04 July 2020

Board of Supervisors City and County of San Francisco
Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco CA 94102-4689
415-554-5184
Board.Of.Supervisors@SFGov.org

Dear Board of Supervisors for the City and County of San Francisco:

We are writing to appeal the CEQA determination pursuant to San Francisco Administrative Code section 31.16 for the Building Permit Application No. 2018.07.02.3483 (1088 Howard St.) that was approved with conditions on June 4th, 2020 by San Francisco's Planning Commission. We appeal on grounds that the CEQA determination did not consider certain significant environmental impacts to the residents at 195 7th Street that are peculiar to the 1088 Howard Street project.

The initial study for the project was required to evaluate the project's individual and cumulative environmental effects to determine whether the environmental impacts of the proposed project were adequately addressed in the Eastern Neighborhood PEIR. Pursuant to CEQA Guidelines section 15183, the initial study was required to examine 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 Neighborhood PEIR

was certified, are determined to have a substantially more severe adverse impact than discussed and disclosed in the PEIR.

There are at least three significant environmental impacts peculiar to the project that were either not identified in the PEIR or were previously identified but substantial new information shows their impact will be more adverse than previously discussed.

The impacts are:

(1) Construction noise during the ongoing COVID-19 pandemic

The CEQA determination concluded, with respect to construction noise, that "with implementation of mitigation measures identified in the PEIR, the proposed project would not result in new or more severe noise impacts than were identified in the Eastern Neighborhoods PEIR." (CEQA Determination at pdf p. 32. However, the PEIR and the subsequent CEQA determination did not consider circumstances where the residences of 195 7th Street are sheltering in place due to the ongoing COVID-19 pandemic and are home substantially during all of the normal business hours, 8 a.m. to 5 p.m., during which construction will occur. Because no consideration was given to the current circumstances the mitigation measures are not sufficient to protect adjacent residents from construction noise. The 195 7th Street building is directly adjacent to the proposed site, and has a high-density design, with 34 condominiums that average 300 sq ft in size. Thus the proposed

project will disproportionally disrupt the lives of many more people given the extraordinarily large density of the residents of the 195 7th Street building.

(2) Sewage disruption and backflow at 195 7th Street Building

The CEQA determination considered the project's impact on the City's combined sewer system. Its consideration was limited to whether the City's system could accommodate the project's residents: "Although the proposed project would add new residents and employees to the project site, the combined sewer system has capacity to serve projected growth through year 2045. Therefore, the incremental increase in wastewater treatment resulting from the project would be met by the existing sewer system and would not require expansion of existing wastewater facilities or construction of new facilities." (CEQA Determination at pdf p. 45.)

However, the CEQA determination did not consider the project's impact on the sewer line for 195 7th Street. The homeowners already have backflow issues with the sewer line and they anticipate that an additional sewer line from the project will exacerbate this problem. The CEQA determination failed to consider this and failed to provide mitigation measures.

(3) Diminished air quality at 195 7th Street Building

The CEQA determination considered the project's air quality impacts with respect to local and regional air quality plans and standards, construction dust

control, criteria air pollutants, the Air Pollutant Exposure Zone, and construction and operational risks. It concluded that "with the implementation of Eastern Neighborhoods PEIR Mitigation Measure G-1 as Project Mitigation Measure M-AQ-1, the project would not result in significant air quality impacts that were not identified in the PEIR.

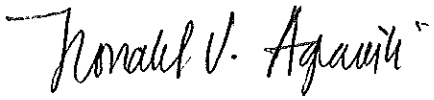
However, the CEQA determination did not consider the project's impact on the air quality of 195 7th Street. The project will cut off air flow on the north-east side of the building, which is adjacent to the project and separated by only 1 foot. Without adequate air flow concentration of pollutants will intensify in the building. The determination acknowledges that 195 7th Street is in an Air Pollutant Exposure Zone, and that "the ambient health risk to sensitive receptors from air pollutants is considered substantial." (CEQA Determination at pdf p. 36.) It also acknowledges that "the project is located in an area that already experiences poor air quality." (Id. at pdf p. 37.) As previously stated, the 195 7th Street building is directly adjacent to the proposed site, and has a high-density design, with 34 condominiums that average 300 sq ft in size. Thus, the proposed project will disproportionally disrupt the lives of many more people given the *extraordinarily* high occupancy density of the residents in our 195 7th St building.

Indeed, the project proponent is required to "provide filtration to protect occupants from PM2.5." (CEQA Determination at pdf p. 35.) Air quality for residents at 195 7th Street will only intensify with the project pressed so closely to it. This is a significant environmental impact peculiar to the project that was not considered in the PEIR or in the CEQA determination.

California Public Resources Code sections 21000-21004 generally state that no projects which would cause significant environmental effects should be approved as proposed if there are feasible alternatives or mitigation measures that would lessen those effects. We believe that the approved project will cause significant environmental effects that have been properly reviewed and have the potential to adversely affect the 50+ residents of 195 7th Street. Thus, for the reason stated above we request that the Board of Supervisors invalidate the CEQA determination.

Sincerely,

Tanaka Gaines, 195 7th St HOA Board President



Ron Dagcaoili, 195 7th St HOA Board Member

Julian A. Castaneda, 195 7th St HOA Board Member

SAN FRANCISCO
PLANNING DEPARTMENT

Certificate of Determination
Community Plan Evaluation

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Record No.:	2017-009796ENV, 1088 HOWARD ST
Zoning:	MUG (MIXED USE-GENERAL) 85-X Height and Bulk District
Plan Area:	Eastern Neighborhoods Area Plan, East SoMa Subarea
Block/Lot:	3726/030 and 031
Lot Size:	4,506 square feet
Project Sponsor:	Jeremy Schaub, Schaub Ly Architects, Inc., 415-682-8060
Staff Contact:	Ryan Shum, Ryan.Shum@sfgov.org 415-575-9021

PROJECT DESCRIPTION

The project proposes to merge two adjacent lots (3726/030 and 031), demolish the existing single-story with mezzanine level industrial building on-site (the façade of the existing building will be preserved), and construct a seven-story, 71-foot tall mixed-use residential and commercial building with 24 two-bedroom units and 2,560 square feet of ground-floor commercial space.

With implementation of the proposed project, the 24,210 gross-square-foot building would contain approximately 15,605 gross square feet of residential space, 2,560 gross square feet of commercial space, 885 gross square feet of private open space, and 1,680 gross square feet of shared open space on the rooftop deck. In addition, the proposed project includes 24 class I bicycle parking spaces on the ground floor, and two class II bicycle parking spaces on the project's Howard Street frontage. No vehicular parking spaces are proposed. Other project features include rooftop solar panels and three new street trees along the project frontage. As part of the project, the existing curb cut in front of the project site on Howard Street would be removed, and the curb would be rebuilt to match the existing curb line. Construction of the proposed project would last approximately 18 months.

Approval Action: If discretionary review before the Planning Commission is requested, the discretionary review hearing is the Approval Action for the project. If no discretionary review is requested, the issuance of a building permit by the building department is the Approval Action. The approval action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

The proposed project would require the following approvals:

Actions by other City Departments

- Building Permits for demolition and new construction -- Department of Building Inspection.
- Elimination of curb cut – San Francisco Public Works
- Approval of three new street trees – San Francisco Public Works
- Site Mitigation Plan per Article 22A of the Health Code (Maher Ordinance) -- Department of Public Health.
- Dust Control Plan per Article 22B of the Health Code – Department of Public Health.

The approval action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to section 31.04(h) of the San Francisco Administrative Code.

COMMUNITY PLAN EVALUATION OVERVIEW

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

This determination evaluates the potential project-specific environmental effects of the 1088 HOWARD ST 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.

FINDINGS

As summarized in the initial study – community plan evaluation prepared for the proposed project (Attachment A)[2]:

1. The proposed project is consistent with the development density established for the project site in the Eastern Neighborhoods Rezoning and Area Plans[3];

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;

[1] Planning Department Record No. 2004.0160E and State Clearinghouse No. 2005032048. Available at: https://sfplanning.org/environmental-review-documents?field_environmental_review_categ_target_id=214&items_per_page=10. Accessed August 16, 2019.

[2] The initial study – community plan evaluation is available for review at the San Francisco Property Information Map, which can be accessed at *https://sfplanninggis.org/PIM/*. The file can be viewed by clicking on the Planning Applications link, clicking the "More Details" link under the project's environmental record number 2017-009796ENV and then clicking on the "Related Documents" link.

[3] San Francisco Planning Department. Community Plan Evaluation Eligibility Determination for 1088 Howard Street (2017-009796ENV) – Current Planning. April 29, 2019.

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.

Mitigation measures are included in this project and the project sponsor has agreed to implement these measures.[4] See the attached Mitigation Monitoring and Reporting Program (MMRP) (Attachment B) for the full text of required mitigation measures.

CEQA DETERMINATION

The project is eligible for streamlined environmental review per section 15183 of the CEQA Guidelines and California Public Resources Code section 21083.3.

DETERMINATION

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

Lisa Gibson
Environmental Review Officer

12/19/19
Date

ATTACHMENTS

A. Initial Study – Community Plan Evaluation Checklist & Project Plans
B. Project Plans
C. Cumulative Development Projects
D. Mitigation Monitoring and Reporting Program

cc: Jeremy Schaub, Project Sponsor
Supervisor Matt Haney, District 6
Monica Giacomucci, Current Planning Division
Project distribution

[4] The Agreement to Implement Mitigation Measures for the proposed project is available for public review at the Planning Department, 1650 Mission Street, 4th Floor, San Francisco, CA 94103 as part of case file no. 2017-009796ENV. These documents are also available for review on the San Francisco Property Information Map, which can be accessed at https://sfplanninggis.org/PIM/. Individual files can be viewed by clicking on the Planning Applications link, clicking the "More Details" link under the project's environmental case number (2017-009796ENV) and then clicking on the "Related Documents" link.

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Attachment A

Initial Study – Community Plan Evaluation

Record No.:	**2017-009796ENV, 1088 Howard Street**
Zoning:	MUG (Mixed Use-General) 85-X Height and Bulk District
Plan Area:	Eastern Neighborhoods Area Plan, East SoMa Subarea
Block/Lots:	3726/030 and 031
Lot Size:	4,506 square feet
Project Sponsor:	Jeremy Schaub, Schaub Ly Architects, Inc., 415 682-8060
Staff Contact:	Ryan Shum, ryan.shum@sfgov.org, 415-575-9021

A. PROJECT DESCRIPTION

The approximately 4,506-square-foot, rectangular-shaped project site at 1088 Howard Street is in the South of Market neighborhood, within the East SoMa Plan area in the Eastern Neighborhoods. The project site consists of two adjacent lots (030 and 031) that are approximately 25 feet wide and 90 feet deep. The site is on the block bounded by Howard Street to the south, 7th Street to the west, Natoma Street to the north, and Russ Street to the east. Lot 030 is currently a paved lot used for private parking and storage, and lot 031 is developed with a one-story plus mezzanine, 21-foot tall commercial building constructed in 1925. The existing 2,481 square foot commercial building is currently in operation as a cannabidiol (CBD) laboratory. The existing building is a historic resource as a contributor to the Western SoMa Light Industrial and Residential Historic District, a National Register-eligible historic district.

The project proposes to merge the two adjacent lots, demolish the existing single-story with mezzanine level industrial building on-site (the façade of the existing building would be preserved), and construct a seven-story (71-foot-tall, exclusive of the 10-foot-tall elevator penthouse) mixed-use residential and commercial building. The project would result in a 24,210-gross-square-foot building with 24 two-bedroom units and 2,560 square feet ground-floor commercial space. A variance with respect to Planning Code section 140 would be required related to dwelling unit exposure for eight units at the rear of the property.

With implementation of the proposed project, the seven-story, 71-foot tall building (exclusive of the 10-foot elevator penthouse) would contain approximately 15,605 gross square feet of residential space, 2,560 gross square feet of commercial space, 885 gross square feet of private open space, and 1,680 gross square feet of shared open space on the rooftop deck. In addition, the proposed project includes 24 class I bicycle parking spaces on the ground floor, and two class II bicycle parking

spaces on the project's Howard Street frontage. No vehicular parking spaces are proposed. Other project features include rooftop solar panels and three new street trees along the project frontage. As part of the project, the existing curb cut in front of the project site on Howard Street would be removed, and the curb would be rebuilt to match the existing curb line.

The proposed project would be supported on a mat slab foundation. The geotechnical study indicates the mat slab would need to be constructed on improved soil; either compaction grouting or drilled displacement grouting would be required to densify the soil. Consistent with the geotechnical study, the project proposes to use drilled displacement columns to improve the underlying soil prior to construction. The depth of soil improvement work would extend to approximately 60 to 80 feet below ground surface. No pile driving is proposed. In addition, the project would excavate approximately 500 cubic yards of soil to a maximum depth of 3 feet below ground surface. Construction of the proposed project would last approximately 18 months and disturb an area of approximately 4,506 square feet of soil. Figure 1 below shows the project location. Refer to Attachment B for project plans.

Figure 1. Project Location

Project Approvals

Approval Action: If discretionary review before the Planning Commission is requested, the discretionary review hearing is the Approval Action for the project. If no discretionary review is requested, the issuance of a building permit by the building department is the Approval Action. The approval action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

The proposed project would require the following approvals:

Actions by other City Departments

- Building permits for demolition and new construction -- Department of Building Inspection.
- Elimination of curb cut – San Francisco Public Works
- Approval of three new street trees – San Francisco Public Works
- Site Mitigation Plan per Article 22A of the Health Code (Maher Ordinance) -- Department of Public Health).
- Dust Control Plan per Article 22B of the Health Code (Department of Public Health.

B. COMMUNITY PLAN EVALUATION OVERVIEW

CEQA section 21083.3 and CEQA Guidelines section 15183 mandate that projects that are consistent with the development density established by existing zoning, community plan, or general plan policies for which an environmental impact report (EIR) was certified, shall not be subject to additional environmental review except as might be necessary to examine whether there are project-specific significant effects that are peculiar to the project or its site. Guidelines 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 initial study evaluates the potential project-specific environmental effects of the proposed 1088 Howard Street project described above and incorporates by reference information contained in the programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR)[1]. The following 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[2]:

Project-Specific Studies
• Historical resources evaluation, parts I and II • Historical resources evaluation response • Archaeology review • Greenhouse gas analysis checklist • Shadow fan/analysis • Geotechnical report • Phase 1 environmental site assessment

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

[2] Project-specific studies prepared for the 1088 Howard Street project are available for public review at the Planning Department, 1650 Mission Street, 4th Floor, San Francisco, CA 94103 as part of case file no. 2017-009796ENV. These documents are also available for review on the San Francisco Property Information Map, which can be accessed at *https://sfplanninggis.org/PIM/*. Individual files can be viewed by clicking on the Planning Applications link, clicking the "More Details" link under the project's environmental case number (2017-009796ENV) and then clicking on the "Related Documents" link.

C. PROJECT SETTING

Site Vicinity

The project site is in the South of Market neighborhood. The project vicinity is characterized by two- to five-story buildings with a mix of industrial, commercial, retail, and residential uses. The project site and surrounding vicinity are located in a MUG – Mixed-Use General zoning district, which is largely comprised of low-scale, production, distribution, and repair uses mixed with housing and small-scale retail. Adjacent to the project site along Natoma Street is also a RED – Residential Enclave District, which consists of a cluster of low-scale, medium density, predominantly residential neighborhoods. The closest sensitive receptors are residential uses located directly adjacent to the project site to the west, north, and east.

Howard Street in the project vicinity is a one-way, westbound, three-lane roadway with a right-turn pocket and a class II bike lane on the north side of the street. Seventh Street is a one-way, northbound, three-lane roadway with parking on the west side of the street and a separated class II bikeway protected by on-street vehicle parking on the east side of the street. Russ Street is a two-way, north-south, two-lane alley.

Cumulative Setting

CEQA Guidelines section 15130(b)(1) provides two methods for cumulative impact analysis: the "list-based approach" and the "projections-based approach." The list-based approach uses a list of projects producing closely related impacts that could combine with those of a proposed project to evaluate whether the project would contribute to significant cumulative impacts. The projections-based approach uses projections contained in a general plan or related planning document to evaluate the potential for cumulative impacts. This project-specific analysis employs both the list-based and projections-based approaches, depending on which approach best suits the resource topic being analyzed.

The proposed project is located within the area of the city addressed under the Eastern Neighborhoods Rezoning and Area Plans. The Eastern Neighborhoods PEIR evaluated the physical environmental impacts resulting from the rezoning of this plan area, including impacts resulting from an increase of up to 9,858 housing units and 6.6 million square feet of non-residential uses and a reduction of up to 4.9 million square feet of production, distribution, and repair (PDR) uses. The cumulative impact analysis provided in this initial study uses updated projections as needed for certain topics to evaluate whether the proposed project could result in new or substantially more severe cumulative impacts than were anticipated in the Eastern Neighborhoods PEIR. For example, the cumulative transportation analysis in this initial study is based on projected 2040 cumulative conditions, whereas the Eastern Neighborhoods PEIR relied on 2025 cumulative transportation projections.

The cumulative analysis for certain localized impact topics (e.g., cumulative shadow and wind effects) uses the list-based approach. The following is a list of reasonably foreseeable projects[3]

[3] San Francisco Planning Department. *SF Development Pipeline Map*. Accessed August 8, 2019. Available at: < *http://sfplanninggis.org/Pipeline/*>.

within the project vicinity (approximately one-quarter mile) that are considered for cumulative analysis. See Attachment C for a map of the cumulative development projects listed below:

Table 1: Cumulative Projects List		
Project Address	**Case Number**	**Description**
10 Heron St	2019-012915PRJ	Demolish existing industrial building and construct a four-story mixed-use building with nine dwelling units and ground floor commercial use.
1053 - 1055 Market St	2014.0408PRJ	Construct a 10-story tourist hotel with 160 guest rooms
1125 Market St	2013.0511E	Construction of a 12-story building with 160 hotel rooms, restaurant/retail space, an athletic club, and coworking/office space
1064 - 1068 Mission St	2018-010889PRJ	Construct 3 additional stories to an existing 3 story building. The resulting six-story building would have 258 studio units and supportive services.
1075 &1089 Folsom St	2016-008438PRJ	Demolish existing building and construct a six-story mixed-use building with 48 single room occupancy units and ground floor commercial space
1144 - 1150 Harrison St	2016-001738PRJ	Demolish existing building and construct a six- to seven-story mixed-use building with 371 dwelling units, commercial space, and amenity space
1144 Howard St	2019-013299PRJ	Change of use on first and second floors from warehouse to community facility
1145 Mission St	2007.0604PRJ	Construct new six-story building with 25 dwelling units and 4,125 sf of retail
182 Langton St	2018-001227ENV	Raise existing building 17 inches to add two new accessory dwelling units
2 Sumner St	2017-001506PRJ	Change of use from commercial to residential; addition of one residence
219 06th St	2017-001590PRJ	Change of use from two-unit residence with 19 guestrooms to a building with 30 single room occupancy guestrooms

Table 1: Cumulative Projects List		
Project Address	**Case Number**	**Description**
230 07th St	2014.0244	Demolish existing parking garage and construct six-story mixed-use building with 40 dwelling units and ground floor commercial
262 07th St	2014.0334PRJ	Demolish existing warehouse and construct two new 65-foot tall mixed-use buildings with 96 single room occupancy units and ground floor retail
280 07th St	2016-004946PRJ	Demolish existing building and construct two new buildings. Building 1 would be a six-story mixed-use building with 17 dwelling units and ground floor retail. Building 2 would be a five-story building with three dwelling units
999 Folsom St/ 301 06th St	2013.0538	Demolish existing structure and construct a seven-story plus basement mixed-use building with 84 dwelling units and ground floor commercial space
31-33 Harriet St	2018-001698PRJ	Reconfigure ground floor to add three new accessory dwelling units to an existing twelve-unit building
40 Cleveland St	2015-006512PRJ	Demolish existing building and construct new four-story, three-unit residence
451 - 453 Tehama St	2016-000413PRJ	Construct four-story addition to existing three-story building to create seven total dwelling units
457 Minna St	2018-016055PRJ	Demolish existing two-story building and construct new 16-story, 270-room group housing building
469 Stevenson St	2017-014833PRJ	Construction of new 27-story mixed use building with 462 dwelling units and 4,000 sf of ground floor commercial space on the existing parking lot
527 Stevenson St	2018-012429PRJ	Demolition of existing one-story commercial building and construction of new seven-story commercial office building

Table 1: Cumulative Projects List		
Project Address	**Case Number**	**Description**
612 Natoma St	2016-000460PRJ	Enlarge basement by lowering grade, remodel PDR space and create courtyard, and add two new floors above existing building for new single-family townhouse unit.
727 - 731 Natoma St	2014.1205ENV	Construction/remodel of existing structure to add six new residential units; no excavation/foundation work. Project would result in a 45-foot tall building with 10 dwelling units
980 Folsom St	2013.0977PRJ	Demolition of existing single-story building and construction of new mixed-use building with 34 residential units and 33, 659 sf ground floor retail. The Folsom Street frontage would be 7 stories and 85 feet in height. The Clementina Street frontage would be 4 stories and 45 feet in height. The
996 Mission St	2015-015253PRJ	Demolition of existing 2-story residential hotel and construct eight-story hotel (two floors residential, five floors tourist) with 105 guest rooms and ground floor retail
Folsom-Howard Streetscape Project	2017-002105ENV	The Folsom-Howard Streetscape Project consists of street improvements on Howard Street between 3rd Street and 11th Street, and on Folsom Street between 2nd Street and 11th Street. These improvements include bicycle, pedestrian and transit facilities, upgrades to traffic signals, traffic circulation modifications, and changes to parking and loading.

D. SUMMARY OF ENVIRONMENTAL EFFECTS

The proposed project could potentially affect the environmental factor(s) checked below. The following pages present a more detailed checklist and discussion of each environmental topic.

☐ Land Use and Land Use Planning ☐ Greenhouse Gas Emissions ☐ Hydrology and Water Quality

☐ Aesthetics	☐ Wind	☐ Hazards and Hazardous Materials
☐ Population and Housing	☐ Shadow	☐ Mineral Resources
☒ Cultural Resources	☐ Recreation	☐ Energy Resources
☒ Tribal Cultural Resources	☐ Utilities and Service Systems	☐ Agriculture and Forestry Resources
☐ Transportation and Circulation	☐ Public Services	☐ Wildfire
☒ Noise	☐ Biological Resources	
☒ Air Quality	☐ Geology and Soils	

E. EVALUATION OF 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 1088 Howard Street project is in conformance with the height, bulk, use, and density for the site described in the Eastern Neighborhoods PEIR[4] and, as documented below, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

This initial study evaluates the proposed project's individual and cumulative environmental effects to determine whether the environmental impacts of the proposed project are adequately addressed in the Eastern Neighborhoods PEIR.[5] In accordance with CEQA Guidelines section 15183, this initial study examines 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 substantially more severe adverse impact than discussed and disclosed in the PEIR. Such impacts, if any, will be evaluated in a project-specific, focused mitigated negative declaration or environmental impact report. If no such impacts are identified, no additional environmental review shall be required for the project beyond that provided in the Eastern Neighborhoods PEIR and this project-specific initial study in accordance with CEQA section 21083.3 and CEQA Guidelines section 15183.

Mitigation measures from the Eastern Neighborhoods PEIR that this initial study determines are applicable to the project are identified under each environmental topic and the full text of any

[4] San Francisco Planning Department. *Community Plan Evaluation Eligibility Determination for 1088 Howard Street (2017-009796ENV) – Current Planning*. April 29, 2019.

[5] San Francisco Planning Department, *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report*, Planning Department Case No. 2004.0160E, State Clearinghouse No. 2005032048, certified August 7, 2008. Available online at: *https://sfplanning.org/environmental-review-documents?field_environmental_review_categ_target_id=214&items_per_page=10*, accessed April 24, 2019.

applicable mitigation measures is provided in Attachment D, Mitigation Monitoring and Reporting Program.

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 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 1088 Howard Street project would include the merger of two lots, demolition of the existing building on-site, and construction of 7-story, 71-foot tall building (80 feet with elevator penthouse) that would include 24 new dwelling units in total and 2,560-square feet of ground floor commercial space. As discussed below in this initial study, the proposed project would not result in new significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods PEIR.

Regulatory Changes

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, some of these policies, regulations, statutes, and funding measures have implemented or will implement certain mitigation measures or will reduce impacts determined to be less-than-significant in the PEIR. New and changed policies and regulations relevant to this initial study include:

- State legislation amending CEQA to eliminate consideration of aesthetics and parking impacts for infill projects in transit priority areas, effective January 2014.
- State legislation amending CEQA and San Francisco Planning Commission resolution 19579 replacing level of service analysis of automobile delay with vehicle miles traveled analysis, effective March 2016.
- San Francisco Bicycle Plan update adoption in June 2009, Better Streets Plan adoption in 2010, Transit Effectiveness Project (aka "Muni Forward") adoption in March 2014; Vision Zero adoption by various city agencies in 2014; Propositions A (Transportation and Road Improvement Bond) and B (Transportation Set-Aside) passage in November 2014; and the Transportation Sustainability Program consisting of adoption of a transportation sustainability fee, effective January 2016; Planning Commission resolution 19579, effective March 2016; and adoption of a transportation demand management program, effective March 2017.
- San Francisco ordinance establishing Noise Regulations Related to Residential Uses near Places of Entertainment effective June 2015 (see initial study Noise section).

- San Francisco ordinances establishing Construction Dust Control, effective July 2008, and Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, amended December 2014 (see initial study Air Quality section).
- 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 initial study Recreation section).
- San Francisco Health Code Article 22A amendments effective August 2013 (see initial study Hazardous Materials section).

CEQA Section 21099

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

a) The project is in a transit priority area;

b) The project is on an infill site; and

c) The project is residential, mixed-use residential, or an employment center.

The proposed project meets each of the above three criteria and thus, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.[6]

E.1 LAND USE AND LAND USE PLANNING

Eastern Neighborhoods PEIR Land Use and Planning Findings

The Eastern Neighborhoods PEIR determined that implementation of the rezoning and area plans would not create any new physical barriers in the Eastern Neighborhoods plan areas because the rezoning and area plans do not provide for any new major roadways, such as freeways that would disrupt or divide the plan areas or individual neighborhoods or subareas. The Eastern Neighborhoods Rezoning and Area Plans establishes the applicable land use controls (e.g., allowable uses, height, and bulk) for new development within the plan area and the PEIR determined that the plan is consistent with various plans, policies, and regulations. Further, projects proposed under the plan must comply with all applicable regulations and thus would not cause a significant environmental impact due to a conflict with plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. The Eastern Neighborhoods PEIR determined that adoption of the rezoning and area plans would result in an unavoidable significant impact on land use character due to the cumulative loss of industrial (PDR) building space. Subsequent CEQA case law since certification of the Eastern Neighborhoods PEIR has clarified that "community character" itself is not a physical environmental effect.[7] Therefore,

[6] San Francisco Planning Department, *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 1088 Howard Street,* May 13, 2019.

[7] Preserve Poway v. City of Poway, 245 Cal.App.4th 560.

consistent with Appendix G of the CEQA Guidelines, analysis concerning land use character has been removed from further evaluation in this project-specific initial study.

Project Analysis

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant physical environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

E.1.a) The proposed project would demolish the existing building on-site and construct a new seven-story building within established lot boundaries. The proposed project would not result in the construction of a physical barrier to neighborhood access or the removal of an existing means of access. The proposed project would not alter the established street grid or permanently close any streets or sidewalks. Therefore, the proposed project would not physically divide an established community.

E.1.b) The proposed project is consistent with the development density established in the Eastern Neighborhoods Rezoning and Area Plans and must be compliant with all applicable regulations and therefore would not cause a significant physical environmental impact due to a conflict with applicable land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect.

Cumulative Analysis

The proposed project would have no impact with respect to physically dividing a community or causing a significant physical environmental impact due to a conflict with an applicable land use plan, policy, or regulation and, therefore, would not have the potential to contribute to a significant cumulative impact related to land use or planning.

Conclusion

The proposed project would not result in a significant project-level or cumulative land use impact. Therefore, the proposed project would not result in significant physical environmental land use impacts not already disclosed in the Eastern Neighborhoods PEIR.

E.2 POPULATION AND HOUSING

Eastern Neighborhoods PEIR Population and Housing Findings

The PEIR concluded that adoption of the rezoning and area plans: "would induce substantial growth and concentration of population in San Francisco." The PEIR states that the increase in population expected to occur as a result of the proposed rezoning and adoption of the area plans would not, in itself, result in adverse physical effects, and 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 directly result in significant adverse physical effects on the environment. However, the PEIR identified significant cumulative impacts on the physical environment that would result indirectly from growth afforded under the rezoning and area plans, including impacts on land use, transportation, air quality, and noise. The PEIR contains detailed analyses of these secondary effects under each of the relevant resource topics and identifies mitigation measures to address significant impacts where feasible.

The PEIR determined that implementation of the rezoning and area plans would not have a significant physical environmental impact from the direct displacement of existing residents, and that each of the rezoning options considered in the PEIR would result in less displacement as a result of unmet housing demand than would be expected under the *no-project* scenario because the addition of new housing would provide some relief to housing market pressure without directly displacing existing residents. However, the PEIR also noted that residential displacement is not solely a function of housing supply, and that adoption of the rezoning and area plans could result in indirect, secondary effects through gentrification that could displace some residents. The PEIR discloses that the rezoned districts could transition to higher-value housing, which could result in gentrification and displacement of lower-income households, and states moreover that existing lower-income residents of the Eastern Neighborhoods, who also disproportionally live in crowded conditions and in rental units, are among the most vulnerable to displacement resulting from neighborhood change. The PEIR found, however, that gentrification and displacement that could occur under the Eastern Neighborhoods Rezoning and Area Plans would not result in increased physical environmental impacts beyond those disclosed in the PEIR.

Project Analysis

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
Would the project:				
a) Induce substantial unplanned 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)?	☐	☐	☐	☒

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
b) Displace substantial numbers of existing people or housing units necessitating the construction of replacement housing?	☐	☐	☐	☒

E.2.a) The proposed project would construct an infill development that would include 24 dwelling units and 2,560 square feet of ground floor commercial space. Based on the average household size of 2.35[8] per dwelling unit and one employee per 350 square feet of commercial/retail use,[9] the proposed project would add approximately 56 new residents and seven new employees.

The Association of Bay Area Governments (ABAG) prepares projections of employment and housing growth for the Bay Area. The latest projections were prepared as part of Plan Bay Area 2040, adopted by ABAG and the Metropolitan Transportation Commission in 2017. The growth projections for San Francisco County anticipate an increase of 137,800 households and 295,700 jobs between 2010 and 2040,[10]which is consistent with the housing element and other adopted plans.

The project's 24 dwelling units and 2,560 square feet of ground floor commercial space would contribute to growth that is projected by ABAG. As part of the planning process for Plan Bay Area, San Francisco identified *priority development area*s, which are areas where new development will support the day-to-day needs of residents and workers in a pedestrian-friendly environment served by transit. The project site is located within the Eastern Neighborhoods priority development area; thus, it would be implemented in an area where new population growth is both anticipated and encouraged.

The project would also be located in a developed urban area with available access to necessary infrastructure and services (transportation, utilities, schools, parks, hospitals, etc.). Since the project site is located in an established urban neighborhood and is not an infrastructure project, it would not indirectly induce substantial population growth. The physical environmental impacts resulting from housing and employment growth generated by the project are evaluated in the relevant resources topics in this initial study.

E.2.b) The proposed project would not displace any residents or housing units because no housing units currently exist on the project site. The building on-site is currently used as a Cannabidiol (CBD) laboratory. Current employees on-site would be displaced from the site as a result of the project. However, the proposed project includes commercial space and existing employees would be expected to find alternative employment. Therefore, the proposed project would have no direct

[8] U.S. Census Bureau, San Francisco County, California, Families and Living Arrangements, Households, 2013-2017. Available online at: *https://www.census.gov/quickfacts/sanfranciscocountycalifornia*. Accessed April 10, 2019.

[9] New employees for commercial space is estimated based on the assumption of 350 average gross square feet per employee (San Francisco Planning Department, Citywide Division, Information & Analysis Group, March 2019).

[10] Metropolitan Transportation Commission and Association of Bay Area Government, *Plan Bay Area 2010 Final Supplemental Report: Land Use and Modeling Report*. July 2017. This document is available online at: *http://2040.planbayarea.org/reports*. Accessed November 7, 2018.

impact related to the displacement of housing units or people and would not necessitate the construction of replacement housing elsewhere that could result in physical environmental effects.

Cumulative Analysis

The cumulative context for the population and housing topic is the City and County of San Francisco. The proposed project would provide housing units and commercial space that would result in increases in population (households and jobs). As discussed above, San Francisco is anticipated to grow by 137,800 households and 295,700 jobs between 2010 and 2040. Between 2010 and 2017, San Francisco's population grew by approximately 13,000 households and 137,200 jobs, leaving approximately 124,839 households and 158,486 jobs projected for San Francisco through 2040.[11,12] As of the fourth quarter of 2018, approximately 70,960 net new housing units are in the pipeline (i.e., are either under construction, have building permits approved or filed, or applications filed, including remaining phases of major multi-phased projects).[13] Conservatively assuming that every housing unit in the pipeline is developed and at 100 percent occupancy (no vacancies), the pipeline would accommodate an additional 70,960 households. The pipeline also includes projects with land uses that would result in an estimated 94,600 new employees.[14,15] As such, cumulative household and employment growth is below the ABAG projections for planned growth in San Francisco. Therefore, the proposed project in combination with citywide development would not result in significant cumulative environmental effects associated with inducing unplanned population growth or displacing substantial numbers of people or housing, necessitating the construction of replacement housing elsewhere.

Conclusion

The proposed project would contribute a small portion of the growth anticipated within the Eastern Neighborhoods plan area under the Eastern Neighborhoods Rezoning and Area Plans as well as for San Francisco as a whole under Plan Bay Area. The project's incremental contribution to this anticipated growth would not result in a significant individual or cumulative impact related to population and housing. Therefore, the proposed project would not result in significant physical environmental impacts related to population and housing that were not identified in the Eastern Neighborhoods PEIR.

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[11] U.S. Census Bureau, American Fact Finder, 2010 Demographic Profile Data and 2010 Business Patterns, San Francisco County. Available online at: *https://factfinder.census.gov/faces/nav/jsf/pages/programs.xhtml?program=dec*. Accessed April 10, 2019.

[12] U.S. Census Bureau, Quick Facts, San Francisco County, California, Population Estimates July 1, 2017 and Households 2013-2017. Available online at: *https://www.census.gov/quickfacts/sanfranciscocountycalifornia*. Accessed April 10, 2019.

[13] San Francisco Planning Department, 2018 Q4. Housing Development Pipeline. Available online at: *https://sfplanning.org/project/pipeline-report*.Accessed April 10, 2019.

[14] Ibid.

[14] San Francisco Planning Department, Citywide Division, Information and Analysis Group, Scott Edmundson, March 19, 2019.

E.3 CULTURAL RESOURCES

Eastern Neighborhoods PEIR Cultural Findings

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 result in 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 maximum development alternative.[16] The Eastern Neighborhoods PEIR found this impact to be significant and unavoidable.

The Eastern Neighborhoods PEIR determined that development under the area plans and rezoning 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, which applies to properties for which a final *archeological research design and treatment plan* is on file at the Northwest Information Center of the California Historical Resources Information System and at the planning department, requires preparation of an addendum to the existing plan. 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 and requires the preparation of a preliminary archeological sensitivity study. Mitigation Measure J-3, which applies to properties in the Mission Dolores 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.

Project Analysis

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5, including those resources listed in article 10 or article 11 of the San Francisco *Planning Code*?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

[16] The approved Eastern Neighborhoods Area Plan was less intensive than the maximum development alternative analyzed in the PEIR.

E.3.a) 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 subject property contains a one-story plus mezzanine reinforced concrete industrial building in the 20th-Century Commercial style. The building is not currently individually designated in any local, state, or national historic register. However, the subject building was surveyed as part of the Western SoMa EIR and was determined to be a contributing resource to the Western SoMa Light Industrial and Residential Historic District (historic district), which is a California Register-eligible district. Therefore, the property is considered a historic resource for the purposes of CEQA.

The proposed project would demolish the existing building on-site, retain and rehabilitate the existing front façade, and construct a seven-story building behind. Therefore, the San Francisco Planning Department prepared a Historic Resource Evaluation Response to evaluate the effects of the project on the district. The department found that although the proposed project involves the demolition of a contributing building and new construction, the proposed building design would be compatible with the character-defining features of the historic district, and the loss of this one building would not materially impair the historic district's ability to convey its historic significance. Therefore, the proposed project would not cause a significant adverse impact to a California Register-eligible historic district and would not contribute to the significant historic resource impact identified in the Eastern Neighborhoods PEIR.[17] No historic resource mitigation measures would apply to the proposed project.

E.3.b) The proposed project would require approximately 500 cubic yards of excavation over a 4,506 square-foot area to a depth of 3 feet below ground surface. The project proposes to use a mat slab foundation on improved soil. Drilled displacement columns would be used to densify the soil and improve the stiffness of the subgrade.[18] The proposed soil improvement work would disturb soils to approximately 60 to 80 feet below ground surface.

The project site is not in the Mission Dolores Archeological District, and there is no existing archaeological assessment for the site; therefore, the applicable archaeological measures for this project is PEIR Mitigation Measure J-2. In accordance with PEIR Mitigation Measure J-2, a qualified archeologist conducted a preliminary archeological review for the proposed project.

Based on the results of the preliminary archeological review, no archeological resources have been previously identified at the project site.[19] However, one prehistoric and two historic archeological sites have previously been identified within one-quarter mile of the project area.

[17] San Francisco Planning Department. Historic Resource Evaluation Response: 1088 Howard Street. July 22, 2019.

[18] Carland, Inc.. Preliminary Geotechnical Evaluation, 1088 Howard Street, San Francisco, California. July 28, 2017.

[19] San Francisco Environmental Planning Department, Environmental Planning Preliminary Archeological Review, October 16, 2019.

Based on GIS modeling of prehistoric archeological sensitivity on file at the department, the project site is highly sensitive for near-surface prehistoric resources (that is, on the land surface as it existed prior to 19th century development), which could be affected by project excavations and/or soil improvement; and for buried and submerged prehistoric resources, which could be affected by project soils improvement.[20]

The preliminary archeological review further concluded that the potential for historic-period archeological resources to be present in the project site appears to be moderate. The project location was developed during the mid-to-late 19th century. The 19th century structures on the project parcel appear to have been destroyed in the 1906 fire and earthquake. The project site appears to have been vacant until the existing building on-site was constructed in 1925.

One geotechnical core was drilled at the site during project design. This revealed 13.5 feet of loose sand fill to 13.5 feet depth, overlying bay muds and sands that extend to at least 50 feet below ground surface.[21] The material characterized as fill most likely represents native sand dune soil, disturbed by 19th century sand dune leveling and site development. Mass excavation for the project would extend only about 3 feet depth and therefore would be confined to this loose sandy stratum. There is the potential for excavation to encounter historic-era features or prehistoric deposits in the material, although the likelihood that 19th century features or prehistoric deposits have survived intact is low, because the project site was redeveloped multiple times after the 1906 earthquake. However, the soil improvement displacement columns, which would be drilled to depths ranging from 60 to 80 feet below ground surface, would extend through the surface soils and into the underlying bay muds and sands. There is the potential for prehistoric archeological deposits to be present both within the native sands that constitute the upper stratum of site soils and also at and near the surface of the underlying bay sands and muds, which may represent a marshy prehistoric surface. These proposed ground-disturbing construction activities have the potential to alter in an adverse manner the physical characteristics of archeological resources.

Therefore, project implementation could result in a substantial adverse change in the significance of an archeological resource pursuant to section 15064.5. Based on the preliminary archaeological assessment conducted in compliance with PEIR Mitigation J-2, Project Mitigation Measure M-CR-1 (Testing) would be required to mitigate the project's potentially significant impacts to prehistoric and historic period archeological resources. The full text of Project Mitigation Measure M-CR-1 can be found in the attached Mitigation Monitoring and Reporting Program (MMRP) as Attachment D.

E.3.c) Archeological resources may include human burials. Human burials outside of formal cemeteries often occur in prehistoric or historic period archeological contexts. The potential for the proposed project to affect archeological resources, which may include human burials is addressed above under E.3.b. Furthermore, the treatment of human remains and of associated or unassociated funerary objects must comply with applicable state laws. This includes immediate notification to the county coroner (San Francisco Office of the Chief Medical Examiner) and, in the event of the

[20] Geoarchaeological Assessment and Site Sensitivity Model for the City and County of San Francisco, California. Prepared by Far Western for the Environmental Division of the San Francisco Planning Department.

[21] Carland, Inc.. Preliminary Geotechnical Evaluation, 1088 Howard Street, San Francisco, California. July 28, 2017.

coroner's determination that the human remains are Native American, notification of the California Native American Heritage Commission, which shall appoint a most likely descendant, as detailed in Project Mitigation Measure M-CR-1.[22] The implementation of this measure would reduce impacts to human burials that might be encountered during construction to a less-than-significant level.

Cumulative Analysis

As discussed above, the proposed project would not cause a significant adverse impact to a California Register-eligible historic district or context and would not contribute to the significant historic resources impact identified in the Eastern Neighborhoods PEIR.

The cumulative context for archeological resources and human remains is site-specific and generally limited to the immediate construction area. Although there are no recorded archaeological sites on the project site or within the immediate vicinity of the project site, both the project site and the immediate vicinity have been assessed as having very high potential for the presence of near surface, buried and submerged prehistoric archeological resources that could be significantly affected by project construction and by the construction of the projects on the cumulative project list. On this basis, there is the potential for the project, in conjunction with cumulative development in the vicinity, to result in a significant cumulative impact to archeological resources and human remains. If a prehistoric archeological resource were found during project construction, the project's impact would make a cumulatively considerable contribution to the cumulative impact. The cumulative impact therefore would be potentially significant. However, the application of Mitigation Measures CR-1 would reduce the project's contribution to the potential impact to archeological resources and human remains to a less-than-significant level.

Conclusion

The proposed project would not result in significant impacts to historic resources. Impacts to archeological resources, including the project's potential contribution to a potentially significant cumulative impact would be mitigated to less-than-significant levels with implementation of mitigation measures identified in the Eastern Neighborhoods PEIR and of **Project Mitigation Measure M-CR-1**, which would reduce potential impacts to archeological resources and human remains to less-than-significant levels. The project sponsor has agreed to implement **Project Mitigation Measure M-CR-1**. Therefore, the proposed project would not result in significant impacts on cultural resources that were not identified in the Eastern Neighborhoods PEIR.

E.4 TRIBAL CULTURAL RESOURCES

Eastern Neighborhoods PEIR Cultural Findings

Based on discussions with Native American tribal representatives in San Francisco, all prehistoric archeological resources in San Francisco are presumed to be potential tribal cultural resources. Additionally, based on discussions with Native American tribal representatives, there are no other currently identified tribal cultural resources in San Francisco. The preferred mitigation of impacts

[22] California Public Resources Code section 5097.98

to tribal cultural resources, developed in consultation with local Native American tribal representatives, is preservation in place or, where preservation is not feasible, development and implementation of archaeological and public interpretation plans for the resource, in consultation with local Native American tribes. The Eastern Neighborhoods PEIR found that development under the area plans and rezoning could cause a substantial adverse change to the significance of archeological resources, including prehistoric archeological resources, because the entire plan area could be considered generally sensitive for archeological resources. On this basis, projects implemented under the PEIR have the potential to result in a substantial adverse change in the significance of tribal cultural resources, a potentially significant impact.

Project specific mitigation measures identified through implementation of Eastern Neighborhoods PEIR Mitigation Measure J-2 (Cultural Resources Preliminary Archeological Sensitivity Assessment), would mitigate impacts to tribal cultural resources to a less than significant level, as the department's standard archeological mitigation measures include procedures for preservation in place, as feasible, and public interpretation of resources, consistent with the wishes of local Native American tribal representatives.

Project Analysis

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	☐	☐	☐	☒
(i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	☒
(ii) A resource determined by the lead agency in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in this subdivision, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒

E.4.a) As discussed in the Cultural Resources section of this document, the project site is highly sensitive for prehistoric resources, which may also represent tribal cultural resources. Therefore, the project's proposed excavation to 3 feet below ground surface and deep soil disturbance

associated with construction of drilled displacement columns for soil improvement, could result in a significant tribal cultural resources impact, should an archaeological site of Native American origin be encountered.

The potential impact to tribal cultural resources would be reduced to a less-than-significant level with implementation of **Project Mitigation Measure M-CR-1, Archeological Testing** (outlined in Section E.3, Cultural Resources, above), which requires preservation in place if feasible, and implementation of archeological data recovery if preservation is not feasible. In addition, the project would implement **Project Mitigation Measure M-TCR-1**, **Tribal Cultural Resources Preservation or Interpretation.** Under this measure, the tribal cultural resource would be preserved in place if this is determined to be feasible in consultation between the project sponsor and the ERO. If preservation were determined not to be feasible, archaeological data recovery, and public interpretation of the resource in consultation with the tribal representative would be implemented. Implementation of these measures would preserve the important information and cultural values represented by the resource, and therefore would reduce the project's potentially significant impact to tribal cultural resources to a less-than-significant level.

Cumulative Analysis

The cumulative context for tribal cultural resources is site-specific and generally limited to the immediate construction area. While there are no recorded prehistoric archaeological sites on the project site or within the immediate vicinity, both the project site and the vicinity have been assessed as having high potential for the presence of prehistoric archeological sites, which also are presumed to be tribal cultural resources. On this basis, the implementation of the proposed project, together with other past, present and reasonably foreseeable development in the project vicinity, has the potential to result in a significant cumulative impact to tribal cultural resources. If a tribal cultural resource were present in the ground disturbance area of the proposed project, the project's contribution to the cumulative impact would be cumulatively considerable. However, implementation of Project Mitigation Measure M-CR-1 and Project Mitigation Measure M-TCR-1 would reduce the project's contribution to the cumulative impact to a less than significant level, for the reason discussed above.

Conclusion

As discussed above, there is a potential for tribal cultural resources to be present at the project site and to be significantly affected by project implementation. The project sponsor has agreed to implement **Project Mitigation Measure M-CR-1**, which would recover a significant sample of the important information represented by the resource; and **Project Mitigation Measure M-TCR-1,** which would ensure preservation of the resource or, if preservation is not feasible, would provide public interpretation of the tribal values represented by the resource. These measures would reduce the potentially significant impacts to tribal cultural resources, and its contribution to significant cumulative impacts, to a less-than-significant level. Therefore, the proposed project would not result in significant impacts to archaeological resources that are also tribal cultural resources that were not identified in the Eastern Neighborhoods PEIR, nor would the project result in significant project-level or cumulative impacts to tribal cultural resources that are more severe than those identified in the Eastern Neighborhoods PEIR or that are peculiar to the project site.

E.5 TRANSPORTATION AND CIRCULATION

Eastern Neighborhoods PEIR Transportation and Circulation Findings

The Eastern Neighborhoods PEIR anticipated that growth resulting from the zoning changes would not result in significant impacts related to pedestrians, bicyclists, loading, or construction traffic. The PEIR states that in general, the analyses of pedestrian, bicycle, loading, emergency access, and construction transportation impacts are specific to individual development projects. and the PEIR stated the department would conduct project-specific analyses for future projects under the plan.

The PEIR anticipated that growth resulting from the zoning changes could result in significant and unavoidable impacts with mitigation on automobile delay and transit (both transit delay and ridership). The PEIR identified Mitigation Measures E-1 through E-11 to address these impacts. The city is responsible for implementing these measures, not developers of individual development projects. At the time of the PEIR, the city could not guarantee the future implementation of these measures. Since PEIR certification, the city implemented some of these measures (e.g., Transit Effectiveness Project, increased transit funding, and others listed under "Regulatory Changes").

This initial study reflects two changes because of state and local actions. The state amended CEQA to remove automobile delay as a consideration (CEQA section 21099(b)(2)). In March 2016, Planning Commission resolution 19579 implemented this state-level change in San Francisco. In February 2019, the department updated its Transportation Impact Analysis Guidelines (2019 guidelines). With that update, the department deleted the transit capacity criterion. The deletion is consistent with state guidance about the environmental benefits of new transit riders and to reflect funding sources for, and policies that encourage, additional ridership.[23] Accordingly, this initial study does not evaluate the project's impact on automobile delay or transit capacity.

Project Analysis

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☒
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☐	☒
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	☐	☐	☐	☒
d) Result in inadequate emergency access?	☐	☐	☐	☒

[23] San Francisco Planning Department, "Transportation Impact Analysis Guidelines Update: Summary of Changes Memorandum", February 14, 2019.

E.5.a) to d) The department estimated the number of trips and ways people would travel to and from the site. Localized trip generation of the proposed project was estimated using data and methodology in the department's 2019 guidelines.[24] Table 2 below presents daily person and vehicle trip estimates. Table 3 below presents p.m. peak hour estimates.

Table 2: Person and Vehicle Trip Estimates – Daily

Land Use	Daily Person Trips						Daily Vehicle Trips[1]
	Automobile	For-Hire	Transit	Walking	Bicycling	Total	
Residential	54	13	60	81	6	214	67
Commercial	43	18	98	211	14	384	61
Project Total	**97**	**31**	**158**	**292**	**20**	**598**	**128**

1. Automobile person trips, accounting for average vehicle occupancy data. Includes TNC/Taxis.
Source: San Francisco Planning Department, Transportation Impact Analysis Guidelines.

Table 3: Person and Vehicle Trip Estimates – P.M. Peak Hour

Land Use	P.M. Peak Hour Person Trips						IB P.M Peak Hour Vehicle Trips[1]
	Automobile	For-Hire	Transit	Walking	Bicycling	Total	
Residential	5	1	5	7	1	19	5
Commercial	4	2	9	19	1	35	1
Project Total	**9**	**3**	**14**	**26**	**2**	**54**	**6**

1. Inbound automobile person trips, accounting for average vehicle occupancy data. Includes TNC/Taxis.
Source: San Francisco Planning Department, Transportation Impact Analysis Guidelines.

The proposed project would generate an estimated 598 person trips (inbound and outbound) on a weekday daily basis, consisting of 128 person trips by auto, 158 transit trips, 292 walk trips, and 20 bicycle trips. During the p.m. peak hour, the proposed project would generate an estimated 54 person trips, consisting of 12 person trips by auto, 14 transit trips, 26 walk trips and two trips by bicycle.

The department used these estimates to inform the analysis of the project's impacts on transportation and circulation during both construction and operation. The following considers effects of the project on potentially hazardous conditions, accessibility (including emergency access), public transit delay, vehicle miles traveled, and loading.

Construction

The 2019 guidelines set forth screening criteria for types of construction activities that would typically not result in significant construction-related transportation effects. Project construction would last approximately 18 months. During construction, the project may result in temporary closures of the public right-of-way including sidewalk, parking lane, or a travel lane. These closures may include the parking lane or a travel lane along Howard Street in the immediate

[24] San Francisco Planning Department, *Transportation Calculations for 1088 Howard Street.* October 9, 2019.

vicinity of the project site. Given the project site context and construction duration and magnitude, the project meets the screening criteria such that there would not be a significant construction-related transportation impact.

Further, the project would be subject to the San Francisco Regulations for Working in San Francisco Streets (the blue book). The blue book is prepared and regularly updated by the San Francisco Municipal Transportation Agency, under the authority derived from the San Francisco Transportation Code. It serves as a guide for contractors working in San Francisco streets. The blue book establishes rules and guidance so that construction work can be done safely and with the least possible interference with pedestrian, bicycle, transit, and vehicular traffic. Therefore, the project would have a less-than-significant construction-related transportation impact.

Potentially Hazardous Conditions and Accessibility

As part of the project, the existing curb cut in front of the project site on Howard Street would be removed, and the curb would be rebuilt to match the existing curb line. The project would add approximately six inbound p.m. peak hour vehicle trips. These vehicle trips would likely start from or end at a convenient loading zone in the general vicinity of the project site and be dispersed along nearby streets. This number of vehicle trips is not substantial.

Drivers would not conflict with people walking on the sidewalks since the proposed project would remove the existing driveway and fill in the curb cut. The design of the project would not exacerbate any potentially hazardous conditions for bicyclists on Howard Street. Drivers would have adequate visibility of bicyclists on the class II bikeway as they enter the right-turn pocket on Howard Street. Therefore, the project would result in less-than-significant potentially hazardous conditions and accessibility impacts.

Public Transit Delay

The 2019 guidelines set forth a screening criterion for projects that would typically not result in significant public transit delay effects. The project would add approximately six inbound p.m. peak hour vehicle trips, which is less than the screening criterion of 300. Therefore, the project meets the screening criterion and the project would have a less-than-significant public transit delay impact.

Vehicle Miles Traveled

The 2019 guidelines set forth screening criteria for types of projects that would typically not result in significant vehicle miles traveled impacts. The project site is an area where existing vehicle miles traveled per capita is more than 15 percent below the existing regional average of 17.2 for residential uses and 14.9 for commercial. The project meets this locational screening criterion and the project would have a less-than-significant vehicle miles traveled impact.[25]

The project also meets the proximity to transit screening criterion. The project site is within one-half mile of an existing major transit stop or an existing stop along a high-quality transit corridor and the project meets other characteristic requirements. This screening criterion also indicates the project would not cause substantial additional VMT.

[25] San Francisco Planning Department. *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 1088 Howard Street*. October 9, 2019.

Loading

During the average and peak period, the project's freight and delivery loading demand is 0.06 trips. In addition, during the peak hour period, the project's passenger loading demand is also 0.06 trips.[26] The proposed project does not include any freight or passenger loading zones. However, due to the low loading demand of the project, the project's loading demand would be met. Overall, the project would have a less-than-significant loading impact.

Cumulative Analysis

Construction

Based on the list of cumulative development projects, construction of the Folsom-Howard Streetscape Project could overlap with the project's construction activities. The Folsom-Howard Streetscape project includes street improvements on Howard Street between 3rd Street and 11th Street, and on Folsom Street between 2nd Street and 11th Street. Improvements include bicycle, pedestrian, and transit facilities, upgrades to traffic signals, traffic circulation modifications, and changes to parking and loading. Construction of the Folsom-Howard Streetscape project is anticipated to occur from late 2021 until 2023.

Combined these projects could result in temporary closures of the public right-of-way. These closures may include parts of the sidewalk, bike path, and travel lane on Howard Street. Construction of the proposed project would last approximately 18 months and result in excavation of approximately 500 cubic yards of soil to a maximum depth of 3 feet below ground. The depth of soil improvement work would extend to approximately 60 to 80 feet below ground surface. Though the construction of cumulative development projects may overlap with the construction of the proposed project, the cumulative projects would be subject to regulations set forth in the blue book. Given the context and temporary duration and magnitude of construction for cumulative projects, including the Folsom-Howard Streetscape Project, as well as the regulations that each project would be subject to, the project, in combination with cumulative projects, would not result in a significant cumulative construction-related transportation impact.

Potentially Hazardous Conditions and Accessibility

The PEIR disclosed that vehicular and other ways of travel (e.g., walking, bicycling) volumes would increase in the Eastern Neighborhoods because of the plan and other cumulative projects. This increase would result in a potential for more conflicts between various ways of travel. Vehicle trips from the cumulative projects could overlap with the project's vehicle trips near the project site. In addition, there would be changes to the configuration of the right-of-way as a result of the Folsom-Howard Streetscape Project.

The vehicle trips from these cumulative projects would not combine to result in a potentially hazardous condition at any nearby vehicular turning movement. These cumulative projects would also not block access to a substantial number of people walking and bicycling within the sidewalk and bicycle lane. As described above, the project would include several changes to the public right-of-way that would reduce conflicts between modes. Cumulative projects would also include several changes to the public right-of-way that would reduce conflicts. These changes include removing existing driveways, and improvements to pedestrian and bicycle facilities. These project

[26] San Francisco Planning Department. *Passenger & Freight Loading Demand: 1088 Howard Street.* August 8, 2019.

features would not create new hazardous conditions or result in a substantial adverse accessibility impact. Therefore, the project, in combination with cumulative projects, would not result in significant cumulative potentially hazardous conditions and accessibility impacts.

Public Transit Delay

Public transit delay typically occurs from traffic congestion, including transit reentry, and passenger boarding delay. The PEIR used transit delay as a significance criterion. The PEIR identified significant and unavoidable traffic congestion impacts on streets that public transit travels upon (e.g., 7th, 8th, and Townsend streets) and significant transit ridership impacts which would delay transit (e.g., 22-Fillmore and 27-Bryant). The PEIR identified mitigation measures to be implemented by the city: E-6, E-10, and E-11 (related to traffic congestion and transit delay) and E-5 to E-8 (related to ridership and transit delay).

The project would add six p.m. peak hour vehicle trips and eight p.m. peak hour transit trips. These trips would be dispersed along 7th Street, Howard Street, and Mission Street among the following Muni bus routes located within a quarter mile of the project site: 12-Folsom/Pacific, 14/14R/14X-Mission, 19-Polk, 21-Hayes, 27-Bryant, 47-Van Ness, 5/5R-Fulton, 6-Haight/Parnassus, 7/7R-Haight/Noriega, 8-Bayshore, 83-Mid Market Express, and 9/9R-San Bruno. This minor number of trips would not contribute considerably to cumulative transit delay. Cumulative projects would also improve public transit, including the Folsom-Howard Streetscape Project. Therefore, the proposed project would not result in new or more severe transit delay impacts than were identified in the Eastern Neighborhoods PEIR.

Vehicle Miles Traveled

VMT by its nature is largely a cumulative impact. As described above, the project would not exceed the project-level quantitative thresholds of significance for VMT. Furthermore, the project site is an area where projected year 2040 VMT per capita is more than 15 percent below the future regional average of 16.1 for residential uses and 14.6 for commercial. Therefore, the project, in combination with cumulative projects, would not result in a significant cumulative VMT impact.

Loading

There are no cumulative development projects in the immediate project vicinity that could generate loading demand that may interact with the project's loading demand. Future projects in the site vicinity would also be subject to planning code provisions and would provide adequate passenger or freight loading, as required, to ensure that the projects' loading demands are met. Given that the cumulative projects would not result in a loading deficit, the project, in combination with cumulative projects, would not result in a significant cumulative loading impact.

Conclusion

The Eastern Neighborhoods PEIR projected substantial increases in public transit delay. For the reasons described above, the proposed project would not result in new or more severe transportation and circulation impacts than were identified in the Eastern Neighborhoods PEIR.

E.6 NOISE

Eastern Neighborhoods PEIR Noise Findings

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 identified six noise mitigation measures, three of which may be applicable to development projects under the Eastern Neighborhoods Area Plans.[27] These mitigation measures would reduce noise impacts from construction and noisy land uses to less-than-significant levels.

Project Analysis

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
Would the project:				
a) Generate substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b) Generate excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c) For a project located within the vicinity of a private airstrip or 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?	☐	☐	☐	☒

[27] Eastern Neighborhoods PEIR Mitigation Measures F-3, F-4, and F-6 address the siting of sensitive land uses in noisy environments. In a decision issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an agency to consider the effects of existing environmental conditions on a proposed project's future users or residents except where a project or its residents may exacerbate existing environmental hazards (*California Building Industry Association v. Bay Area Air Quality Management District*, December 17, 2015, Case No. S213478. Available at: http://www.courts.ca.gov/opinions/documents/S213478.PDF). As noted above, the Eastern Neighborhoods PEIR determined that incremental increases in traffic-related noise attributable to implementation of the Eastern Neighborhoods Area Plans and Rezoning would be less than significant, and thus would not exacerbate the existing noise environment. Therefore, Eastern Neighborhoods Mitigation Measures F-3, F-4, and F-6 are not applicable. Nonetheless, for all noise sensitive uses, the general requirements for adequate interior noise levels of Mitigation Measures F-3 and F-4 are met by compliance with the acoustical standards required under the California Building Standards Code (California Code of Regulations Title 24).

E.6.a) Increases in ambient noise levels could result from increases in traffic and/or noise-generating equipment or activities. A potentially significant increase in the ambient noise level due to traffic resulting from a proposed project is unlikely unless the project would cause a doubling of existing traffic levels, which is generally assumed to result in a 3 dBA increase in the existing ambient noise environment.[28] An increase of less than 3 dBA is generally not perceptible outside of controlled laboratory conditions.[29] The proposed project would generate 128 daily vehicle trips. These vehicle trips would be dispersed along the local roadway network and would not result in a doubling of vehicle trips on roadways in the vicinity of the project site. Therefore, traffic noise impacts resulting from the project would be less than significant.

Eastern Neighborhoods PEIR Mitigation Measure F-5 addresses impacts related to individual projects that include uses that would be expected to generate noise levels in excess of ambient noise in the project vicinity. The project would demolish the existing building on-site and construct a seven-story, mixed-use building with 24 two-bedroom residential units and 2,560 square feet of ground floor commercial use. Due to the size of the project and proposed uses, the project is not expected to generate noise levels in excess of ambient noise in the project vicinity and, therefore, PEIR Mitigation Measure F-5 would not apply to the proposed project. Mechanical equipment for the building would be located on the roof and shielded to minimize potential noise impacts to nearby sensitive receptors located adjacent to the project site.

Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2 relate to construction noise. Mitigation Measure F-1 includes specific measures to reduce noise impacts from pile-driving, and Mitigation Measure F-2 includes general construction-noise control measures for particularly noisy construction procedures (including pile-driving). The proposed project would be supported on a mat foundation on improved soils that would not include impact pile driving. Therefore, Eastern Neighborhoods PEIR Mitigation Measure F-1 would not be applicable. As heavy equipment would be used during construction and there are adjacent noise sensitive uses, Mitigation Measure F-2 would be required to reduce construction noise impacts to a less-than-significant level. The project sponsor has agreed to implement Eastern Neighborhoods PEIR Mitigation Measure F-2 as Project Mitigation Measure M-NO-1. See the full text of the noise-related project mitigation measure in the Mitigation Monitoring and Reporting Program attached as Attachment D.

In addition, all construction activities for the proposed project (approximately 18 months) would be subject to the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code). The San Francisco Department of Building Inspection is responsible for enforcing the noise ordinance for private construction projects during normal business hours (8 a.m. to 5 p.m.). The police department is responsible for enforcing the noise ordinance during all other hours. With implementation of Project Mitigation Measure M-NO-1, the proposed project would not result in significant construction noise or vibration impacts.

E.6.b) See discussion in section E.6.a above with regard to construction-related vibration impacts from pile driving. Development projects, such as the proposed project, are not typically sources of

[28] Caltrans, Technical Noise Supplement, November 2009. Available at: *http://www.dot.ca.gov/env/noise/docs/tens-sep2013.pdf* . Accessed: December 18, 2017.

[29] California Department of Transportation, Technical Noise Supplement to the Traffic Noise Analysis Protocol, pp. 2-44 to 2-45, September 2013. Available: *http://www.dot.ca.gov/hq/env/noise/pub/TeNS_Sept_2013B.pdf*. Accessed July 30, 2017.

operational vibration. Therefore, the proposed project would not result in significant impacts related to vibration.

E.6.c) The project site is not located within an airport land use plan area, within 2 miles of a public airport, or in the vicinity of a private airstrip. Therefore, initial study checklist question E.6.c is not applicable to the proposed project.

Cumulative Analysis

The cumulative context for traffic noise analyses are typically confined to the local roadways nearest the project site. As project-generated vehicle trips disperse along the local roadway network, the contribution of project-generated traffic noise along any given roadway segment would similarly be reduced. As discussed in initial study checklist question E.6.c, the proposed project would not result in a perceptible increase in traffic noise. Therefore, the proposed project would not result in a considerable contribution to ambient noise levels from project traffic.

The cumulative context for point sources of noise, such as building heating, ventilation and air conditioning systems and construction noise are typically confined to nearby noise sources, usually not further than about 900 feet from the project site.[30] Based on the list of projects under the Cumulative Setting section above, the following projects are within 900 feet of the project site and could combine with the proposed project's noise impacts to generate significant cumulative construction or operational noise: 612 Natoma Street, 1144 Howard Street, 230 7th Street, 262 7th Street, 280 7th Street, 1075 Folsom Street, 40 Cleveland Street, 31 Harriet Street, 219 6th Street and 1068 Mission Street. However, these projects would not have a direct line-of-sight to the project site, and construction noise at these sites would be attenuated by existing buildings in between. In addition, these projects would also be required to comply with the Noise Ordinance, which establishes noise limits from stationary sources and construction equipment. Compliance with the Noise Ordinance would ensure that no significant cumulative noise impacts would occur.

Conclusion

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. The proposed project would implement mitigation measures identified in the Eastern Neighborhoods PEIR to reduce construction and operational noise, referred to as Project Mitigation Measure M-NO-1. With implementation of mitigation measures identified in the PEIR, the proposed project would not result in new or more severe noise impacts than were identified in the Eastern Neighborhoods PEIR.

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[22] Typical construction noise levels can affect a sensitive receptor at a distance of 900 feet if there is a direct line-of-sight between a noise source and a noise receptor (i.e., a piece of equipment generating 85 dBA would attenuate to 60 dBA over a distance of 900 feet). An exterior noise level of 60 dBA will typically attenuate to an interior noise level of 35 dBA with the windows closed and 45 dBA with the windows open.

E.7 AIR QUALITY

Eastern Neighborhoods PEIR Air Quality Findings

The Eastern Neighborhoods PEIR identified potentially significant air quality impacts resulting from construction activities and impacts to sensitive land uses[31] from 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, development under the area plans 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, and PEIR Mitigation Measures G-3 and G-4 address proposed uses that would emit DPM and other TACs.[32]

Project Analysis

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) 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?	☐	☐	☐	☒
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	☒

E.7.a) The most recently adopted air quality plan for the air basin is the Bay Area Air Quality Management District's 2017 Clean Air Plan. The primary goals of the clean air plan are to: (1) protect air quality and health at the regional and local scale; (2) eliminate disparities among Bay Area communities in cancer health risk from toxic air contaminants; and (3) reduce greenhouse gas emissions. The clean air plan recognizes that to a great extent, community design dictates individual travel modes, and that a key long-term control strategy to reduce emissions of criteria pollutants, air toxics, and greenhouse gases from motor vehicles is to channel future Bay Area growth into vibrant urban communities where goods and services are close at hand, and people have a range of viable transportation options. The compact development of the proposed project

[31] The Bay Area Air Quality Management District (BAAQMD) considers sensitive receptors as persons occupying or residing in: 1) residential dwellings, 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, p. 12.

[32] The Eastern Neighborhoods PEIR also includes Mitigation Measure G-2, which has been superseded by Health Code Article 38, as discussed below, and is no longer applicable.

and the availability of non-auto transportation options in the project area would ensure that the project would avoid substantial growth in automobile trips and consequent air pollutant emissions. In addition, as discussed above in the Population and Housing resource topic, the project site is located within the Eastern Neighborhoods priority development area. Focusing development within such areas is a key land use strategy under Plan Bay Area to meet statewide greenhouse gas reduction goals pursuant to Senate Bill 375. Furthermore, for the reasons described below under topics E.7.b and c, the proposed project would not result in significant air pollutant emissions or expose sensitive receptors to substantial pollutant concentrations. Therefore, the proposed project would not obstruct implementation of the 2017 Clean Air Plan.

E.7.b) 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."[33]

In accordance with the state and federal Clean Air Acts, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter ($PM_{2.5}$, and PM_{10}),[34] nitrogen dioxide (NO_2), sulfur dioxide (SO_2), and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. The bay area air basin is designated as either in attainment or unclassified for most criteria pollutants except for ozone, $PM_{2.5}$, and PM_{10}. For these pollutants, the air basin is designated as non-attainment for either the state or federal standards. By its very nature, regional air pollution is largely a cumulative impact in that no single project is sufficient in size to, by itself, result in non-attainment of air quality standards. Instead, a project's individual emissions contribute to existing cumulative air quality impacts. If a project's contribution to cumulative air quality impacts is considerable, then the project's impact on air quality would be considered significant.[35] Regional criteria air pollutant impacts resulting from the proposed project are evaluated below.

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 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 dust control ordinance is to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work to protect the health of the general public and of construction

[33] San Francisco Planning Department, Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (PEIR), p. 346. Planning Department Case No. 2004.0160E, State Clearinghouse No. 2005032048, certified August 7, 2008. Available online at: https://sfplanning.org/environmental-review-documents?field_environmental_review_categ_target_id=214&items_per_page=10, accessed April 24, 2019.

[34] PM_{10} is often termed "coarse" particulate matter and is made of particulates that are 10 microns in diameter or smaller. $PM_{2.5}$, termed "fine" particulate matter, is composed of particles that are 2.5 microns or less in diameter.

[35] Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, May 2017, page 2-1.

workers, minimize public nuisance complaints, and to avoid orders to stop work in response to dust complaints. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities. In compliance with the dust control ordinance, the project sponsor and contractor responsible for construction activities at the project site would be required to control construction dust on the site through a combination of watering disturbed areas, covering stockpiled materials, 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 incorporate and expand upon the dust control provisions of PEIR Mitigation Measure G-1. Therefore, compliance with the dust control ordinance would ensure that the proposed project would not result in substantial amounts of fugitive dust, including particulate matter, during construction activities and portions of PEIR Mitigation Measure G-1 that address construction dust are not required.

Criteria Air Pollutants

The Bay Area Air Quality Management District prepared updated 2017 BAAQMD CEQA Air Quality Guidelines,[36] which provide methodologies for analyzing air quality impacts. These guidelines also provide thresholds of significance for ozone and particulate matter. The planning department uses these thresholds to evaluate air quality impacts under CEQA.

The air district has developed screening criteria to determine whether to undertake detailed analysis of criteria pollutant emissions for construction and operations of development projects. Projects that are below the screening criteria would result in less-than-significant criteria air pollutant impacts, and no further project-specific analysis is required. The proposed project would result in a seven-story building that would contain 24 dwelling units and 2,560 gross square feet of ground floor commercial use. The residential portion would be categorized as "Apartment, low-rise" in BAAQMD's Air Quality Guidelines. The operational criteria pollutant screening size and construction-related screening size for residential use are 451 dwelling units and 240 dwelling units, respectively. The commercial portion would be categorized as "General Office" in the BAAQMD's Air Quality Guidelines. The operational criteria pollutant screening size and construction-related screening size for general office use are 346,000 square feet and 277,000 square feet, respectively. Therefore, the proposed project would meet the Air Quality Guidelines screening criteria for construction and operation. Therefore, because the proposed project is below the construction and operational screening levels for criteria air pollutants, the proposed project would not result in a significant impact with regards to violating an air quality standard or resulting in a cumulatively considerable net increase in criteria air pollutants.

Article 38 – Air Pollutant Exposure Zone

Projects located within the Air Pollutant Exposure Zone, such as the proposed project, must provide filtration to protect occupants from $PM_{2.5}$. Health Code Article 38 requires that the project sponsor submit an Enhanced Ventilation Proposal for approval by the Department of Public Health (health department) that achieves protection from $PM_{2.5}$ equivalent to that associated with a Minimum Efficiency Reporting Value 13 filtration. The building department will not issue a building permit without written notification from the Director of Public Health that the applicant

[36] Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2017.

has an approved Enhanced Ventilation Proposal. In compliance with Article 38, the project sponsor has submitted an initial application to the health department.[37]

Construction Health Risk

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 anticipated 18-month construction period. Thus, the project would implement parts of Eastern Neighborhoods PEIR Mitigation Measure G-1 related to emissions exhaust requiring construction equipment with lower emissions as Project Mitigation Measure M-AQ-1 Construction Air Quality. This measure would reduce diesel particulate matter exhaust from construction equipment by 89 to 94 percent compared to uncontrolled construction equipment.[38] Therefore, with implementation of Project Mitigation Measure M-AQ-1, impacts related to construction health risks would be less than significant.

Operational Health Risks

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. The project's incremental increase in localized TAC emissions resulting from new vehicle trips would be minor and would not contribute substantially to localized health risks. Furthermore, the project does not include any new sources of DPM, such as backup diesel generators. Therefore, project impacts related new sources of health risk would be less than significant.

E.7.d) Typical odor sources of concern include wastewater treatment plants, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing facilities, fiberglass manufacturing facilities, auto body shops, rendering plants, and coffee roasting facilities. During construction, diesel exhaust from construction equipment would generate some odors. However, construction-related odors would be temporary and would not persist upon project completion. The proposed project includes residential and commercial uses that would not be expected to create significant sources of new odors. Therefore, odor impacts would be less than significant.

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[37] Department of Public Health. Memo: "SFHC Article 22A Compliance – Mixed Use Development 1088 Howard Street." October 30, 2017.

[38] 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 U.S. 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).

Cumulative Analysis

As discussed above, regional air pollution is by its nature a cumulative impact. Emissions from past, present, and future projects contribute to the region's adverse air quality on a cumulative basis. No single project by itself would be sufficient in size to result in regional nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulative adverse air quality impacts.[39] The project-level thresholds for criteria air pollutants are based on levels by which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants. Therefore, because the proposed project's construction and operational (Topic E.7.b) emissions would not exceed the project-level thresholds for criteria air pollutants, the proposed project would not result in a cumulatively considerable contribution to regional air quality impacts.

As discussed above, the project site is located in an area that already experiences poor air quality. The project would add new construction and operational vehicle trips within an area already adversely affected by poor air quality, resulting in a considerable contribution to cumulative health risk impacts on nearby sensitive receptors. This would be a significant cumulative impact. The proposed project would be required to implement Mitigation Measure M-AQ-1, Construction Air Quality, which could reduce construction period emissions by as much as 94 percent. Implementation of this mitigation measure would reduce the project's contribution to cumulative localized health risk impacts to a less-than-significant level. Furthermore, compliance with Article 38 would ensure that new sensitive receptors are not substantially affected by existing or proposed sources of toxic air contaminants.

Conclusion

With the implementation of Eastern Neighborhoods PEIR Mitigation Measure G-1 as Project Mitigation Measure M-AQ-1, the project would not result in significant air quality impacts that were not identified in the PEIR.

E.8 GREENHOUSE GAS

Eastern Neighborhoods PEIR Greenhouse Gas Emissions Findings

The Eastern Neighborhoods PEIR analyzed greenhouse (GHG) emissions that could result from the anticipated development 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 CO_2E[40] per service population,[41] 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.

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[39] BAAQMD, CEQA Air Quality Guidelines, May 2017, page 2-1.

[40] CO_2E, 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.

[41] Jessica Range, San Francisco Planning Department, *Greenhouse Gas Analyses for Community Plan Exemptions in Eastern Neighborhoods*, April 20, 2010.

Project Analysis

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

E.8.a and b) The following analysis of the proposed project's GHG impact focuses on the project's contribution to cumulatively significant GHG emissions. Because no individual project could emit GHGs at a level that could result in a significant impact on global climate, this analysis is in a cumulative context only, and the analysis of this resource topic does not include a separate cumulative impact discussion.

Subsequent to adoption of the Eastern Neighborhoods Rezoning and Area Plans, the air district updated its guidelines (see discussion in Topic E.7, Air Quality). The updated guidelines address the analysis of GHGs. These guidelines are consistent with CEQA Guidelines Sections 15064.4 and 15183.5 which address the analysis and determination of significant impacts from a proposed project's GHG emissions and allow for projects that are consistent with an adopted GHG reduction strategy to conclude that the project's individual GHG impact is less than significant. San Francisco's Strategies to Address Greenhouse Gas Emissions[42] presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's GHG reduction strategy in compliance with the air district and CEQA guidelines. These GHG reduction actions resulted in a 36 percent reduction in GHG emissions in 2017 compared to 1990 levels,[43] exceeding the year 2020 reduction goals outlined in the air district's 2010 Clean Air Plan,[44] Executive Order S-3-05[45], and Assembly Bill 32 (also known as the Global Warming Solutions Act).[46,47] In addition, San Francisco's GHG reduction goals are consistent with, or more aggressive

[42] San Francisco Planning Department, Strategies to Address Greenhouse Gas Emissions in San Francisco, November 2010. Available at *http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf*, accessed April 24, 2019.

[43] San Francisco Department of the Environment, San Francisco's Carbon Footprint. Available at *https://sfenvironment.org/carbon-footprint*, accessed April 24, 2019.

[44] Bay Area Air Quality Management District, Clean Air Plan, September 2010. Available at *http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans*, accessed March 3, 2016.

[45] Office of the Governor, Executive Order S-3-05, June 1, 2005. Available at *https://www.gov.ca.gov/news.php?id=1861*, accessed March 3, 2016.

[46] California Legislative Information, Assembly Bill 32, September 27, 2006. Available at *http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_0001-0050/ab_32_bill_20060927_chaptered.pdf*, accessed March 3, 2016.

[47] 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.

than, the long-term goals established under Executive Orders S-3-05[48], B-30-15,[49,50] and Senate Bill 32.[51,52,53] Therefore, projects that are consistent with San Francisco's GHG Reduction Strategy would not result in GHG emissions that would have a significant effect on the environment and would not conflict with state, regional, and local GHG reduction plans and regulations.

The proposed project would be subject to regulations adopted to reduce GHG emissions as identified in the GHG reduction strategy and demonstrated in the GHG compliance checklist completed for the proposed project.[54] The proposed project would comply with applicable regulations that would reduce the project's GHG emissions related to transportation, energy use, waste disposal, and solid waste disposal. Therefore, the proposed project would not generate significant GHG emissions and would not conflict with state, regional, and local GHG reduction plans and regulations.

Conclusion

For the reasons stated above, the proposed project would not result in a significant individual or cumulative GHG impact. Therefore, the proposed project would not result in significant GHG impacts that were not identified in the Eastern Neighborhoods PEIR.

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[48] Executive Order S-3-05 sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million $MTCO_2E$); by 2020, reduce emissions to 1990 levels (approximately 427 million $MTCO_2E$); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million $MTCO_2E$).

[49] Office of the Governor, Executive Order B-30-15, April 29, 2015. Available at *https://www.gov.ca.gov/news.php?id=18938*, accessed March 3, 2016. Executive Order B-30-15 sets a state GHG emissions reduction goal of 40 percent below 1990 levels by the year 2030.

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

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

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

[53] Executive Order B-15-18, which was signed in September 2018, establishes a statewide goal to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions after. Available at *https://www.gov.ca.gov/wp-content/uploads/2018/09/9.10.18-Executive-Order.pdf*, accessed September 25, 2018. The statewide executive order is slightly more aggressive than the commitment made by Mayor Mark Farrell in April 2018 for the City to reach net-zero greenhouse gas emissions by 2050. The San Francisco Department of the Environment is currently developing a plan to meet the goal of carbon neutrality.

[54] San Francisco Planning Department, Greenhouse Gas Analysis: Compliance Checklist for 1088 Howard Street. August 11, 2019.

E.9 WIND

Eastern Neighborhoods PEIR Wind Findings

The Eastern Neighborhoods PEIR concluded that wind impacts resulting from the development under the Eastern Neighborhoods Area Plans would be less than significant. No mitigation measures were identified in the PEIR.

Project Analysis

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
Would the project:				
a) Create wind hazards in publicly accessible areas of substantial pedestrian use?	☐	☐	☐	☒

E.9.a) To determine whether a project would alter wind in a manner that substantially affects public areas, the planning department applies the wind hazard criterion established in section 148 of the San Francisco Planning Code. In accordance with section 148, a project would result in hazardous wind conditions if it would cause ground-level wind speeds that exceed 26 mph for one hour or more per year.[55] In most cases, projects under 80 feet in height do not result in wind impacts in accordance with this criterion. The proposed 71-foot-tall building (approximately 80 feet with rooftop appurtenances) would be taller than the immediately adjacent buildings. Rooftop features proposed by the project include a common roof deck, an unoccupied solar panel area, and a mechanical penthouse that would house the building stairwell, mechanical equipment, boiler room, and elevator shaft. However, given the site context and proposed location of the rooftop features, it is unlikely that the rooftop features would intercept overhead winds and redirect them downward to the sidewalk. For the above reasons, the proposed project would not result in significant wind impacts that were not identified in the Eastern Neighborhoods PEIR.

Cumulative

As previously discussed, the proposed 71-foot tall project (80 feet with rooftop appurtenances) is not expected to generate substantial ground-level wind impacts. There are no cumulative development projects in the project vicinity that could combine with the proposed project to result in cumulative wind impacts. As such, the proposed project would not combine with other projects in the vicinity to create significant cumulative wind impacts.

Conclusion

For the reasons stated above, the proposed project would not result in significant wind impacts, either individually or cumulatively. Therefore, the proposed project would not result in significant wind impacts that were not identified in the Eastern Neighborhoods PEIR.

[55] San Francisco Planning Code Section 148. Available at: http://library.amlegal.com/nxt/gateway.dll/California/planning/article12dimensionsareasandopenspaces?f=templates$fn=default.htm$3.0$vid=amlegal:sanfrancisco_ca$anc=JD_138.1

E.10 SHADOW

Eastern Neighborhoods PEIR Shadow Findings

While the Eastern Neighborhoods PEIR evaluated the shadow effects of the proposed community plans and rezoning, it could not conclude with certainty that they would result in less-than-significant shadow impacts because project-specific plans and building elevations are required in order to evaluate whether a proposed project would have a significant shadow impact and these were unknown at that time. Therefore, the Eastern Neighborhoods PEIR determined that development that would occur as a result of implementation of the area plans and rezoning could potentially result in significant and unavoidable shadow impacts. No mitigation measures were identified in the PEIR.

Project Analysis

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
Would the project:				
a) Create new shadow that substantially and adversely affects the use and enjoyment of publicly accessible open spaces?	☐	☐	☐	☒

E.10.a) The proposed project would construct a 71-foot-tall (approximately 80 feet with rooftop appurtenances) building; therefore, a preliminary shadow fan analysis was prepared to determine whether the project would have the potential to cast new shadow on nearby parks.[56] The preliminary shadow fan showed that the proposed project would not shade any public open spaces or Recreation and Park Commission properties.

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

Cumulative

As discussed above, the proposed project would not shade any public open spaces or Recreation and Park Commission properties. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create significant cumulative shadow impacts.

[56] San Francisco Planning Department. *Preliminary Shadow Fan Analysis: 1088 Howard Street*. February 21, 2019.

Conclusion

For the reasons stated above, the proposed project would not result in significant shadow impacts, either individually or cumulatively. Therefore, the proposed project would not result in significant shadow impacts that were not identified in the Eastern Neighborhoods PEIR.

E.11 RECREATION

Eastern Neighborhoods PEIR Recreation Findings

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. However, the PEIR identified Improvement Measure H-1: Support for Upgrades to Existing Recreation Facilities. This improvement measure calls for the city to implement funding mechanisms for an ongoing program to repair, upgrade and adequately maintain park and recreation facilities. An update of the Recreation and Open Space Element (ROSE) of the General Plan was adopted in April 2014. The amended ROSE identifies areas within the Eastern Neighborhoods Plan area for acquisition and the locations where 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 Plaza (16th and Daggett streets) and In Chan Kaajal Park (17th and Folsom streets), both opened in 2017.

Project Analysis

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
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?	☐	☐	☐	☒
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☐	☒

E.11.a) As discussed in Topic E.2, Population and Housing, the proposed project would add new residential units and commercial space resulting in the addition of approximately 56 residents and seven employees at the site.[57] New residents and employees would be within walking distance of

[57] New employees for commercial space is estimated based on the assumption of 350 average gross square feet per employee and this number does not take into account existing employees at the site (San Francisco Planning Department, Citywide Division, Information & Analysis Group, March 2019).

nearby parks and open space in the vicinity, including: the Howard and Langton Mini-Park, located approximately 0.1 miles southwest of the project site, Gene Friend Recreation Center, located approximately 0.2 miles east of the project site, and Victoria Manalo Draves Park, located approximately 0.1 miles southeast of the project site. The proposed project would also provide 1,680 square feet of common open space in the form of a roof deck. In addition, three of the units would have private open space totaling 885 square feet. In sum, the project includes 2,565 square feet of open space, which would help offset some of the demand on parks and open space in the project area. Although the proposed project would introduce a new permanent population to the project site, the number of new residents and employees projected would not be large enough to substantially increase demand for, or use of, neighborhood parks or recreational facilities such that substantial physical deterioration of the facilities would be expected.

E.11.b) The permanent residential population on the site and the incremental on-site daytime population growth that would result from the proposed commercial use would not require the construction of new recreational facilities or the expansion of existing facilities.

Cumulative

Cumulative development in the project vicinity would result in an intensification of land uses and an increase in the use of nearby recreational resources and facilities. The Recreation and Open Space Element of the General Plan provides a framework for providing a high-quality open space system for its residents, while accounting for expected population growth through year 2040. In addition, San Francisco voters passed two bond measures, in 2008 and 2012, to fund the acquisition, planning, and renovation of the City's network of recreational resources. As discussed above, there are several parks, open spaces, or other recreational facilities within walking distance of the project site, and two new parks have recently been constructed within the plan area. These existing recreational facilities would be able to accommodate the increase in demand for recreational resources generated by nearby cumulative development projects without resulting in physical degradation of recreational resources. For these reasons, the proposed project would not combine with other projects in the vicinity to create a significant cumulative impact on recreational facilities.

Conclusion

As discussed above, the proposed project would not result in a significant individual or cumulative impact related to recreational resources. Therefore, the proposed project would not result in a significant recreational impact that was not disclosed in the Eastern Neighborhoods PEIR.

E.12 UTILITIES AND SERVICE SYSTEMS

Eastern Neighborhoods PEIR Utilities and Service System Findings

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

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
Would the project:				
a) Require or result in the relocation or construction of new or expanded wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant physical environmental effects?	☐	☐	☐	☒
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? Require or result in the relocation of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒
c) 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?	☐	☐	☐	☒
d) Generate solid waste in excess of state or local standards, or in excess of the capacity or local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	☒
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

E.12.a) and c) The project site is served by San Francisco's combined sewer system, which handles both sewage and stormwater runoff. The Southeast Water Pollution Control Plant treatment of combined wastewater and stormwater for the east side of the city, including the project site. Project related wastewater and stormwater would flow into the city's combined sewer system and would be treated to standards contained in the city's National Pollutant Discharge Elimination System Permit for the Southeast Water Pollution Control Plant prior to discharge into the San Francisco Bay. The treatment and discharge standards are set and regulated by the Regional Water Quality Control Board. The Southeast Plant is designed to treat up to 85 million gallons per day of average dry weather wastewater flows and up to 250 million gallons per day of wet weather combined wastewater and stormwater flows. Average dry weather flows to the Southeast Plant ranged from 58 to 61 million gallons per day for the years 2012 to 2014 and are projected to increase to 69 million gallons per day by 2045.[58]

[58] San Francisco Planning Department, *Biosolids Digester Facilities Project, Final Environmental Impact Report*, Case No. 2015-000644ENV, State Clearinghouse No. 2015062073, certified March 8, 2018.

The project site is currently developed with an existing structure and a paved lot. As a result, the proposed project would not substantially increase the amount of stormwater entering the combined sewer system because the project would not increase impervious surfaces at the project site. Compliance with the city's Stormwater Management Ordinance and the Stormwater Management Requirements and Design Guidelines would ensure that the design of the proposed project includes installation of appropriate stormwater management systems that retain runoff on site, promote stormwater reuse, and limit discharges from the site from entering the city's combined stormwater/sewer system. Under the Stormwater Management Ordinance, stormwater generated by the proposed project is required to meet a performance standard that reduces the existing runoff flow rate and volume by 25 percent for a two-year 24-hour design storm and therefore would not contribute additional volume of polluted runoff to the city's stormwater infrastructure.

The project site is located within a developed area served by existing electric power, natural gas, and telecommunications. While the project would require local connection to those utilities, it would not necessitate the construction of new power generation, natural gas, or telecommunications infrastructure. Although the proposed project would add new residents and employees to the project site, the combined sewer system has capacity to serve projected growth through year 2045. Therefore, the incremental increase in wastewater treatment resulting from the project would be met by the existing sewer system and would not require expansion of existing wastewater facilities or construction of new facilities.

E.12.b) The San Francisco Public Utilities Commission (SFPUC) adopted the 2015 Urban Water Management Plan (UWMP) in June 2016. The plan estimates that current and projected water supplies will be sufficient to meet future retail demand[59] through 2035 under normal year, single dry-year and multiple dry-year conditions; however, if a multiple dry-year event occurs, the SFPUC would implement water use and supply reductions through its drought response plan and a corresponding retail water shortage allocation plan.

In December 2018, the State Water Resources Control Board adopted amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary, which establishes water quality objectives to maintain the health of our rivers and the Bay-Delta ecosystem (the Bay-Delta Plan Amendment).[60] The state water board has stated that it intends to implement the Bay-Delta Plan Amendment by the year 2022, assuming all required approvals are obtained by that time. Implementation of the Bay-Delta Plan Amendment would result in a substantial reduction in the SFPUC's water supplies from the Tuolumne River watershed during dry years, requiring rationing to a greater degree in San Francisco than previously anticipated to address supply shortages not accounted for in the 2015 Urban Water Management Plan.

[59] "Retail" demand represents water the SFPUC provides to individual customers within San Francisco. "Wholesale" demand represents water the SFPUC provides to other water agencies supplying other jurisdictions.

[60] State Water Resources Control Board Resolution No. 2018-0059, Adoption of Amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary and Final Substitute Environmental Document, December 12, 2018, available at *https://www.waterboards.ca.gov/plans_policies/docs/2018wqcp.pdf*.

The SFPUC has prepared a memorandum discussing future water supply scenarios given adoption of the Bay-Delta Plan Amendment.[61] As discussed in the SFPUC memorandum, implementation of the plan amendment is uncertain for several reasons and whether, when, and the form in which the Bay-Delta Plan Amendment would be implemented, and how those amendments could affect SFPUC's water supply, is currently unknown. The SFPUC memorandum estimates total shortfalls in water supply (that is, total retail demand minus total retail supply) to retail customers through 2040 under three increasingly supply-limited scenarios:

1. Without implementation of the Bay-Delta Plan Amendment wherein the water supply and demand assumptions contained in the 2015 Urban Water Management Plan and the 2009 Water Supply Agreement as amended would remain applicable
2. With implementation of a voluntary agreement between the SFPUC and the State Water Resources Control Board that would include a combination of flow and non-flow measures that are designed to benefit fisheries at a lower water cost, particularly during multiple dry years, than would occur under the Bay-Delta Plan Amendment)
3. With implementation of the Bay-Delta Plan Amendment as adopted.

As estimated in the SFPUC memorandum, water supply shortfalls during dry years would be lowest without implementation and highest with implementation of the Bay-Delta Plan Amendment. Shortfalls under the proposed voluntary agreement would be between those with and without implementation of the Bay-Delta Plan Amendment.[62]

Under these three scenarios, the SFPUC would have adequate water to meet total retail demands through 2040 in normal years.[63] For single dry and multiple (years 1, 2 and 3) dry years of an extended drought, the SFPUC memorandum estimates that shortfalls of water supply relative to demand would occur both with and without implementation of the Bay-Delta Plan Amendment. Without implementation of the plan amendment, shortfalls would range from approximately 3.6 to 6.1 million gallons per day or 5 to 6.8 percent shortfall during dry years through the year 2040.

With implementation of the Bay-Delta Plan Amendment, shortfalls would range from 12.3 million gallons per day (15.6 percent) in a single dry year to 36.1 million gallons per day (45.7 percent) in years seven and eight of the 8.5-year design drought based on 2025 demand levels and from 21 million gallons per day (23.4 percent) in a single dry year to 44.8 million gallons per day (49.8 percent) in years seven and eight of the 8.5-year design drought based on 2040 demand.

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[61] Memorandum from Steven R. Ritchie, SFPUC to Lisa Gibson, Environmental Review Officer, San Francisco Planning Department, Environmental Planning Division, May 31, 2019.

[62] On March 26, 2019, the SFPUC adopted Resolution No. 19-0057 to support its participation in the voluntary agreement negotiation process. To date, those negotiations are ongoing under the California Natural Resources Agency. The SFPUC submitted a proposed project description that could be the basis for a voluntary agreement to the state water board on March 1, 2019. As the proposed voluntary agreement has yet to be accepted by the state water board as an alternative to the Bay-Delta Plan Amendment, the shortages that would occur with its implementation are not known with certainty; however, if accepted, the voluntary agreement would result in dry year shortfalls of a lesser magnitude than under the Bay-Delta Plan Amendment.

[63] Based on historic records of hydrology and reservoir inflow from 1920 to 2017, current delivery and flow obligations, and fully-implemented infrastructure under the 2018 Phased Water System Improvement Program Variant, normal or wet years occurred 85 out of 97 years. This translates into roughly nine normal or wet years out of every 10 years. Conversely, system-wide rationing is required roughly one out of every 10 years. This frequency is expected to increase as climate change intensifies.

The proposed project does not require a water supply assessment under the California Water Code. Under sections 10910 through 10915 of the California Water Code, urban water suppliers like the SFPUC must prepare water supply assessments for certain large "water demand" projects, as defined in CEQA Guidelines section 15155.[64] The proposed mixed-use residential project would result in 24 units and 2,560 square feet of commercial space; as such it does not qualify as a "water-demand" project as defined by CEQA Guidelines section 15155(a)(1) and a water supply assessment is not required and has not been prepared for the project.

While a water supply assessment is not required, the following discussion provides an estimate of the project's maximum water demand in relation to the three supply scenarios. No single development project alone in San Francisco would require the development of new or expanded water supply facilities or require the SFPUC to take other actions, such as imposing a higher level of rationing across the city in the event of a supply shortage in dry years. Therefore, a separate project-only analysis is not provided for this topic. The following analysis instead considers whether the proposed project in combination with both existing development and projected growth through 2040 would require new or expanded water supply facilities, the construction or relocation of which could have significant cumulative impacts on the environment that were not identified in the Eastern Neighborhoods PEIR. It also considers whether a high level of rationing would be required that could have significant cumulative impacts. It is only under this cumulative context that development in San Francisco could have the potential to require new or expanded water supply facilities or require the SFPUC to take other actions, which in turn could result in significant physical environmental impacts related to water supply. If significant cumulative impacts could result, then the analysis considers whether the project would make a considerable contribution to the cumulative impact.

Based on guidance from the California Department of Water Resources and a citywide demand analysis, the SFPUC has established 50,000 gallons per day as an equivalent project demand for projects that do not meet the definitions provided in CEQA Guidelines section 15155(a)(1).[65] The development proposed by the project would represent approximately 5 percent of the 500-unit limit and 0.5 percent of the 500,000 square feet of commercial space provided in section 15155(1)(A) and (B), respectively. In addition, the proposed project would incorporate water-efficient fixtures as required by Title 24 of the California Code of Regulations and the city's Green Building

[64] Pursuant to CEQA Guidelines section 15155(1), "a water-demand project" means:
(A) A residential development of more than 500 dwelling units.
(B) A shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space.
(C) A commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor area.
(D) A hotel or motel, or both, having more than 500 rooms, (e) an industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area.
(F) a mixed-use project that includes one or more of the projects specified in subdivisions (a)(1)(A), (a)(1)(B), (a)(1)(C), (a)(1)(D), (a)(1)(E), and (a)(1)(G) of this section.
(G) A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project.

[65] Memorandum, from Steven R. Ritchie, Assistant General Manager, Water Enterprise, San Francisco Public Utilities Commission to Lisa Gibson, Environmental Review Officer, San Francisco Planning Department – Environmental Planning, May 31, 2019.

Ordinance. It is therefore reasonable to assume that the proposed project would result in an average daily demand of less than 50,000 gallons per day of water.

The SFPUC has prepared estimates of total retail demand in five-year intervals from 2020 through 2040.[66] Assuming the project would demand no more than 50,000 gallons of water per day (or 0.05 million gallons per day), Table 4 compares this maximum with the total retail demand from 2020 through 2040. At most, the proposed project's water demand would represent a small fraction of the total projected retail water demand, ranging from 0.07 to 0.06 percent between 2020 and 2040. As such, the project's water demand is not substantial enough to require or result in the relocation or construction of new or expanded water facilities the construction or relocation of which could cause significant environmental effects.

Table 4: Proposed Project Demand Relative to Total Retail Demand (million gallons per day)

	2020	**2025**	**2030**	**2035**	**2040**
Total Retail Demand	72.1	79	82.3	85.9	89.9
Total Demand of Proposed Project	0.05	0.05	0.05	0.05	0.05
Total Demand of Proposed Project as Percentage of Total Retail Demand	0.07%	0.06%	0.06%	0.06%	0.06%

Sufficient water supplies are available to serve the proposed project and reasonably foreseeable future development in normal, dry, and multiple dry years unless the Bay-Delta Plan Amendment is implemented. As indicated above, the proposed project's maximum demand would represent less than 0.06 percent of the total retail demand in 2040 when implementation of the Bay-Delta Plan Amendment would result in a retail supply shortfall of up to 49.8 percent in a multi-year drought. The SFPUC has indicated that it is accelerating its efforts to develop additional water supplies and explore other projects that would increase overall water supply resilience in the case that the Bay-Delta Plan Amendment is implemented. The SFPUC has identified possible projects that it will study, but it has not determined the feasibility of the possible projects, has not made any decision to pursue any particular supply projects, and has determined that the identified potential projects would take anywhere from 10 to 30 years or more to implement. The potential impacts that could result from the construction and/or operation of any such water supply facility projects cannot be identified at this time. In any event, under such a worst-case scenario, the demand for the SFPUC to develop new or expanded dry-year water supplies would exist regardless of whether the proposed project is constructed.

Given the long lead times associated with developing additional water supplies, in the event the Bay-Delta Plan Amendment were to take effect sometime after 2022 and result in a dry-year shortfall, the expected action of the SFPUC for the next 10 to 30 years (or more) would be limited to requiring increased rationing. As discussed in the SFPUC memorandum, the SFPUC has established a process through its Retail Water Shortage Allocation Plan for actions it would take under circumstances requiring rationing. The level of rationing that would be required of the

[66] San Francisco Public Utilities Commission, 2015 Urban Water Management Plan for the City and County of San Francisco, June 2016. This document is available at *https://sfwater.org/index.aspx?page=75*

proposed project is unknown at this time. Both direct and indirect environmental impacts could result from high levels of rationing. However, the small increase in potable water demand attributable to the project compared to citywide demand would not substantially affect the levels of dry-year rationing that would otherwise be required throughout the city. Therefore, the proposed project would not make a considerable contribution to a cumulative environmental impact caused by implementation of the Bay-Delta Plan Amendment. Project impacts related to water supply would be less than significant.

E.12.d and e) The city disposes of its municipal solid waste at the Recology Hay Road Landfill, and that practice is anticipated to continue until 2025, with an option to renew the agreement thereafter for an additional six years. San Francisco Ordinance No. 27-06 requires mixed construction and demolition debris to be transported to a facility that must recover for reuse or recycling and divert from landfill at least 65 percent of all received construction and demolition debris. San Francisco's Mandatory Recycling and Composting Ordinance No. 100-09 requires all properties and persons in the city to separate their recyclables, compostables, and landfill trash.

The proposed project would incrementally increase total city waste generation; however, the proposed project would be required to comply with San Francisco ordinance numbers 27-06 and 100-09. Due to the existing and anticipated increase of solid waste recycling in the city and the requirements to divert construction debris from the landfill, any increase in solid waste resulting from the proposed project would be accommodated by the existing Hay Road landfill. Thus, the proposed project would have less-than-significant impacts related to solid waste.

Cumulative Analysis

As explained in the analysis above, existing service management plans for water, wastewater, and solid waste disposal account for anticipated citywide growth. Furthermore, all projects in San Francisco would be required to comply with the same regulations described above which reduce stormwater, potable water, and waste generation. Therefore, the proposed project, in combination with other cumulative development projects would not result in a cumulative utilities and service systems impact.

Conclusion

As discussed above, the proposed project would not result in a significant individual or cumulative impact with respect to utilities and service systems. Therefore, the proposed project would not result in a significant utilities and service system impact that was not disclosed in the Eastern Neighborhoods PEIR.

E.13 PUBLIC SERVICES

Eastern Neighborhoods PEIR Public Services Findings

The Eastern Neighborhoods PEIR determined that the anticipated increase in population would not result in substantial adverse physical impacts associated with the provision of or need for new or physically altered public services, including fire protection, police protection, and public schools. No mitigation measures were identified in the PEIR.

Project Analysis

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
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?	☐	☐	☐	☒

E.13.a) Project residents and employees would be served by the San Francisco Police Department and Fire Departments. The closest police station to the project site is at 850 Bryant Street, located approximately 0.5 miles south of the site. The closest fire station to the project site is Fire Station 1, located approximately 0.4 miles east of the project site. The increased population at the project site could result in more calls for police, fire, and emergency response. However, the increase in demand for these services would not be substantial given the overall demand for such services on a citywide basis. Moreover, the proximity of the project site to police and fire stations would help minimize the response time for these services should incidents occur at the project site.

The San Francisco Unified School District (school district) maintains a property and building portfolio that has capacity for almost 63,400 students.[67] A decade-long decline in district enrollment ended in the 2008-2009 school year at 52,066 students, and total enrollment in the district has increased to about 54,063 in the 2017-2018 school year, an increase of approximately 1,997 students since 2008.[68,69] Thus, even with increasing enrollment, the school district currently has more classrooms district-wide than needed.[70] However, the net effect of housing development across San Francisco is expected to increase enrollment by at least 7,000 students by 2030 and eventually enrollment is likely to exceed the capacity of current facilities.[71]

[67] This analysis was informed, in part, by a Target Enrollment Survey the San Francisco Unified School District performed of all schools in 2010.

[68] San Francisco Unified School District, Facts at a Glance, 2018, *http://www.sfusd.edu/en/assets/sfusd-staff/about-SFUSD/files/sfusd-facts-at-a-glance.pdf*, accessed September 13, 2018.

[69] Note that Enrollment summaries do not include charter schools. Approximately 4,283 students enrolled in charter schools are operated by other organizations but located in school district facilities.

[70] San Francisco Unified School District, San Francisco Bay Area Planning and Urban Research (SPUR) Forum Presentation, Growing Population, Growing Schools, August 31, 2016, *https://www.spur.org/sites/default/files/events_pdfs/SPUR%20Forum_August%2031%202016.pptx_.pdf*, accessed June 27, 2019.

[71] Lapkoff & Gobalet Demographic Research, Inc., Demographic Analyses and Enrollment Forecasts for the San Francisco Unified School District, February 16, 2018, p. 2, *http://www.sfusd.edu/en/assets/sfusd-staff/about-SFUSD/files/demographic-analysesenrollment-forecast.pdf*, accessed October 5, 2018.

The Leroy F. Greene School Facilities Act of 1998, or SB 50, restricts the ability of local agencies to deny land use approvals on the basis that public school facilities are inadequate. SB 50, however, permits the levying of developer fees to address local school facility needs resulting from new development. Local jurisdictions are precluded under state law from imposing school-enrollment-related mitigation beyond the school development fees. The school district collects these fees, which are used in conjunction with other school district funds, to support efforts to complete capital improvement projects within the city. The proposed project would be subject to the school impact fees.

Lapkoff & Gobalet Demographic Research, Inc. conducted a study in 2010 for the school district that projected student enrollment through 2040.[72] This study is being updated as additional information becomes available. The study considered several new and ongoing large-scale developments (Mission Bay, Candlestick Point, Hunters Point Shipyard/San Francisco Shipyard, and Treasure/Yerba Buena Islands, Parkmerced, and others) as well as planned housing units outside those areas.[73] In addition, it developed student yield assumptions informed by historical yield, building type, unit size, unit price, ownership (rented or owner-occupied), whether units are subsidized, whether subsidized units are in standalone buildings or in inclusionary buildings, and other site-specific factors. For most developments, the study establishes a student generation rate of 0.80 Kindergarten through 12th grade students per residential unit in a standalone affordable housing site, 0.25 students per unit for inclusionary affordable housing developments, and 0.10 students per unit for market-rate housing.

The proposed project would be expected to generate approximately six school-aged children of which five are anticipated to attend public schools. The San Francisco Unified School District currently has capacity to accommodate this minor increase in demand without the need for new or physically altered schools, the construction of which may result in environmental impacts.

Impacts on parks and recreational facilities are addressed above in Topic E.11, Recreation.

Cumulative Analysis

The proposed project, combined with projected citywide growth through 2040, would increase demand for public services, including police and fire protection and public schools. The fire department, the police department, the school district, and other city agencies are accounting for such growth in providing public services to the residents of the Eastern Neighborhoods as part of the Southeast Framework.[74] The Southeast Framework is an interagency effort lead by the Planning Department, Office of Economic and Workplace Development and Capital Planning. The purpose of this effort is to ensure that the communities in the southeast part of the City, including the Eastern Neighborhoods Area Plans, have access to quality amenities and services equivalent to other neighborhoods throughout the City, taking into consideration citywide growth through 2040. For these reasons, the proposed project, in combination with projected cumulative development,

[72] Ibid.

[73] Ibid.

[74] San Francisco Planning, Southeast Framework: Community Facilities, 2019, *http://default.sfplanning.org/plans-and-programs/in-your-neighborhood/southeast-framework/Southeast-Framework_Executive-Summary-WEB.pdf*. Accessed May 9, 2019.

would not result in a significant physical cumulative impact associated with the construction of new or expanded governmental facilities.

Conclusion

As discussed above, the proposed project would not result in a significant individual or cumulative impact with respect to public services. Therefore, the proposed project would not result in a significant public services impact that was not disclosed in the Eastern Neighborhoods PEIR.

E.14 BIOLOGICAL RESOURCES

Eastern Neighborhoods PEIR Biological Findings

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.

Project Analysis

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
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 Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
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 Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
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?	☐	☐	☐	☒

E.14.a) to f) The project site is located within the East SoMa Plan area of the Eastern Neighborhoods Area Plan and therefore, the project site does not support habitat for any candidate, sensitive or special status species. Further, there are no riparian corridors, estuaries, marshes or wetlands on or adjacent to the project site and there are no environmental conservation plans applicable to the project site. Additionally, the project would be required to comply with the Urban Forestry Ordinance, which requires a permit from public works to remove any protected trees (landmark, significant, and street trees). The proposed project does not involve the removal of any existing trees but would plant three new street trees along the project's Howard Street frontage. Therefore, the proposed project would not result in significant biological resource impacts.

Cumulative Analysis

As the proposed project would have no impact on special status species or sensitive habitats, the project would not have the potential to contribute to cumulative impacts to special status species or sensitive habitats. All projects within San Francisco are required to comply with the Urban Forestry Ordinance, which would ensure that any cumulative impact resulting from conflicts with the city ordinance protecting trees would be less than significant.

Conclusion

As discussed above, the proposed project would not result in a significant individual or cumulative impact on biological resources. Therefore, the proposed project would not result in a significant biological resources impact that was not disclosed in the Eastern Neighborhoods PEIR.

E.15 GEOLOGY AND SOILS

Eastern Neighborhoods PEIR Geology and Soils Findings

The Eastern Neighborhoods PEIR concluded that implementation of the area 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, given the seismically active characteristics of the Bay Area but would reduce them to an acceptable level. Thus, the PEIR concluded that implementation of the plan would not result in significant impacts with regards to geology and soils, and no mitigation measures were identified in the Eastern Neighborhoods PEIR.

Project Analysis

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	☒
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
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?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒
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?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒

E.15.a) c) and d) A geotechnical investigation was prepared for the proposed project.[75] The field boring was drilled to a depth of approximately 50 feet below grade and encountered pavement, moist to wet and very loose to medium dense sand, and Quaternary age bay deposits, which consisted of wet, gray, very loose to very dense sand, and very stiff clay. Groundwater beneath the site was encountered at a depth of about 9 feet below grade; however, fluctuations in the groundwater level across the site and over time may occur due to season precipitation, or variations in topography or subsurface hydrogeologic conditions. The report considered a number

[75] Carland, Inc. *Preliminary Geotechnical Evaluation: 1088 Howard Street.* July 28, 2017.

of issues relevant to the proposed construction, including seismic hazards regarding liquefaction,[76] landslide and slope stability, settlement of compressible soil layers, unsuitable materials,[77] soil corrosivity, and expansive soils.[78] The preliminary geotechnical evaluation found that seismic-related impacts, including liquefaction, could be addressed by ground improvement in lieu of deep foundations for low to moderately loaded structures up to a few stories. In addition, the report recommended that undocumented fill should be improved, and that lightly to moderately loaded structures should be supported on mat slabs, interconnected wall footings, or column footings connected by grade beams. The project proposes to improve soils at the site prior to construction, and would use a mat slab foundation.

To ensure that the potential for adverse effects related to geology and soils are adequately addressed, San Francisco relies on the state and local regulatory process for review and approval of building permits pursuant to the California Building Code and the San Francisco Building Code, which is the state building code plus local amendments that supplement the state code, including the building department's administrative bulletins. The building department also provides its implementing procedures in its information sheets. The project is required to comply with the building code, which ensures the safety of all new construction in the city. The building department will review the project construction plans for conformance with the recommendations in the project-specific geotechnical report during its review of the building permit for the project. In addition, the building department may require additional site-specific report(s) through the building permit application process and its implementing procedures, as needed. The building department's requirement for a geotechnical report and review of the building permit application pursuant to its implementation of the building code would ensure that the proposed project would have not result in any significant impacts related to soils, seismicity or other geological hazards.

E.15.b) The project site is occupied by an existing building and a paved parking area and is entirely covered with impervious surfaces. For these reasons, construction of the proposed project would not result in the loss of a substantial amount of topsoil. Site preparation and excavation activities would disturb soil to a depth of approximately 3 feet below ground surface, creating the potential for windborne and waterborne soil erosion. However, the project would be required to comply with the Construction Site Runoff Ordinance, which requires all construction sites to implement best management practices to prevent the discharge of sediment, stormwater, non-stormwater and waste runoff from a construction site. These measures would reduce the potential for erosion during construction. Since the project site is less than 5,000 square feet in size, an erosion and sediment control plan would not be required. However, as stated above the project would implement best management practices to prevent the discharge of sediment, stormwater, non-stormwater and waste runoff from a construction site in compliance with the construction site runoff ordinance. Therefore, the proposed project would not result in significant impacts related to soil erosion or the loss of top soil.

[76] During periods of strong vibratory motions, such as earthquakes, soils with a high potential for liquefaction can experience a rapid loss of shear strength that can result in a loss of foundation-bearing capacity or lateral spreading.

[77] Fill materials, or undocumented fill, are materials that were not placed and compacted under the observation of a geotechnical engineer, or fill materials lacking documentation of such observation.

[78] Expansive soils can shrink or swell with the removal or addition of water, which in turn can damage structures or improvements supported by the soil.

E.15.e) The project would connect to the city's existing sewer system. Therefore, septic tanks or alternative waste disposal systems would not be required, and this topic is not applicable to the project.

E.15.f) Paleontological resources include fossilized remains or traces of animals, plants, and invertebrates, including their imprints, from a previous geological period. A unique geologic or physical feature embodies distinctive characteristics of any regional or local geologic principles, provides a key piece of information important to geologic history, contains minerals not known to occur elsewhere in the county, and/or is used as a teaching tool. There are no known unique geologic or physical features at the project site. Construction of the proposed project would last approximately 18 months and disturb an area of approximately 4,506 square feet. The project would excavate about 500 cubic yards of soil to a maximum depth of 3 feet below ground surface, and include soil improvement to a depth of 60 to 80 feet below ground prior to project construction. The construction excavation activities would be limited to fill and therefore are not anticipated to encounter any below-grade paleontological resources. Therefore, the project would have no impact on paleontological resources or unique geologic features.

Cumulative Analysis

The project would not include septic systems or alternative waste disposal systems, and would have no impacts on paleontological resources or unique geologic features. Therefore, the proposed project would not have the potential to combine with effects of cumulative projects to result in cumulative impacts to those topics.

Environmental impacts related to geology and soils are generally site-specific. All development within San Francisco is subject to the seismic safety standards and design review procedures of the California and local building codes and to the requirements of the Construction Site Runoff Ordinance. These regulations would ensure that cumulative effects of development on seismic safety, geologic hazards, and erosion are less than significant. For these reasons, the proposed project would not combine with cumulative projects in the project vicinity to create a significant cumulative impact related to geology and soils.

Conclusion

As discussed above, the proposed project would not result in a significant individual or cumulative impact with respect to geology and soils. Therefore, the proposed project would not result in a significant geology and soils impact that was not disclosed in the Eastern Neighborhoods PEIR.

E.16 HYDROLOGY AND WATER QUALITY

Eastern Neighborhoods PEIR Hydrology and Water Quality Findings

The Eastern Neighborhoods PEIR determined that the anticipated increase in population resulting from implementation of the plan 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.

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☐	☒
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:	☐	☐	☐	☒
(i) Result in substantial erosion or siltation on- or off-site;	☐	☐	☐	☒
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☐	☒
(iii) 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; or	☐	☐	☐	☒
(iv) Impede or redirect flood flows?	☐	☐	☐	☒
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

Project Analysis

E.16.a) The project would generate wastewater and stormwater discharges typical of urban residential and commercial uses. Wastewater and stormwater from the project site would be accommodated by the city's sewer system and treated at the Southeast Water Pollution Control Plant to the standards set by the San Francisco Bay Regional Water Quality Control Board, therefore, the proposed project would not exceed the waste discharge requirements of the water quality board. Furthermore, as discussed in topic E. 15.b (Geology and Soils above), the project is required to comply with the Construction Site Runoff Ordinance, which requires all construction sites to implement best management practices to prevent the discharge of sediment, non-stormwater and waste runoff from a construction site. The city's compliance with the requirements of its NPDES permit and the project's compliance with Construction Site Runoff Ordinance would ensure that the project would not result in significant impacts to water quality.

E.16.b) As discussed under topic E.15 (Geology and Soils), groundwater at the site was encountered at depths of about 9 feet below grade. The project proposes to excavate up to 3 feet below grade. Due to the shallow depth of excavation, groundwater is not expected to be encountered, and therefore dewatering is not likely to be necessary during construction. Furthermore, the project would not require long-term dewatering and does not propose to extract any underlying groundwater supplies. In addition, the project site is located in the Downtown San Francisco Groundwater Basin. This basin is not used as a drinking water supply and there are no plans for development of this basin for groundwater production.[79] For these reasons, the proposed project would not deplete groundwater supplies or substantially interfere with groundwater recharge. This impact would be less than significant, and no mitigation measures are necessary.

E.16.c) No streams or rivers exist in the vicinity of the project site. Therefore, the proposed project would not alter the course of a stream or river, or substantially alter the existing drainage pattern of the project site or area. For the reasons discussed in topics E.12.a (Utilities and Service Systems) and E.15.b(Geology and Soils), the proposed project would not substantially increase the rate or amount of surface runoff such that substantial flooding, erosion, or siltation would occur on or offsite. Compliance with the city's Stormwater Management Ordinance would ensure that design of the proposed project would include installation of appropriate stormwater management systems that retain runoff on site and limit substantial additional sources of polluted runoff.

E.16.d) The project site is not located within a 100-year flood hazard zone, or a tsunami or seiche hazard area. Therefore, topic 16.d is not applicable to the proposed project.

E.16.e) For the reasons discussed in topic E.16.a), the project would not interfere with the San Francisco Bay water quality control plan. Further, the project site is not located within an area subject to a sustainable groundwater management plan and the project would not routinely extract groundwater supplies.

Cumulative Analysis

The proposed project would have no impact with respect to the following topics and therefore would not have the potential to contribute to any cumulative impacts for those resource areas: location of the project site within a 100-year flood hazard area, tsunami or seiche zone, alterations to a stream or river or changes to existing drainage patterns. The proposed project and other development within San Francisco would be required to comply with the stormwater management and construction site runoff control ordinances that would reduce the amount of stormwater entering the combined sewer system and prevent discharge of construction-related pollutants into the sewer system. As the project site is not located in a groundwater basin that is used for water supply, the project would not combine with cumulative projects to result in significant cumulative impacts to groundwater. Therefore, the proposed project in combination with other projects would not result in significant cumulative impacts related to hydrology and water quality.

[79] The San Francisco Public Utilities Commission (SFPUC) supplies water to all of San Francisco residents and businesses. The SFPUC's groundwater supply program includes two groundwater projects: one along the peninsula and the other supplying groundwater from San Francisco's Westside Groundwater Basin aquifer, approximately 400 feet below ground surface. For more information see: *https://sfwater.org/index.aspx?page=184*. Accessed November 19, 2018.

Conclusion

As discussed above, the proposed project would not result in a significant individual or cumulative impact with respect to hydrology and water quality. Therefore, the proposed project would not result in a significant hydrology and water quality impact that was not disclosed in the Eastern Neighborhoods PEIR.

E.17 HAZARDS AND HAZARDOUS MATERIALS

Eastern Neighborhoods PEIR Hazards and Hazardous Materials Findings

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, underground storage tank closure, and investigation and cleanup of soil and groundwater contamination would protect workers and the public from exposure to hazardous materials during construction. The Eastern Neighborhoods PEIR identified a significant impact associated with hazardous building materials and determined that Mitigation Measure L-1: Hazardous Building Materials, would reduce this impact to a less-than-significant level. Since that time, regulations for the safe handling and disposal of hazardous building materials have been enacted and this mitigation measure is no longer necessary to reduce potential impacts related to exposure to hazardous building materials during demolition and renovation. The Eastern Neighborhoods PEIR also found that redevelopment would occur in an urbanized area without wildland fire risks and would not expose people or structures to a significant risk of loss, injury or death involving fires.

Project Analysis

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
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?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
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?	☐	☐	☐	☒
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 or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☐	☒

E.17.a) The proposed project's residential and commercial uses could use hazardous materials for building maintenance such as household chemicals for cleaning, and herbicides and pesticides for landscape maintenance. These materials are properly labeled to inform the user of potential risks as well as handling procedures. The majority of these hazardous materials would be consumed upon use and would produce very little waste. Any hazardous wastes that are produced would be managed in accordance with Article 22 of the San Francisco Health Code. In addition, the transportation of hazardous materials, are regulated by the California Highway Patrol and the California Department of Transportation. The use of any of these hazardous materials are not expected to cause any substantial health or safety hazards. Therefore, potential impacts related to the routine use, transport, and disposal of hazardous materials would be less than significant.

E.17.b and c) The following discusses the project's potential to emit hazardous materials.

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 PEIR 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. Regulations are in place to address the proper removal and disposal of asbestos containing building materials and lead based paint. PEIR Mitigation Measure L-1, addressing the proper removal and disposal of other hazardous building materials, is no longer necessary to reduce impacts related to building demolition as regulations have been enacted to address these common hazardous building materials. Compliance with these regulations would

ensure the proposed project would not result in significant impacts from the potential release of hazardous building materials.

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 current or former industrial uses or underground storage tanks, sites with historic bay fill, and sites close to freeways or underground storage tanks. The Maher Ordinance, which is implemented by the San Francisco Department of Public Health, requires appropriate handling, treatment, disposal, and remediation of contaminated soils that are encountered in the building construction process. All projects in the city that disturb 50 cubic yards or more of soil that are located on sites with potentially hazardous soil or groundwater are subject to this ordinance.

The project site is located within an Article 22 (Maher) area and would excavate about 500 cubic yards of soil to a maximum depth of 3 feet below ground surface over an area of 4,506 square feet. Therefore, the project is subject to the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6.

The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis known as a Phase II ESA. Where such analysis reveals the presence of hazardous substances that exceed state or federal standards, the project sponsor is required to submit a site mitigation plan to the health department or other appropriate state or federal agency(ies), and to remediate any site contamination prior to the issuance of any building permit.

In compliance with the Maher Ordinance, the project sponsor has filed an application for a Maher permit with the health department and a Phase I ESA has been prepared to assess the potential for site contamination.[80] According to the Phase I ESA, a past occupant of the existing building on-site handled paint, paint coatings, and surface preparation chemicals as part of their business. Other previous uses in the existing building included refrigeration, heating/air conditioning, ornamental iron, and sausage companies. The Phase I ESA identified no recognized environmental conditions and recommended no further action pertaining to environmental conditions at the property. Upon review of the Phase I ESA and relevant background information, the Department of Public Health issued a letter on October 30, 2017 stating that a Site Characterization Work Plan is required for the proposed project.

The proposed project would be required to prepare a Site Characterization Work Plan and remediate potential soil and groundwater contamination described above in accordance with Article 22A to standards that would be acceptable for the proposed residential and commercial uses. Compliance with these requirements would ensure that the proposed project would not result in any significant impacts related to hazardous materials.

[80] Eras Environmental, Inc., Phase I Environmental Site Assessment, 1088 Howard Street, June 29, 2016.

E.17.d) The proposed project is not located on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5. For the reasons described in the analysis of topic E.17.b and c, above, the proposed project would not create a significant hazard to the public or environment.

E.17.e) The project site is not located within an airport land use plan area or within 2 miles of a public airport. Therefore, topic 17.e is not applicable to the proposed project.

E.17.f) The proposed project, located within a city block, would not impair implementation of an emergency response or evacuation plan adopted by the City of San Francisco. Project construction and operation would not close roadways or impede access to emergency vehicles or emergency evacuation routes. Thus, the proposed project would not obstruct implementation of the city's emergency response and evacuation plans, and potential impacts would be less than significant.

E.17.g) As discussed above, the Eastern Neighborhoods plan area is not located in or near wildland areas with high fire risk. Construction of the proposed project would conform to the provisions of the building code and fire code. Final building plans would be reviewed by the building and fire departments to ensure conformance with the applicable life-safety provisions, including development of an emergency procedure manual and an exit drill plan. Therefore, the proposed project would not obstruct implementation of the city's emergency response plan, and potential emergency response and fire hazard impacts would be less than significant.

Cumulative Analysis

Environmental impacts related to hazards and hazardous materials are generally site-specific. Nearby cumulative development projects would be subject to the same regulations addressing use of hazardous waste (Article 22 of the health code), hazardous soil and groundwater (Article 22B of the health code) and building and fire codes addressing emergency response and fire safety. For these reasons, the proposed project would not combine with other projects in the project vicinity to create a significant cumulative impact related to hazards and hazardous materials.

Conclusion

The proposed project's impact related to hazardous materials would be less than significant and would not result in significant hazards and hazardous materials impacts that were not identified in the Eastern Neighborhoods PEIR.

E.18 MINERAL RESOURCES

Eastern Neighborhoods PEIR Mineral Resources Findings

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 and rezoning would not result in a significant impact on mineral resources. No mitigation measures were identified in the PEIR.

Project Analysis

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

E.18.a) and b) The project site is not located in an area with known mineral resources and would not routinely extract mineral resources. Therefore, the proposed project would have no impact on mineral resources.

Cumulative

The proposed project would have no impact on mineral resources and therefore would not have the potential to contribute to any cumulative mineral resource impact.

Conclusion

For the reasons stated above, the proposed project would not result in significant impacts either individually or cumulatively related to mineral resources. Therefore, the proposed project would not result in new or more severe impacts on mineral resources not identified in the Eastern Neighborhoods PEIR.

E.19 ENERGY RESOURCES

Eastern Neighborhoods PEIR Energy Resources Findings

The Eastern Neighborhoods PEIR determined that development under the area plans and rezoning would not encourage the use of large amounts of fuel, water, or energy or use these in a wasteful manner. Therefore, the Eastern Neighborhoods PEIR concluded that implementation of the area plan and rezoning would not result in a significant impact on energy resources. No mitigation measures were identified in the PEIR.

Project Analysis

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
Would the project:				
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☐	☒
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

E.19.a) Energy demand for the proposed project would be typical of residential mixed-use projects and would meet, or exceed, current state and local codes and standards concerning energy consumption, including the Green Building Ordinance and Title 24 of the California Code of Regulations. As documented in the GHG compliance checklist for the proposed project, the project would be required to comply with applicable regulations promoting water conservation and reducing potable water use. As discussed in topic E.5, Transportation and Circulation, the project site is located in a transportation analysis zone that experiences low levels of VMT per capita. Therefore, the project would not encourage the use of large amounts of fuel, water, or energy or use these in a wasteful manner.

E.19.b) In 2002, California established its Renewables Portfolio Standard Program, with the goal of increasing the percentage of renewable energy in the state's electricity mix to 20 percent of retail sales by 2017. In November 2008, Executive Order S-14-08 was signed requiring all retail sellers of electricity to serve 33 percent of their load with renewable energy by 2020. In 2015, Senate Bill 350 codified the requirement for the renewables portfolio standard to achieve 50 percent renewable energy by 2030, and in 2018, Senate Bill 100 requires 60 percent renewable energy by 2030 and 100 percent by 2045.[81]

San Francisco's electricity supply is 41 percent renewable, and San Francisco's goal is to meet 100 percent of its electricity demand with renewable power.[82] CleanPowerSF is the city's Community Choice Aggregation Program operated by the SFPUC, which provides renewable energy to residents and businesses. GreenFinanceSF allows commercial property owners to finance renewable energy projects, as well as energy and water efficiency projects, through a municipal bond and repay the debt via their property tax account.

As discussed above in topic E.19.a, the project would comply with the energy efficiency requirements of the state and local building codes and therefore would not conflict with or obstruct implementation of city and state plans for renewable energy and energy efficiency.

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[62] California Energy Commission, California Renewable Energy Overview and Programs, available at: *https://www.energy.ca.gov/renewables/*, accessed April 24, 2019.

[82] San Francisco Mayor's Renewable Energy Task Force Recommendations Report, September 2012, available at: *https://sfenvironment.org/sites/default/files/fliers/files/sfe_re_renewableenergytaskforcerecommendationsreport.pdf*, accessed on April 24, 2019.

Cumulative

All development projects within San Francisco are required to comply with applicable regulations in the city's Green Building Ordinance and Title 24 of the California Code of Regulations that reduce both energy use and potable water use. The majority of San Francisco is located within a transportation analysis zone that experiences low levels of VMT per capita compared to regional VMT levels. Therefore, the proposed project, in combination with other reasonably foreseeable cumulative projects would not encourage activities that result in the use of large amounts of fuel, water, or energy or use these in a wasteful manner.

Conclusion

For the reasons stated above, the proposed project would not result in significant impacts either individually or cumulatively related to energy resources. Therefore, the proposed project would not result in new or more severe impacts on energy resources not identified in the Eastern Neighborhoods PEIR.

E.20 AGRICULTURE AND FOREST RESOURCES

Eastern Neighborhoods PEIR Agriculture and Forest Resources Findings

The Eastern Neighborhoods PEIR determined no agricultural resources exist in the plan area; therefore, the rezoning and area plans would have no effect on agricultural resources. The Eastern Neighborhoods PEIR did not analyze the plan's effects on forest resources.

Project Analysis

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
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?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
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)?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?	☐	☐	☐	☒

E.20.a) to e) The project site is within an urbanized area in the City and County of San Francisco that does not contain any prime farmland, unique farmland, or farmland of statewide importance; forest land; or land under Williamson Act contract. The area is not zoned for any agricultural uses. topics E.20.a) through e) are not applicable to the proposed project and the project would have no impact either individually or cumulatively on agricultural or forest resources.

Conclusion

For the above reasons, the proposed project would not result in new or more severe impacts to agricultural or forest resources not identified in the Eastern Neighborhoods PEIR.

E.21 WILDFIRE

Eastern Neighborhoods PEIR Wildland Fire Findings

The plan area is located within an urbanized area that lacks an urban-wildland interface. Therefore, the Eastern Neighborhoods PEIR concluded that implementation of the area plans and rezoning would not result in a significant impact related to risk of loss, injury or death involving wildland fires. No mitigation measures were identified in the PEIR.

Project Analysis

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plans?	☐	☐	☐	☒
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d) Expose people or structures to significant risks including downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

E.21.a) to d) The project site is not located in or near state responsibility lands for fire management or lands classified as very high fire hazard severity zones. Therefore, this topic is not applicable to the project.

F. PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was mailed on January 30, 2019 to adjacent occupants and owners of properties within 300 feet of the project site and city-wide neighborhood group lists. 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. Comments received for the project were related to construction air quality, lighting, and the building foundation type. 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.

G. ADDITIONAL ATTACHMENTS

- **Attachment B:** Project Plans
- **Attachment C:** Cumulative Development Projects
- **Attachment D:** Mitigation Monitoring and Reporting Program

	RETAIL #1088			RESIDENTIAL #1090						
	EXIST.	ADD.	TOTAL	1	2	3	4	TOTAL	COMMON	TOTAL GROSS
7TH FLOOR				704	570	607	665	2,546	686	3,232
6TH FLOOR				704	570	607	665	2,546	686	3,232
5TH FLOOR				704	568	605	665	2,542	705	3,247
4TH FLOOR				704	568	605	665	2,542	705	3,247
3RD FLOOR				704	568	605	665	2,542	705	3,247
2ND FLOOR	416	-416	0	705	784	603	665	2,757	716	3,473
1ST FLOOR	2,065	494	2,559						1,820	4,379
TOTAL	2,481	78	2,559					15,475	6,023	24,057

TOTAL EXISTING RETAIL GROSS AREA = *2481 S.F.*

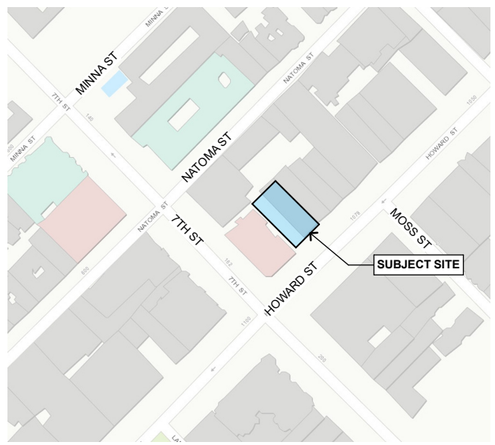
TOTAL PROPOSED LIVING AREA = *15,475 S.F.*
TOTAL PROPOSED COMMON AREA = *6,023 S.F.*
TOTAL PROPOSED RETAIL AREA = *2,559 S.F.* *78 S.F. REMOVED*
TOTAL GROSS AREA = **24,057 S.F.** **21,576 *S.F. ADDED***

NOTE:
AREA CALCULATION AS SHOWN IS INTENDED FOR PERMIT APPLICATION PURPOSES ONLY AND SHALL NOT BE USED FOR SELLING OR LEASING PURPOSES. FINAL SQUARE FOOTAGE AND FINISHED DIMENSIONS MAY VARY FROM THESE PLANS DUE TO CONSTRUCTION VARIABLES.

*** UNIT AREA INCLUDES NET AREA INSIDE OF UNIT ONLY**
**** COMMON AREA INCLUDES ALL AREAS OUTSIDE OF UNIT (COMMON STAIR/HALLWAY, EXTERIOR WALLS, ETC.)**

SHEET INDEX

VICINITY MAP



SLA
SCHAUB LY ARCHITECTS

SCHAUB LY ARCHITECTS INC.
1360 9TH AVENUE, SUITE 210
SAN FRANCISCO CA 94122
415·682·8060

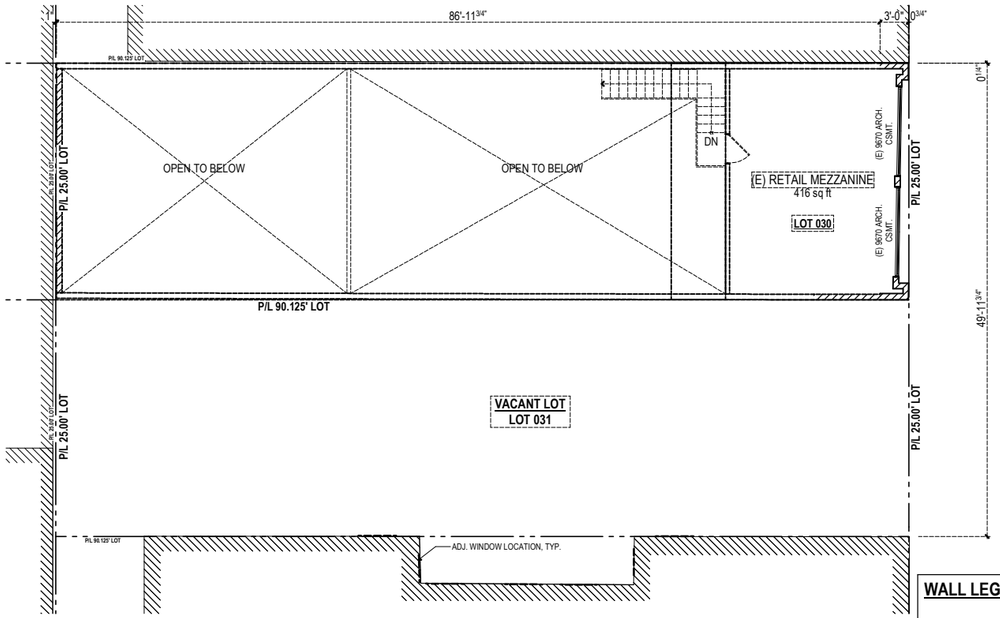
MIXED-USE ADDITION
1088 HOWARD STREET

BLOCK 3726, LOT 030 & 031
1088 HOWARD STREET, SAN FRANCISCO, CA 94103

RENDERING & PROJECT INFORMATION

SCALE: NOT TO SCALE

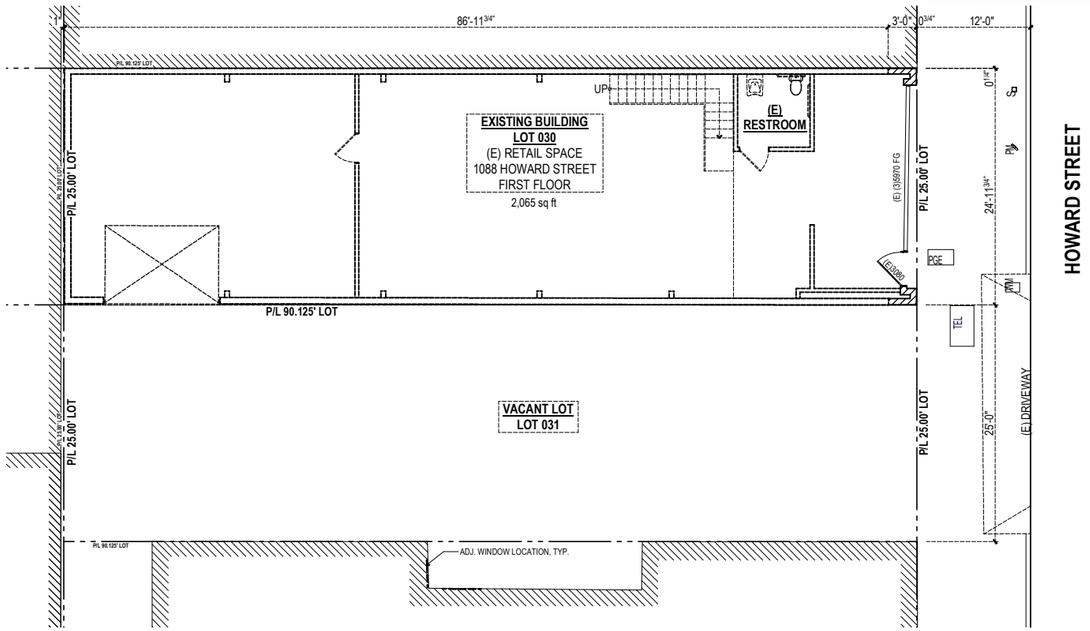
12/15/19 SECTION 311 MM



MEZZANINE EXISTING / DEMOLITION PLAN

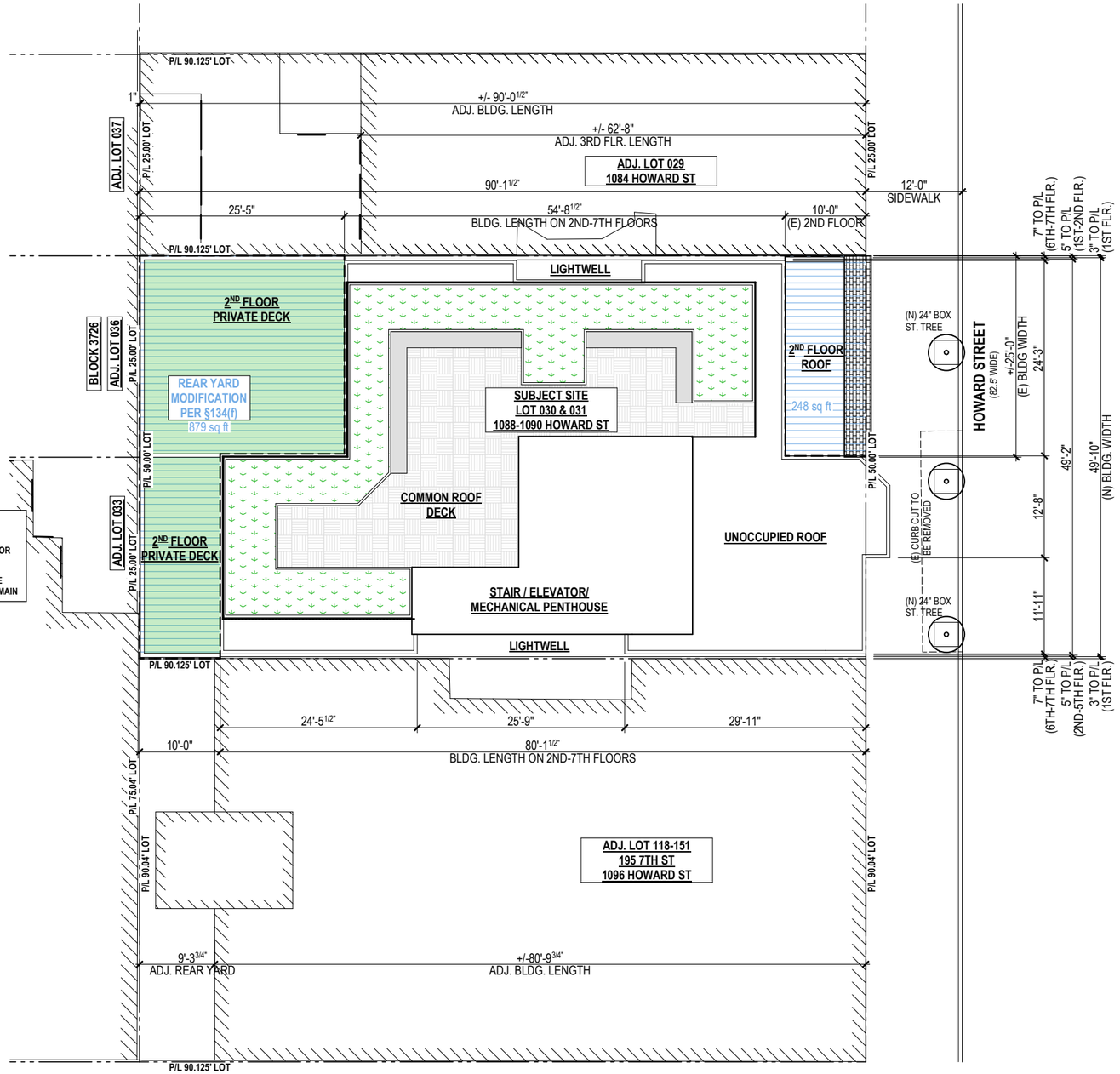
WALL LEGEND

- EXISTING WALL/FLOOR TO BE REMOVED
- EXISTING CONCRETE WALL/FLOOR TO REMAIN



GROUND FLOOR EXISTING / DEMOLITION PLAN

HOWARD STREET



PROPOSED SITE PLAN

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MIXED-USE ADDITION
1088 HOWARD STREET

BLOCK 3726, LOT 030 & 031
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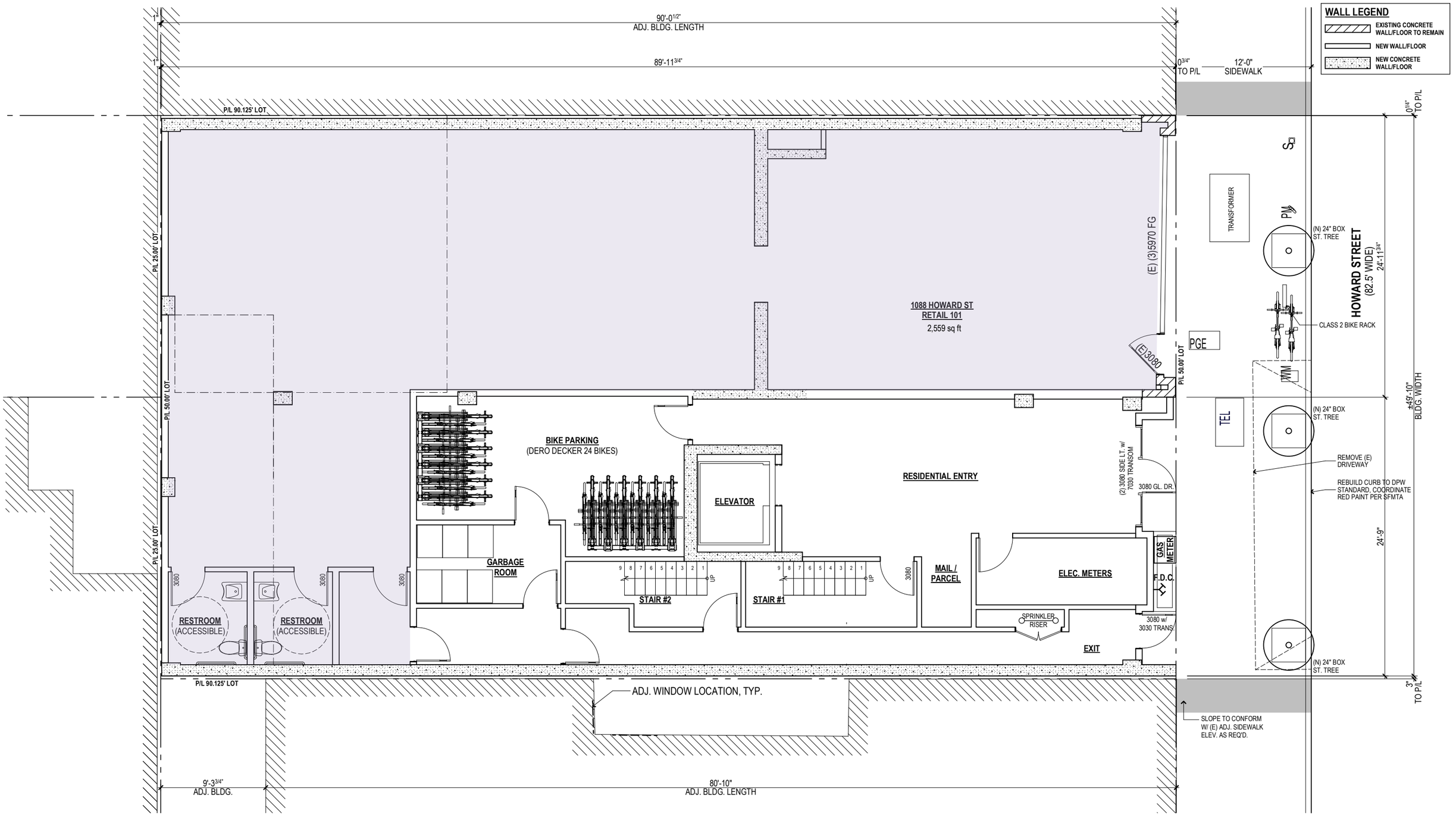
EXISTING PLANS & PROPOSED SITE PLAN

SCALE: 1/16" = 1'-0" (0, 4', 8', 16')

12/15/19 SECTION 311 MM



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MIXED-USE ADDITION
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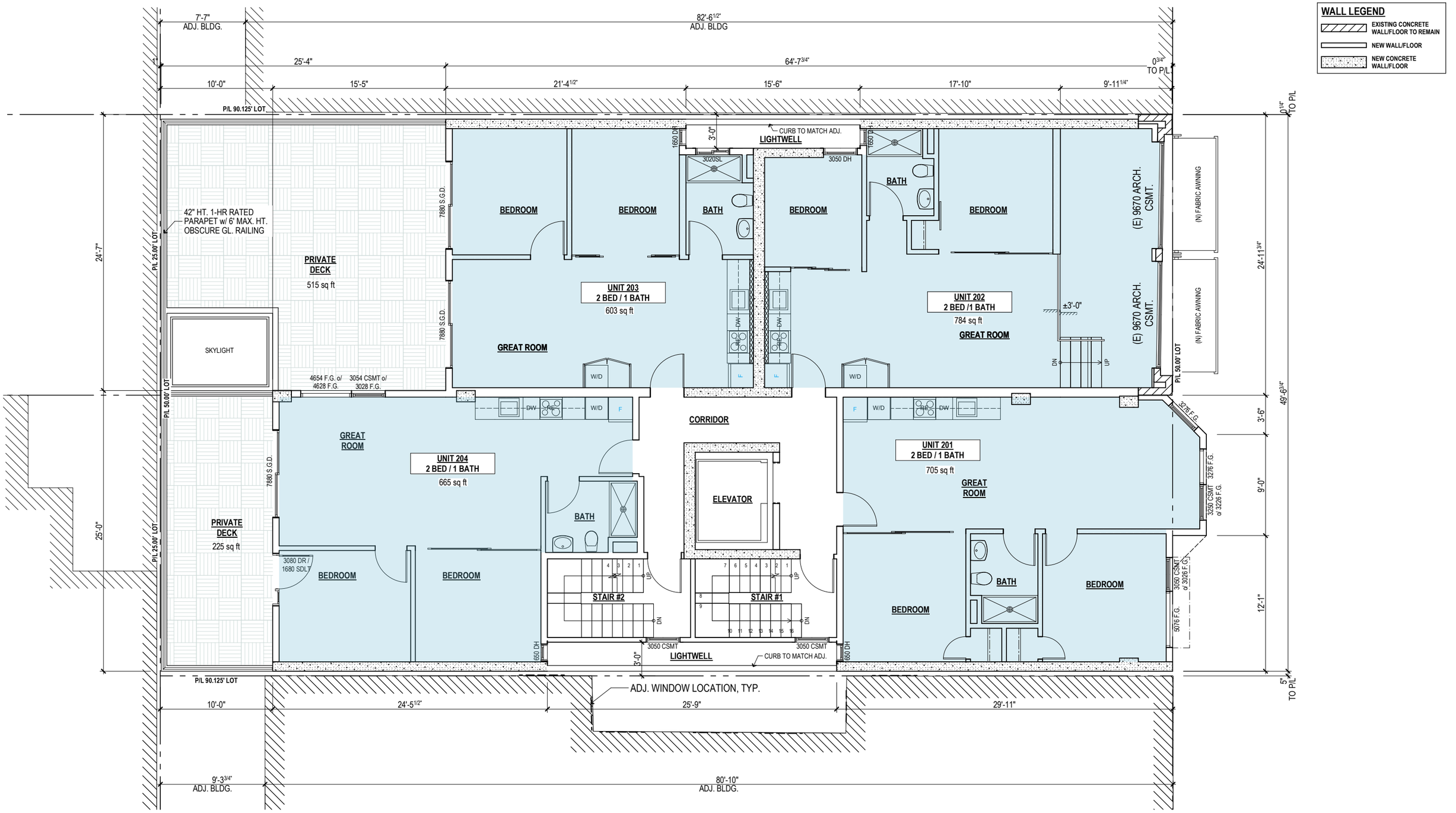
BLOCK 3726, LOT 030 & 031
1088 HOWARD STREET, SAN FRANCISCO, CA 94103

PROPOSED FIRST FLOOR PLAN

SCALE: 1/8" = 1'-0" 0 2' 4' 8'

12/15/19 SECTION 311 MM

3



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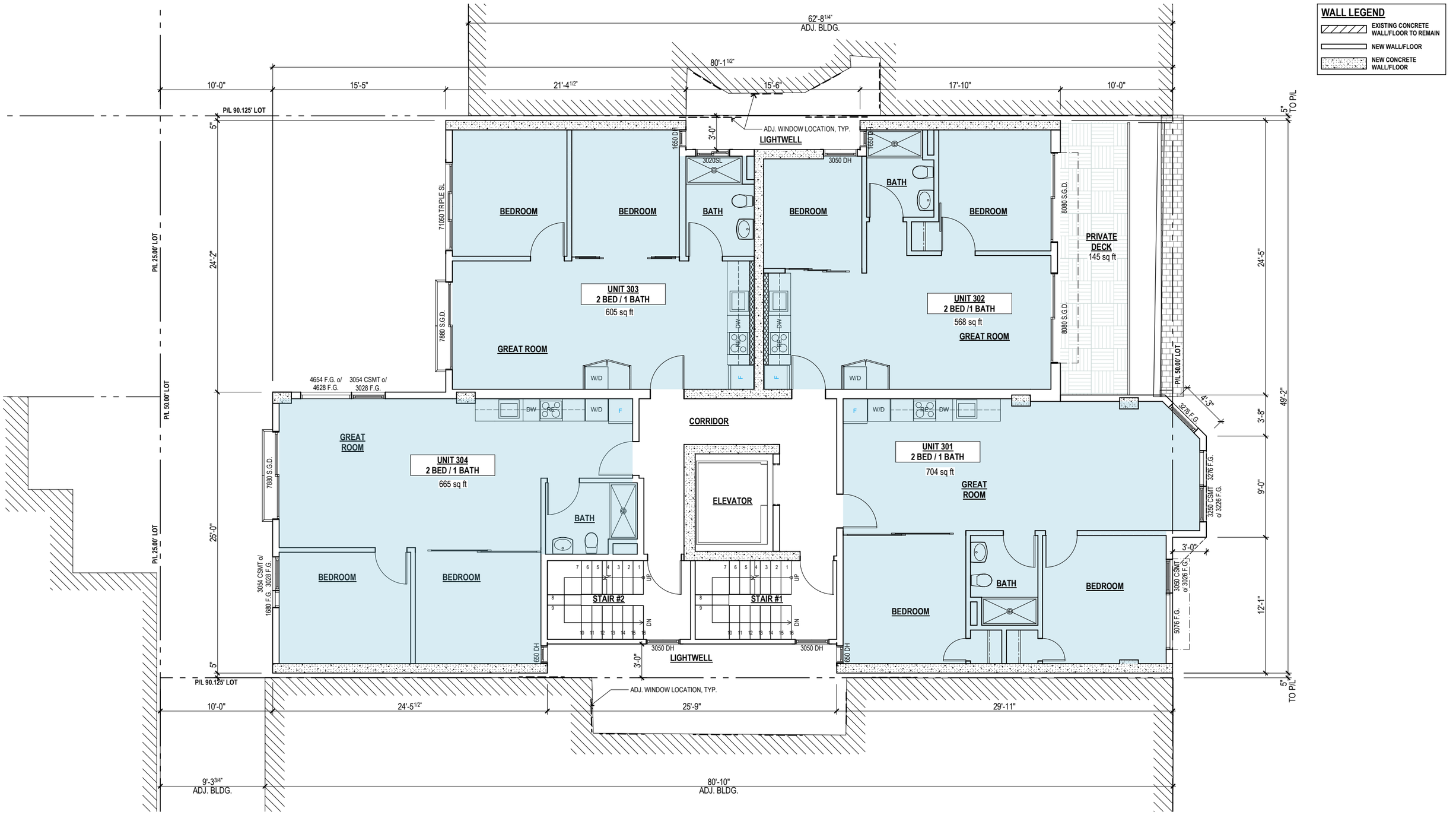
PROPOSED SECOND FLOOR PLAN

SCALE: 1/8" = 1'-0"

12/15/19 SECTION 311 MM



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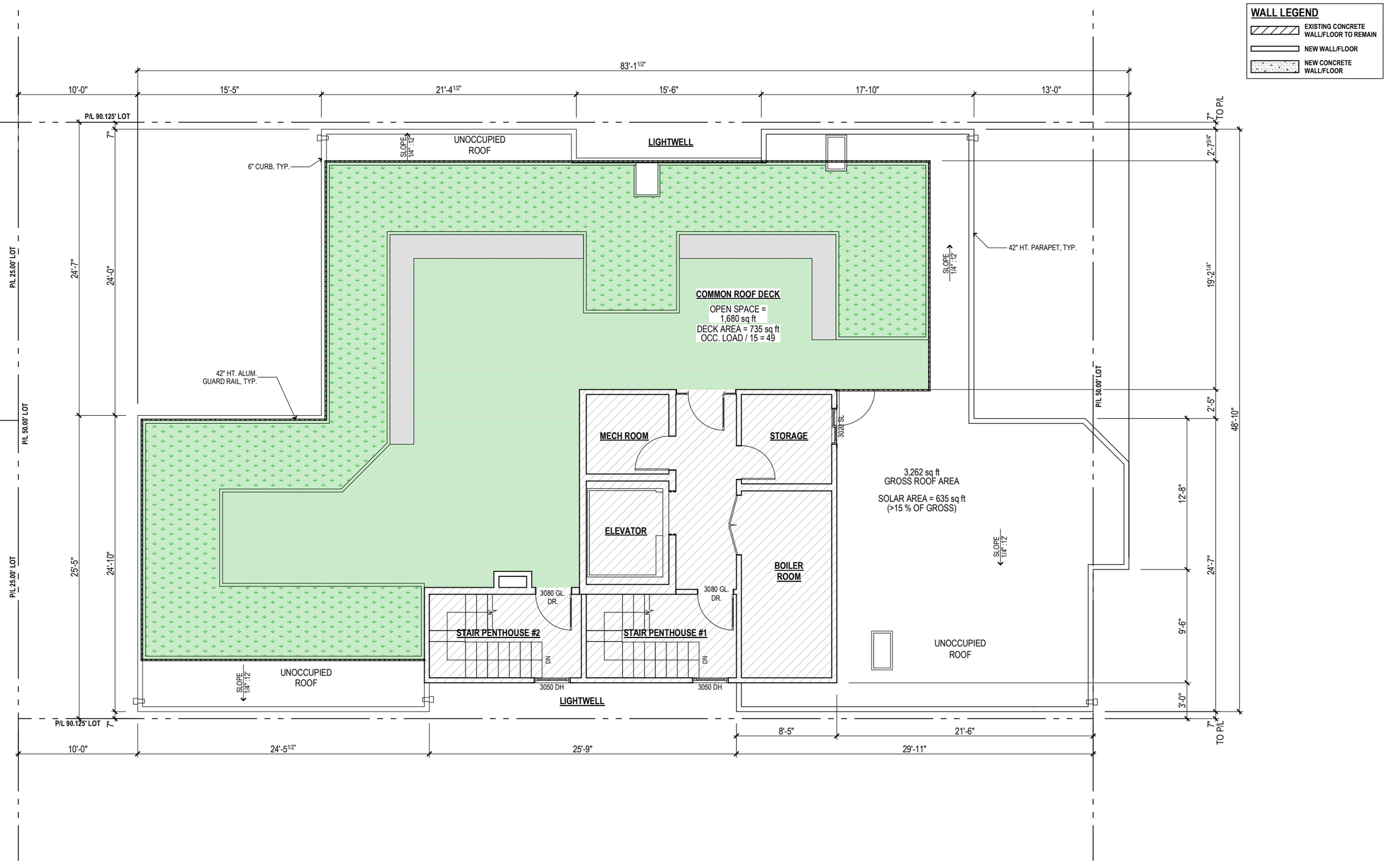
PROPOSED TYPICAL THIRD-SEVENTH FLOOR PLAN

SCALE: 1/8" = 1'-0"

12/15/19 SECTION 311 MM



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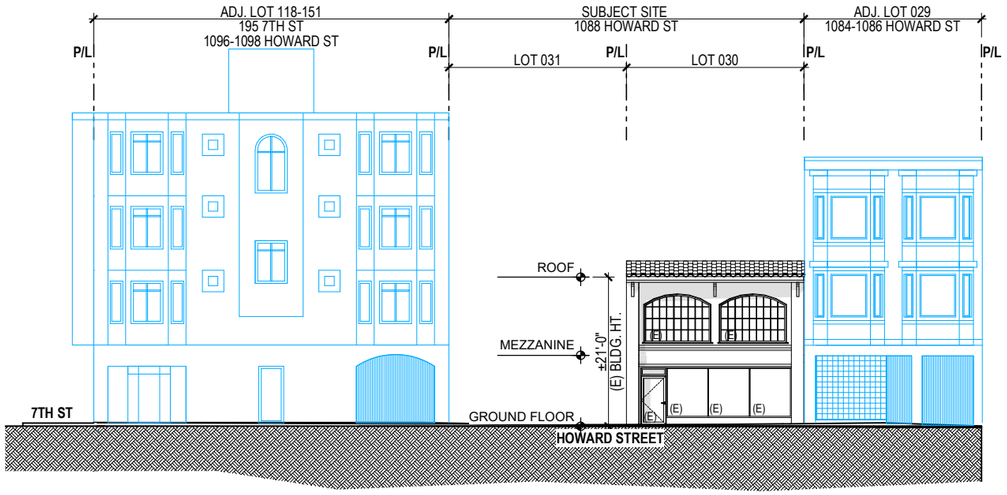
1088 HOWARD STREET, SAN FRANCISCO, CA 94103

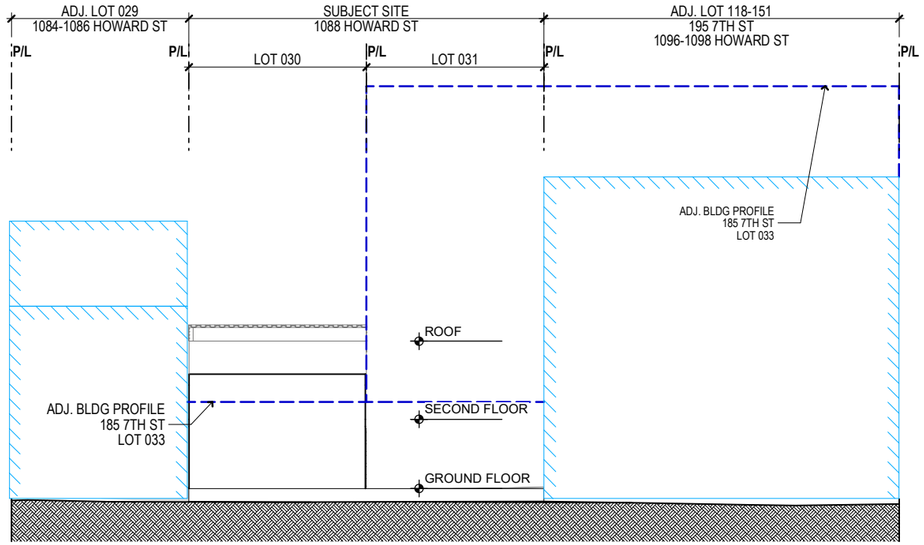
PROPOSED ROOF PLAN

SCALE: 1/8" = 1'-0"

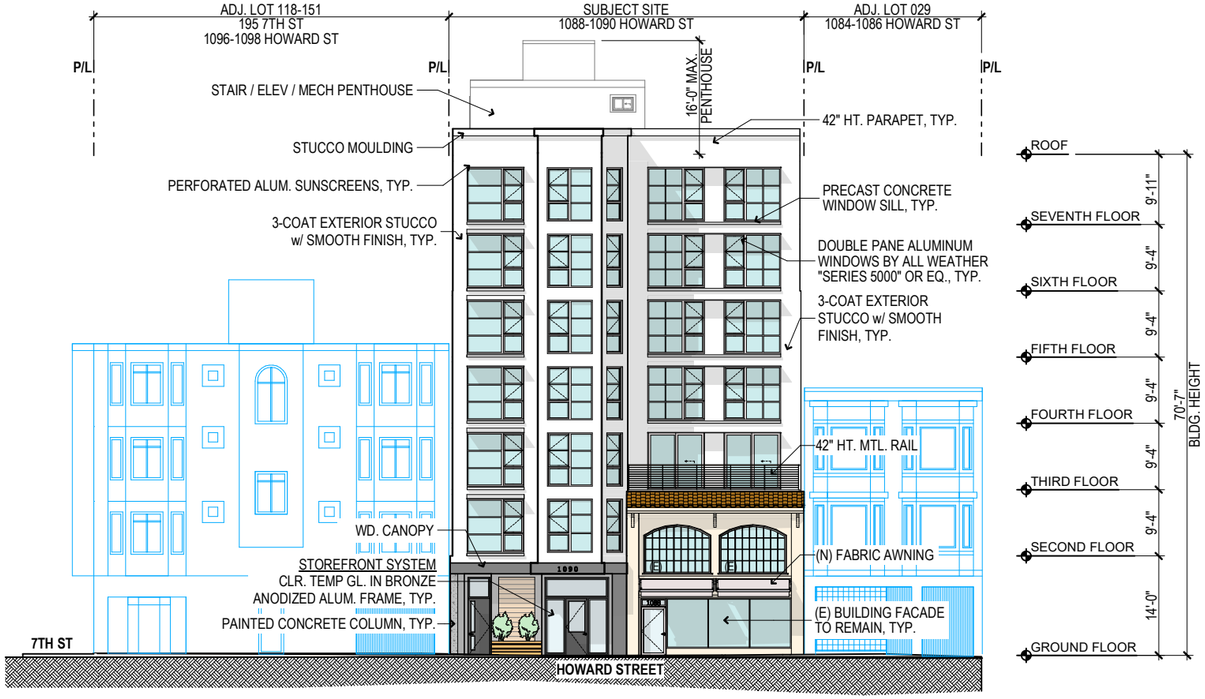
12/15/19 SECTION 311 MM



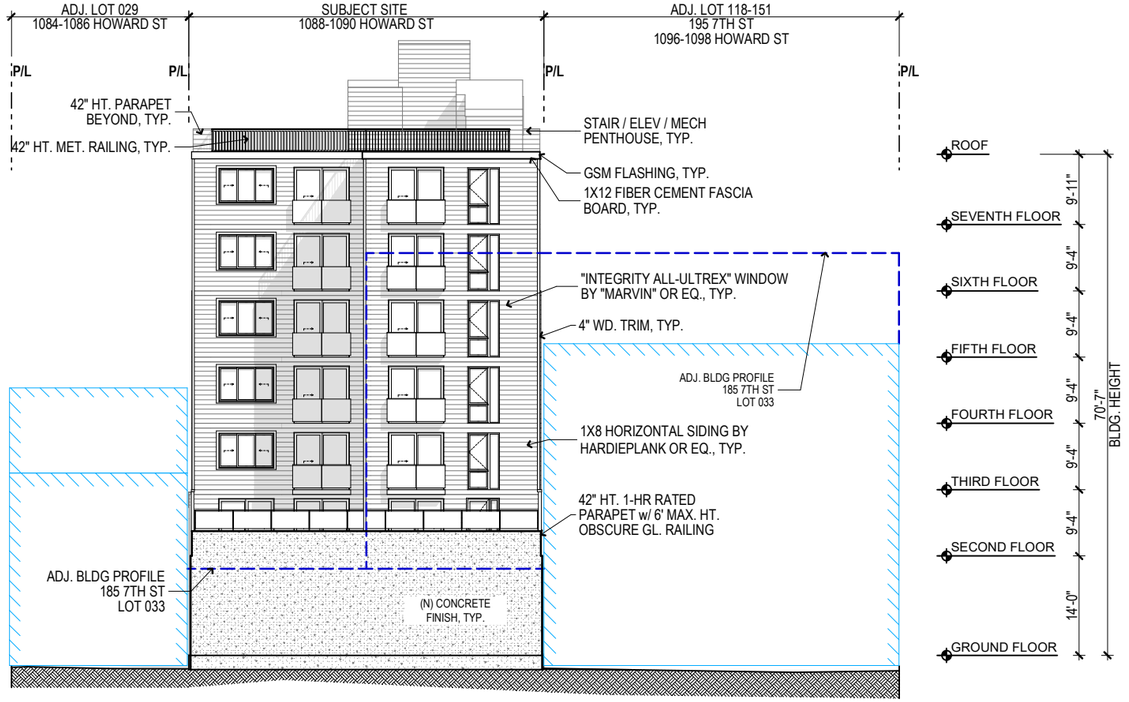
EXISTING FRONT ELEVATION



EXISTING REAR ELEVATION



PROPOSED FRONT ELEVATION



PROPOSED REAR ELEVATION

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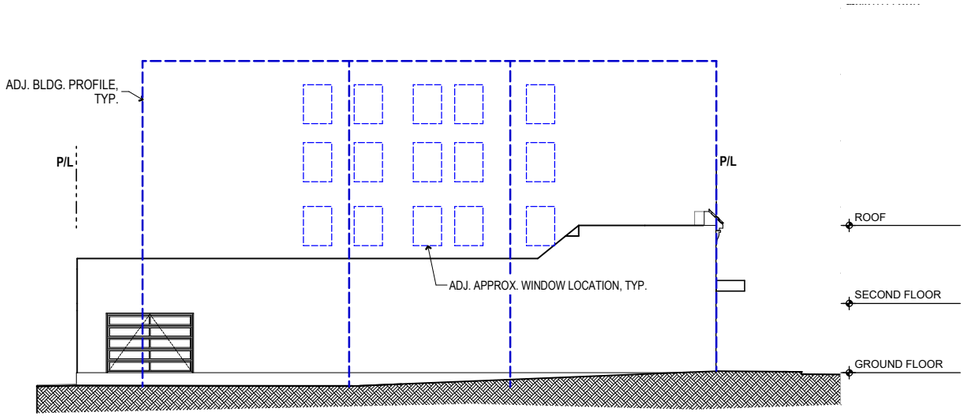
MIXED-USE ADDITION
1088 HOWARD STREET

BLOCK 3726, LOT 030 & 031
1088 HOWARD STREET, SAN FRANCISCO, CA 94103

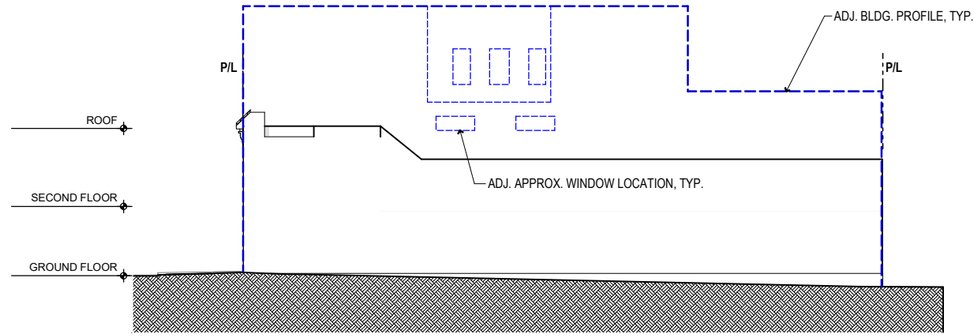
EXISTING & PROPOSED FRONT & REAR ELEVATIONS

SCALE: 3/64" = 1'-0" 0 8' 16' 24'

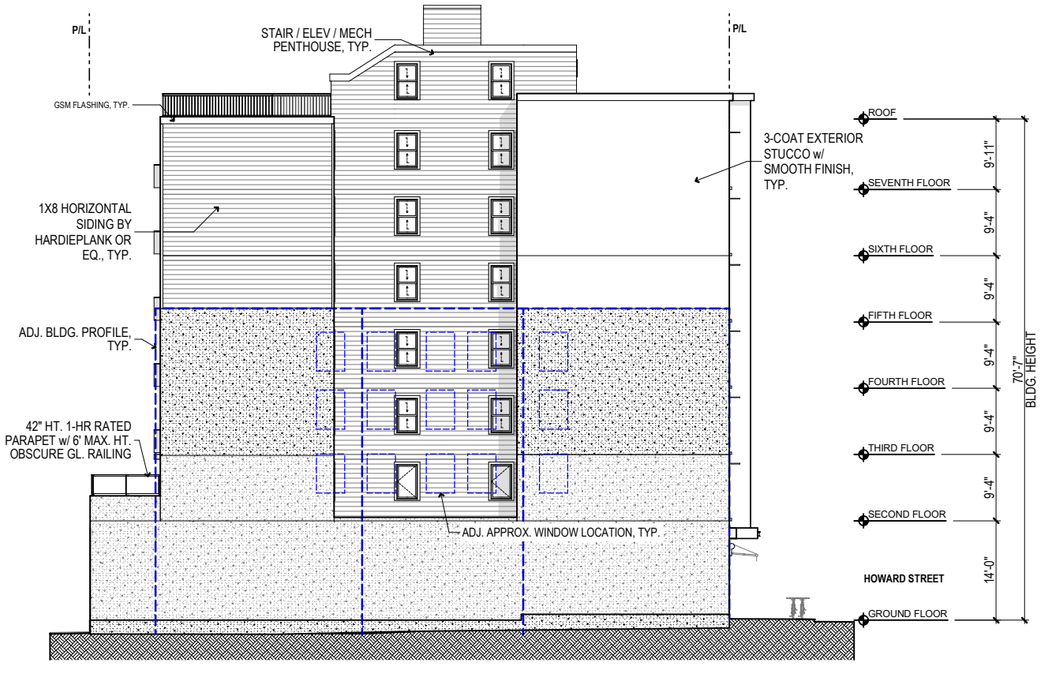
12/15/19 SECTION 311 MM



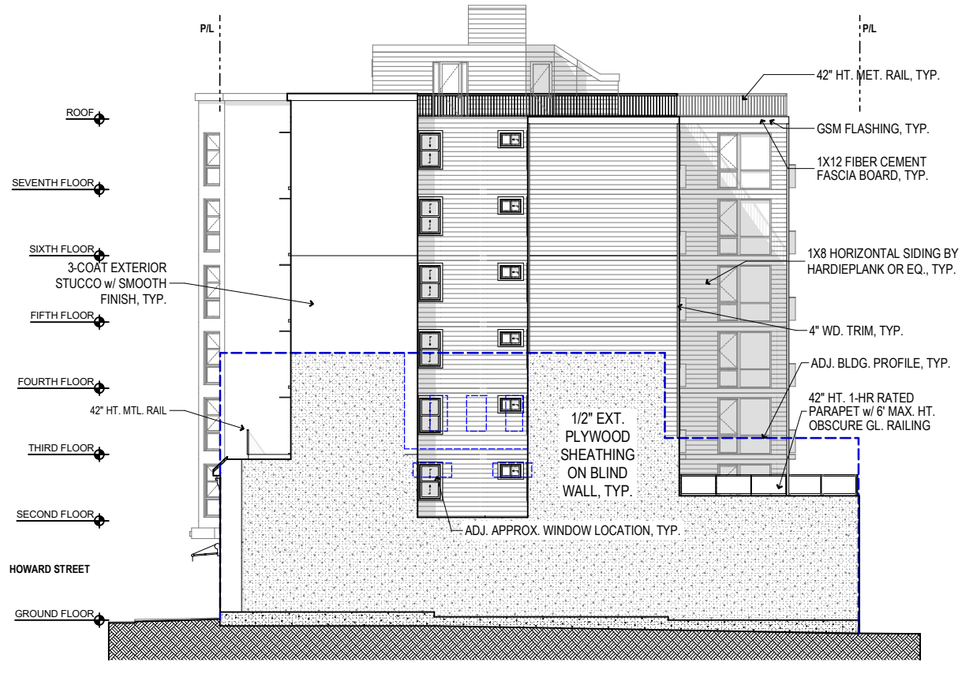
EXISTING LEFT ELEVATION



EXISTING RIGHT ELEVATION



PROPOSED LEFT ELEVATION



PROPOSED RIGHT ELEVATION

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MIXED-USE ADDITION
1088 HOWARD STREET

BLOCK 3726, LOT 030 & 031
1088 HOWARD STREET, SAN FRANCISCO, CA 94103

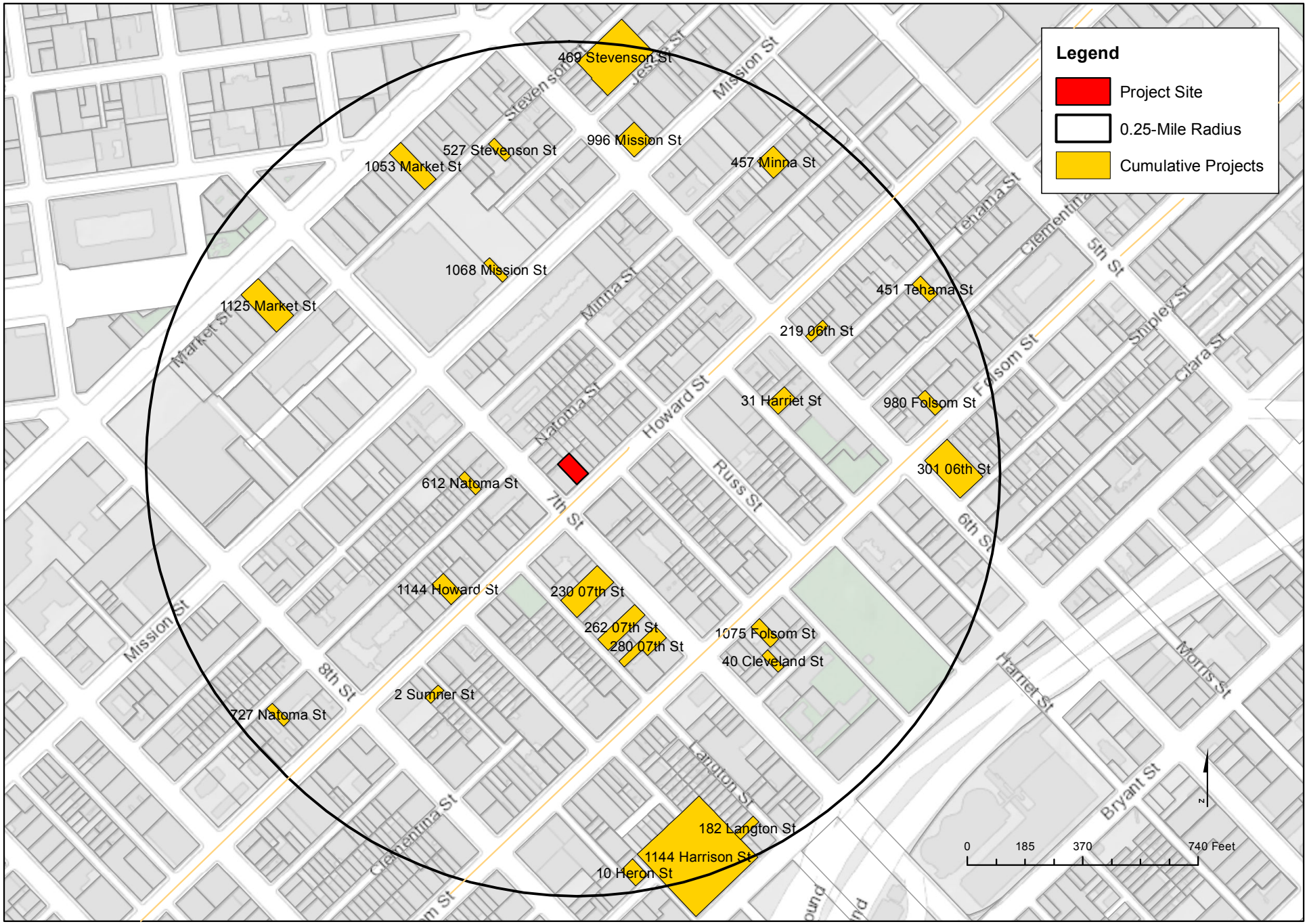
EXISTING & PROPOSED SIDE ELEVATIONS

SCALE: 3/64" = 1'-0" 0 8' 16' 24'

12/15/19 SECTION 311 MM

Attachment C: 1088 Howard St - Cumulative Projects Map

SAN FRANCISCO
PLANNING DEPARTMENT



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Printed: 10, December 2019

ATTACHMENT D
1088 HOWARD STREET: MITIGATION MONITORING AND REPORTING PROGRAM

	MONITORING AND REPORTING PROGRAM			
Adopted Mitigation/Improvement Measures	**Implementation Responsibility**	**Mitigation Schedule**	**Monitoring and Reporting Actions and Responsibility**	**Monitoring Schedule**
MITIGATION MEASURES				
Project Mitigation Measure M-CR-1 – Archeological Resources (Archeological Testing), implementing Eastern Neighborhoods PEIR Mitigation Measure J-2). Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources and on human remains and associated or unassociated funerary objects. The project sponsor shall retain the services of an archaeological consultant from the rotational Department Qualified Archaeological Consultants List (QACL) maintained by the Planning Department archaeologist. After the first project approval action or as directed by the ERO, the project sponsor shall contact the Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the	Project sponsor and archeological consultant at the direction of the ERO	In the event that an archeological site associated with a particular descendant group is uncovered during the construction period	Planning Department	Considered complete after Final Archeological Resources Report is approved and provided to descendant group

Adopted Mitigation/Improvement Measures	MONITORING AND REPORTING PROGRAM Implementation Responsibility	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Monitoring Schedule
consultant as specified herein shall be submitted first and directly to the ERO for review and comment and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a) and (c).				
Consultation with Descendant Communities: On discovery of an archeological site1 associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative2 of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.	Project sponsor and archeological consultant at the direction of the ERO	Prior to soil disturbance	Planning Department	Considered complete after Final Archeological Resources Report is approved and provided to descendant group

1 The term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

2 An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Department archeologist.

	MONITORING AND REPORTING PROGRAM			
Adopted Mitigation/Improvement Measures	**Implementation Responsibility**	**Mitigation Schedule**	**Monitoring and Reporting Actions and Responsibility**	**Monitoring Schedule**
Archeological Testing Program. The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA. At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, preservation in place, archeological monitoring, and/or an archeological data recovery program. No archeological data recovery shall be undertaken without the prior approval of the ERO or the Planning Department archeologist.	Project sponsor and archeological consultant at the direction of the ERO	During soil disturbing activities	Planning Department	Considered complete after approval of Archeological Testing Report

	MONITORING AND REPORTING PROGRAM			
Adopted Mitigation/Improvement Measures	**Implementation Responsibility**	**Mitigation Schedule**	**Monitoring and Reporting Actions and Responsibility**	**Monitoring Schedule**
If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, the ERO, in consultation with the project sponsor, shall determine whether preservation of the resource in place is feasible. If so, the proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource. If preservation in place is not feasible, a data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.				
Archeological Monitoring Program. If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented the archeological monitoring program shall minimally include the following provisions: ▪ The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these	Project sponsor and archeological consultant at the direction of the ERO	Following discovery of significant archeological resources	Planning Department	Considered complete after completion of the archeological monitoring program

Adopted Mitigation/Improvement Measures	MONITORING AND REPORTING PROGRAM			
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activities pose to potential archaeological resources and to their depositional context; ▪ The archeological consultant shall undertake a worker training program for soil-disturbing workers that will include an overview of expected resource(s), how to identify the evidence of the expected resource(s), and the appropriate protocol in the event of apparent discovery of an archeological resource; ▪ The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits; ▪ The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis; ▪ If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving or deep foundation activities (foundation, shoring, soil improvement, etc.), the archeological monitor has cause to believe that the pile driving or deep foundation activities may affect an archeological				

	MONITORING AND REPORTING PROGRAM			
Adopted Mitigation/Improvement Measures	**Implementation Responsibility**	**Mitigation Schedule**	**Monitoring and Reporting Actions and Responsibility**	**Monitoring Schedule**
resource, the pile driving or deep foundation activities shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.				
Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.				
Archeological Data Recovery Program. The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes	Project sponsor and archeological consultant at the direction of the ERO	Following discovery of significant archeological resources	Planning Department	Considered complete after FARR is reviewed and approved

Adopted Mitigation/Improvement Measures	MONITORING AND REPORTING PROGRAM			
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would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

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

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Adopted Mitigation/Improvement Measures	**Implementation Responsibility**	**Mitigation Schedule**	**Monitoring and Reporting Actions and Responsibility**	**Monitoring Schedule**
of appropriate curation facilities, and a summary of the accession policies of the curation facilities.				
Human Remains, Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and federal laws. This shall include immediate notification of the Medical Examiner of the City and County of San Francisco and, in the event of the Medical Examiner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission, which will appoint a Most Likely Descendant (MLD). The MLD will complete his or her inspection of the remains and make recommendations or preferences for treatment within 48 hours of being granted access to the site (Public Resources Code section 5097.98). The ERO also shall be notified immediately upon the discovery of human remains. The project sponsor and ERO shall make all reasonable efforts to develop a Burial Agreement ("Agreement") with the MLD, as expeditiously as possible, for the treatment and disposition, with appropriate dignity, of human remains and associated or unassociated funerary objects (as detailed in CEQA Guidelines section 15064.5(d)). The Agreement shall take into consideration the appropriate excavation, removal, recordation, scientific analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. If the MLD agrees to scientific analyses of the remains and/or associated	Project sponsor and archeological consultant at the direction of the ERO	Following the discovery of human remains	Planning Department	Considered complete on finding by the ERO that all state laws regarding human remains/burial objects have been adhered to, consultation with MLD is completed as warranted, sufficient opportunity has been provided to the archeological consultant for scientific/historical analysis of human remains/funerary objects, and after FARR is

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or unassociated funerary objects, the archaeological consultant shall retain possession of the remains and associated or unassociated funerary objects until completion of any such analyses, after which the remains and associated or unassociated funerary objects shall be reinterred or curated as specified in the Agreement. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept treatment recommendations of the MLD. However, if the ERO, project sponsor and MLD are unable to reach an Agreement on scientific treatment of the remains and associated or unassociated funerary objects, the ERO, with cooperation of the project sponsor, shall ensure that the remains and/or mortuary materials are stored securely and respectfully until they can be reinterred on the property, with appropriate dignity, in a location not subject to further or future subsurface disturbance. Treatment of historic-period human remains and of associated or unassociated funerary objects discovered during any soil-disturbing activity, additionally, shall follow protocols laid out in the project's archaeological treatment documents, and in any related agreement established between the project sponsor, Medical Examiner and the ERO.				reviewed and approved
Final Archeological Resources Report. The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the	Archeological consultant at the	Following completion of additional	Planning Department	Considered complete upon

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historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. The Draft FARR shall include a curation and deaccession plan for all recovered cultural materials. The Draft FARR shall also include an Interpretation Plan for public interpretation of all significant archeological features. Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, the consultant shall also prepare a public distribution version of the FARR. Copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of public interest in or the high interpretive value of the resource, the ERO may require a different or additional final report content, format, and distribution than that presented above.	direction of the ERO	measures by archeological consultant as determined by the ERO		distribution of approved FARR

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Consultation with Descendant Communities: On discovery of an archeological site[3] associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative[4] of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.	Archeological consultant at the direction of the ERO	Following discovery of significant archeological resources	Planning Department	Considered complete upon distribution of approved FARR
Project Mitigation Measure M-TCR-1 — Tribal Cultural Resources Preservation or Interpretation If, pursuant to the provisions of Project Mitigation Measure M-CR-1, above, the Environmental Review Officer (ERO), in consultation with the project sponsor, determines that preservation-in-place of the tribal cultural resource (TCR) would be both feasible and effective, then the archeological consultant shall prepare an archeological resource preservation plan (ARPP). Implementation of the approved ARPP by the archeological consultant shall be required when	Project sponsor archeological consultant, and ERO, in consultation with the affiliated Native American tribal representatives	If significant tribal cultural resources are present, during implementation of the project	Planning Department	Considered complete upon project redesign, implementation of ARPP, or TCR interpretive program, as applicable

[3] The term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

[4] An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Department archeologist.

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feasible. If the ERO in consultation with the project sponsor determines that preservation–in-place of the TCR is not a sufficient or feasible option, then the project sponsor shall implement an interpretive program of the TCR in consultation with affiliated Native American tribal representatives. An interpretive plan produced in consultation with affiliated Native American tribal representatives, at a minimum, and approved by the ERO would be required to guide the interpretive program. The plan shall identify proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long-term maintenance program. The interpretive program may include artist installations, preferably by local Native American artists, oral histories with local Native Americans, artifacts displays and interpretation, and educational panels or other informational displays.				
Project Mitigation Measure M-NOI-1 — Construction Noise (Eastern Neighborhoods PEIR Mitigation Measure F-2) The project sponsor shall 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.	Project sponsor and construction contractor(s)	Prior to and during construction activities	The project sponsor or construction contractor shall make available a contact number for noise complaints during the construction period and shall file a report with the Planning Department at the conclusion of	Considered complete upon receipt of final monitoring report at completion of construction.

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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; 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.			construction as to the number and nature of such complaints received and the means of resolving each such complaint	
Project Mitigation Measure M-AQ-1 — Construction Air Quality (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	Project sponsor and construction contractor(s).	During construction activities	Project sponsor to submit certification statement to the ERO	Considered complete on submittal of certification statement and final summary report.

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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				

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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.				

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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

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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 project sponsor shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a				

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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.				

CEQA Det. Appeal Permit # 2018.01.02.3483

DR. JULIAN A. CASTANEDA
LIC.F7025578
1779 HAYES STREET PH. 585-732-6247
SAN FRANCISCO, CA 96117

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