effects to a less-than-significant level. Because the proposed development includes renovation of an existing building, Mitigation Measure L-1 would apply to the proposed project. The

project sponsor has agreed to implement Eastern Neighborhoods PEIR Mitigation Measure L-1 as Project Mitigation Measure 6 (full text provided in the Mitigation Measures Section below).

Soil and Groundwater Contamination

Since certification of the PEIR, Article 22A of the Health Code, also known as the Maher Ordinance, was expanded to include properties throughout the City where there is potential to encounter hazardous materials, primarily industrial zoning districts, sites with industrial uses or underground storage tanks, sites with historic bay fill, and sites in close proximity to freeways or underground storage tanks. The over-arching goal of the Maher Ordinance is to protect public health and safety by requiring appropriate handling, treatment, disposal and when necessary, mitigation of contaminated soils that are encountered in the building construction process. Projects that disturb 50 cubic yards or more of soil that are located on sites with potentially hazardous soil or groundwater within Eastern Neighborhoods Plan area are subject to this ordinance.

The proposed project would require more than 50 cubic yards of excavation on a site with existing industrial use. Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6.

A Phase I ESA has been prepared to determine the potential for site contamination and level of exposure risk associated with the project.²³ Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to the DPH or other appropriate state or federal agency(ies), and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit.

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH and a Phase I ESA has been prepared to assess the potential for site contamination. The Phase I ESA identified the presence of naturally occurring asbestos (serpentinite) and moderate levels of total petroleum hydrocarbon at the project site. The report also described the possible presence of polychlorinated biphenyls and other chemicals associated with the building's former use as a Muni powerhouse.

The proposed project would be required to remediate potential soil and groundwater contamination described above in accordance with Article 22A of the Health Code. Therefore, the proposed project would not result in any significant impacts related to hazardous materials that were not identified in the Eastern Neighborhoods PEIR.

Therefore, the proposed project would not result in significant impacts related to hazards or hazardous materials that were not identified in the Eastern Neighborhoods PEIR.

²³ Northgate Environmental Management, Inc., *Phase I Environmental Site Assessment, 1401 and 1419 Bryant Street, San Francisco, California*, July 31, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2015-005388ENV.

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

The Eastern Neighborhoods PEIR determined that the Area Plan would facilitate the construction of both new residential units and commercial buildings. Development of these uses would not result in use of large amounts of fuel, water, or energy in a wasteful manner or in the context of energy use throughout the City and region. The energy demand for individual buildings would be typical for such projects and would meet, or exceed, current state and local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulations enforced by DBI. The Plan Area does not include any natural resources routinely extracted and the rezoning does not result in any natural resource extraction programs. Therefore, the Eastern Neighborhoods PEIR concluded that implementation of the Area Plan would not result in a significant impact on mineral and energy resources. No mitigation measures were identified in the PEIR.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on mineral and energy resources beyond those analyzed in the Eastern Neighborhoods PEIR.

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

| <u>Topics:</u> | <i>Significant Impact Peculiar to Project or Project Site</i> | <i>Significant Impact not Identified in PEIR</i> | <i>Significant Impact due to Substantial New Information</i> | <i>No Significant Impact not Previously Identified in PEIR</i> |
|---|---|--|--|--|
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The Eastern Neighborhoods PEIR determined that no agricultural resources exist in the Area Plan; therefore the rezoning and community plans would have no effect on agricultural resources. No mitigation measures were identified in the PEIR. The Eastern Neighborhoods PEIR did not analyze the effects on forest resources.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on agriculture and forest resources beyond those analyzed in the Eastern Neighborhoods PEIR.

MITIGATION MEASURES

Archeological Resources

Project Mitigation Measure 1 – Properties With No Previous Studies (Eastern Neighborhoods PEIR Mitigation Measure J-2)

This measure would apply to those properties within the project area for which no archeological assessment report has been prepared or for which the archeological documentation is incomplete or inadequate to serve as an evaluation of potential effects on archeological resources under CEQA (CEQA Guidelines § 15064.5(a)(1)(3) and (c)(1)(2)), with the exception of those properties within Archeological Mitigation Zone B as shown in Figure 29 in Chapter IV, for which Mitigation Measure J-3, below, is applicable). That is, this measure would apply to the entirety of the study area outside of Archeological Mitigation Zones A and B.

For projects proposed outside Archeological Mitigation Zones A and B, a Preliminary Archeological Sensitivity Study must be prepared by an archeological consultant with expertise in California prehistoric and urban historical archeology. The Sensitivity Study should contain the following:

- 1) Determine the historical uses of the project site based on any previous archeological documentation and Sanborn maps;
- 2) Determine types of archeological resources/properties that may have been located within the project site and whether the archeological resources/property types would potentially be eligible for listing in the CRHR;
- 3) Determine if 19th or 20th century soils-disturbing activities may adversely affected the identified potential archeological resources;

- 4) Assess potential project effects in relation to the depth of any identified potential archeological resource;
- 5) Conclusion: assessment of whether any CRHP-eligible archeological resources could be adversely affected by the proposed project and recommendation as to appropriate further action.

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

Noise

Project Mitigation Measure 2 – Construction Noise (Eastern Neighborhoods PEIR Mitigation Measure F-2)

Where environmental review of a development project undertaken subsequent to the adoption of the proposed zoning controls determines that construction noise controls are necessary due to the nature of planned construction practices and the sensitivity of proximate uses, the Planning Director shall require that the sponsors of the subsequent development project develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:

- Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses;
- Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site;
- Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses;
- Monitor the effectiveness of noise attenuation measures by taking noise measurements;
- Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed.

Project Mitigation Measure 3 – Siting of Noise-Generating Uses (Eastern Neighborhoods PEIR Mitigation Measure F-5)

To reduce potential conflicts between existing sensitive receptors and new noise-generating uses, for new development including commercial, industrial or other uses that would be expected to generate noise levels in excess of ambient noise, either short-term, at nighttime, or as a 24-hour average, in the proposed project site vicinity, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-sensitive uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that the proposed use would comply with the use compatibility requirements in the General Plan and in Police Code Section 29091, would not adversely affect nearby noise-sensitive uses, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels that would be generated by the proposed use. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action.

Air Quality

Project Mitigation Measure 4 – Construction Air Quality (Implementing Eastern Neighborhoods PEIR Mitigation Measure G-1)

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

A. Engine Requirements.

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

operators of the two minute idling limit.

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

B. *Waivers.*

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

Table – Off-Road Equipment Compliance Step-down Schedule

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

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

** Alternative fuels are not a VDECS.

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

1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine

serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.

2. The ERO shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.
 3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.
- D. *Monitoring.* After start of Construction Activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.

Project Mitigation Measure 5: Best Available Control Technology for Diesel Generators (Implementing Eastern Neighborhoods PEIR Mitigation Measure G-4)

The project sponsor shall ensure that the backup diesel generator meet or exceed one of the following emission standards for particulate matter: (1) Tier 4 certified engine, or (2) Tier 2 or Tier 3 certified engine that is equipped with a California Air Resources Board (ARB) Level 3 Verified Diesel Emissions Control Strategy (VDECS). A non-verified diesel emission control strategy may be used if the filter has the same particulate matter reduction as the identical ARB verified model and if the Bay Area Air Quality Management District (BAAQMD) approves of its use. The project sponsor shall submit documentation of compliance with the BAAQMD New Source Review permitting process (Regulation 2, Rule 2, and Regulation 2, Rule 5) and the emission standard requirement of this mitigation measure to the Planning Department for review and approval prior to issuance of a permit for a backup diesel generator from any City agency.

Hazardous Materials

Project Mitigation Measure 6 – Hazardous Building Materials (Eastern Neighborhoods PEIR Mitigation Measure L-1)

The City shall condition future development approvals to require that the subsequent project sponsors ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.

Print Form

160120

Introduction Form

By a Member of the Board of Supervisors or the 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 [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Request for Closed Session (attach written motion).
- 10. Board to Sit as A Committee of the Whole.
- 11. 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 a Imperative

Sponsor(s):

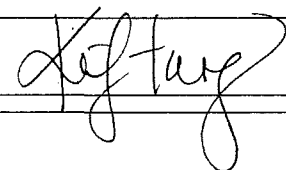
Tang, Wiener, Mar, Cohen, Farrell, Avalos, Yee, Campos, Kim, Breed

Subject:

Amended Ten-Year Capital Expenditure Plan-FY 2016 through FY 2025 --- Certificates of Participation --- Animal Care and Control Shelter

The text is listed below or attached:

[Empty box for text listing]

Signature of Sponsoring Supervisor: 

For Clerk's Use Only: