SAN FRANCISCO
PLANNING DEPARTMENT

Notice of Availability of and Intent to Adopt a Mitigated Negative Declaration

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date:	September 26, 2012
Case No.:	**2011.0430E**
Project Address:	**480 Potrero Avenue**
Zoning:	UMU (Urban Mixed Use) Zoning District 58-X Height and Bulk District
Block/Lot:	3973/002C
Lot Size:	15,000 square feet
Plan Area:	Mission Subarea of the Eastern Neighborhoods
Project Sponsor:	Reza Khoshnevisan, Sia Consulting, (415) 922-0200
Staff Contact:	Don Lewis, (415) 575-9095, don.lewis@sfgov.org

To Whom It May Concern:

This notice is to inform you of the availability of the environmental review document concerning the proposed project as described below. The document is a Preliminary Mitigated Negative Declaration, containing information about the possible environmental effects of the proposed project. The Preliminary Mitigated Negative Declaration documents the determination of the Planning Department that the proposed project could not have a significant adverse effect on the environment. Preparation of a Mitigated Negative Declaration does not indicate a decision by the City to carry out or not to carry out the proposed project. The project also qualified for an exemption from environmental review under the California Environmental Quality Act (CEQA) Guidelines Section 15183.

Project Description: The rectangular project site is located at the northwest corner of Potrero Avenue and Mariposa Street on the boundary of the Mission and Potrero Hill neighborhoods. The project site is currently a vacant lot containing the remnants of the foundation from the former four-story concrete live/work structure that was demolished in 2005. The project sponsor proposes the construction of a six-story, 58-foot-tall, residential building approximately 89,600 square feet in size. The new building would contain 84 residential units (26 one-bedroom and 58 two-bedroom) and 38 parking spaces in a one-level basement parking garage accessed from Mariposa Street. The proposed building would include windows and doors with a minimum Sound Transmission Class rating of 27 and mechanical ventilation. The proposed project would require Planning Commission authorization under Planning Code Section 329 for construction of a building greater than 25,000 square feet in size. The project site is located in the eastern portion of the Mission Area Plan, which is one of the area plans adopted through the Eastern Neighborhoods Planning effort.

If you would like a copy of the Preliminary Mitigated Negative Declaration or have questions concerning environmental review of the proposed project, contact the Planning Department staff contact listed above. In addition, copies of the Preliminary Mitigated Negative Declaration are available at 1660 Mission Street, 1st floor at the Public Information Counter.

Within 20 calendar days following publication of the Preliminary Mitigated Negative Declaration (i.e., by close of business on **October 16, 2012**), any person may:

1) Review the Preliminary Mitigated Negative Declaration as an informational item and take no action.

2) Make recommendations for amending the text of the document. The text of the Preliminary Mitigated Negative Declaration may be amended to clarify or correct statements and/or expanded to include additional relevant issues or cover issues in greater depth. One may recommend amending the text without the appeal described below. -OR-

3) Appeal the determination of no significant effect on the environment to the Planning Commission in a letter which specifies the grounds for such appeal, accompanied by a check for $521 payable to the San Francisco Planning Department.[1] An appeal requires the Planning Commission to determine whether or not an Environmental Impact Report must be prepared based upon whether or not the proposed project could cause a substantial adverse change in the environment. Send the appeal letter to the Planning Department, Attention: Bill Wycko, 1650 Mission Street, Suite 400, San Francisco, CA 94103. **The letter must be accompanied by a check in the amount of $521.00 payable to the San Francisco Planning Department, and must be received by 5:00 p.m. on October 16, 2012.** The appeal letter and check may also be presented in person at the Planning Information Counter on the first floor at 1660 Mission Street, San Francisco.

In the absence of an appeal, the Mitigated Negative Declaration shall be made final, subject to necessary modifications, after 20 days from the date of publication of the Preliminary Mitigated Negative Declaration.

[1] Upon review by the Planning Department, the appeal fee may be reimbursed for neighborhood organizations that have been in existence for a minimum of 24 months.

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Preliminary Mitigated Negative Declaration

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PROJECT DESCRIPTION:

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FINDING:

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

Mitigation measures are included in this project to avoid potentially significant effects. See pages 33 - 38.

cc: Reza Khoshnevisan, Project Sponsor; Supervisor David Campos, District 9; Ben Fu, Current Planning Division; Exemption/Exclusion File; Virna Byrd, M.D.F.

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INITIAL STUDY
480 POTRERO AVENUE
PLANNING DEPARTMENT CASE NO. 2011.0430E

A. PROJECT DESCRIPTION

Project Location and Site Characteristics

The rectangular project site (Assessor's Block 3973, Lot 2C) totals 15,000 square feet in size and is located at 480 Potrero Avenue on the northwest corner of Potrero Avenue and Mariposa Street (the "project site") on the boundary of the Mission and Potrero Hill neighborhoods, where the topography is primarily flat with a northwest slope (see Figure 1, Site Location). The project site is currently a vacant lot containing the remnants of the foundation from a former four-story concrete live/work structure that was demolished in 2005. The project site has frontages on both Potrero Avenue and Mariposa Street. The site is within the Urban Mixed Use (UMU) District and a 58-X Height and Bulk District. The project site is located in the eastern portion of the Mission Area Plan, which is one of the area plans adopted through the Eastern Neighborhoods Planning effort.

Proposed Project

The project sponsor proposes the construction of a six-story, 58-foot-tall, residential building approximately 89,600 square feet in size on an vacant lot. The new building would contain 84 residential units (26 one-bedroom and 58 two-bedroom) and 38 parking spaces in a one-level basement parking garage (see Figures 2 – 11: Site Plan, Floor Plans, and Sections). Approximately 9,354 square feet of common open space would be provided by an open courtyard and a roof deck. Pedestrian access would be from Potrero Avenue while vehicular access to the parking garage would be from Mariposa Street. The proposed project would involve up to 16 feet of excavation and the removal of approximately 550 cubic yards of soil for the proposed underground parking garage. The proposed building would include windows and doors with a minimum Sound Transmission Class rating of 27 and mechanical ventilation. Project construction would take approximately 12 months. The proposed project would require Planning Commission authorization under Planning Code Section 329 for construction of a building greater than 25,000 square feet in size.

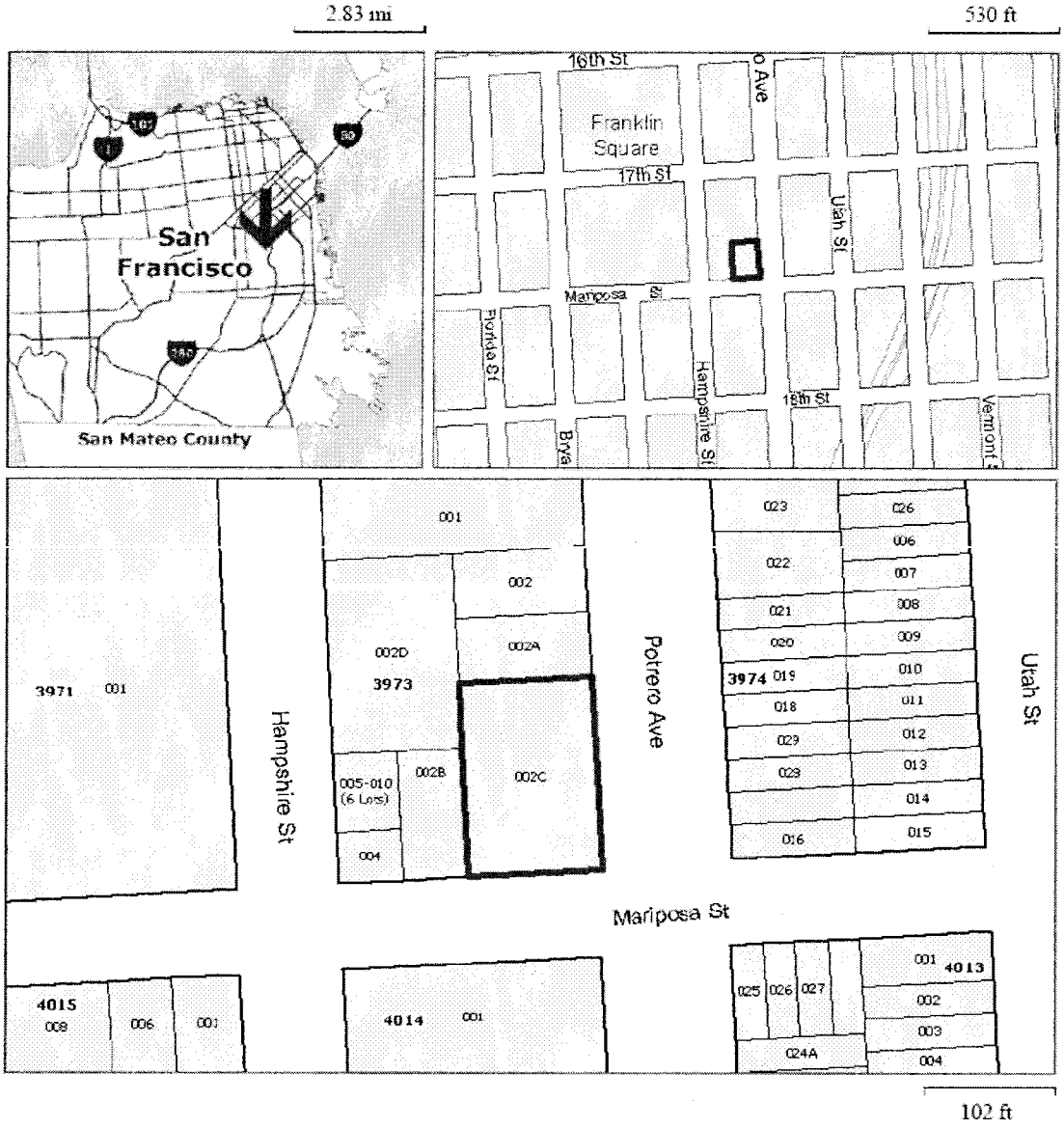

Figure 1 – Project Location Map
480 Potrero Avenue
Source: Planning Department, August 2012

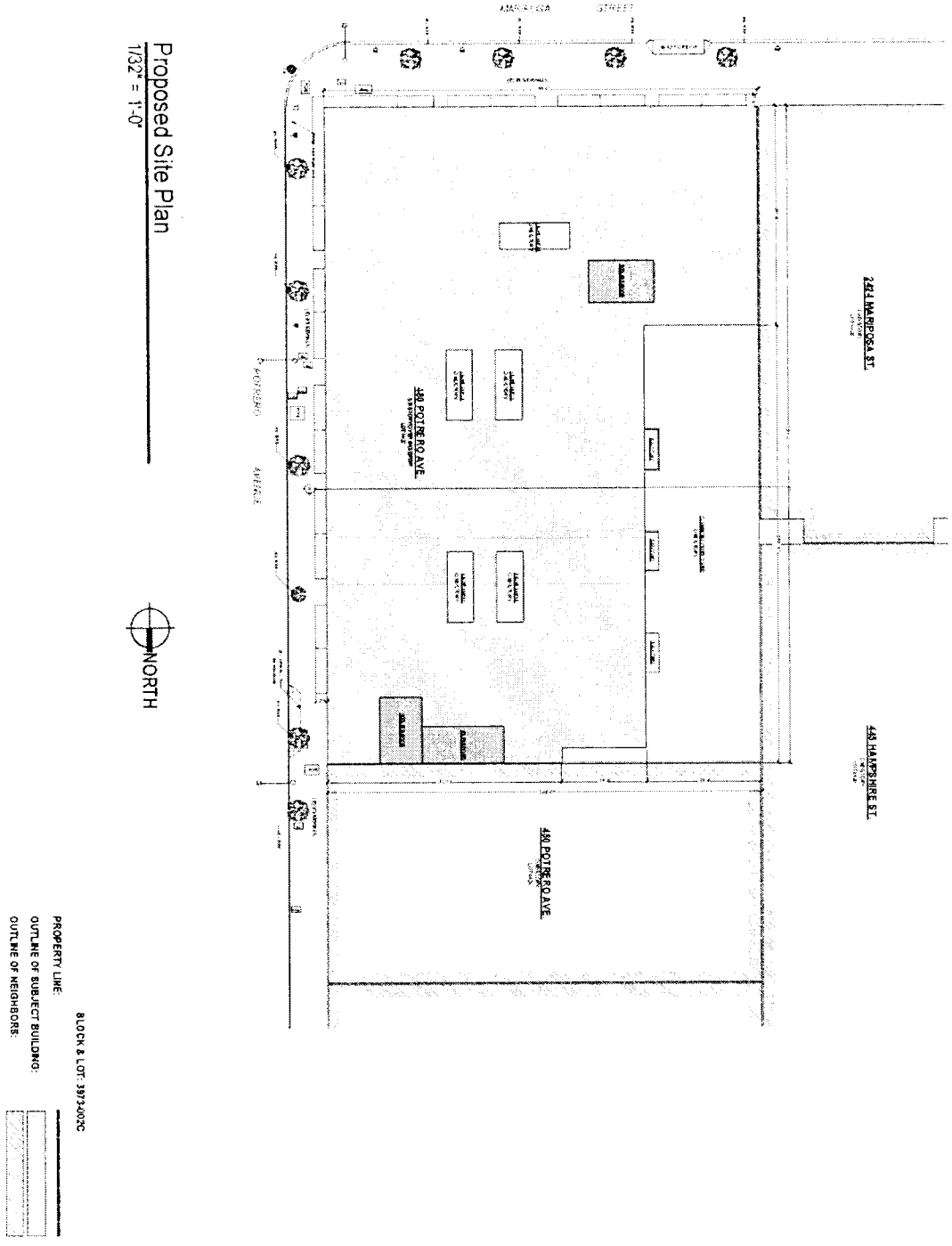

Figure 2 – Project Site Plan
480 Potrero Avenue
Source: Sia Consulting, August 2012

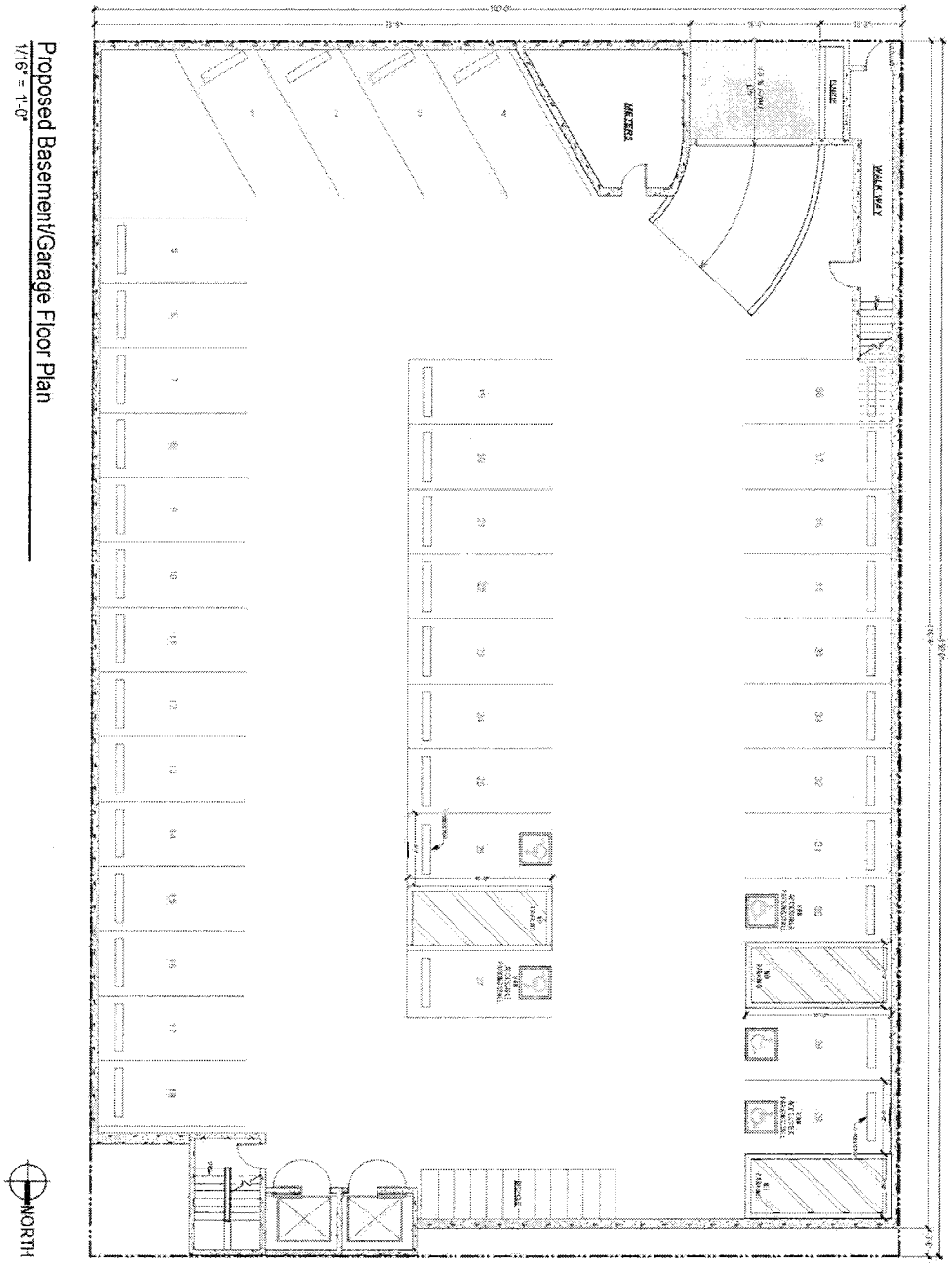

Figure 3 – Basement Floor Plan
480 Potrero Avenue
Source: Sia Consulting, August 2012

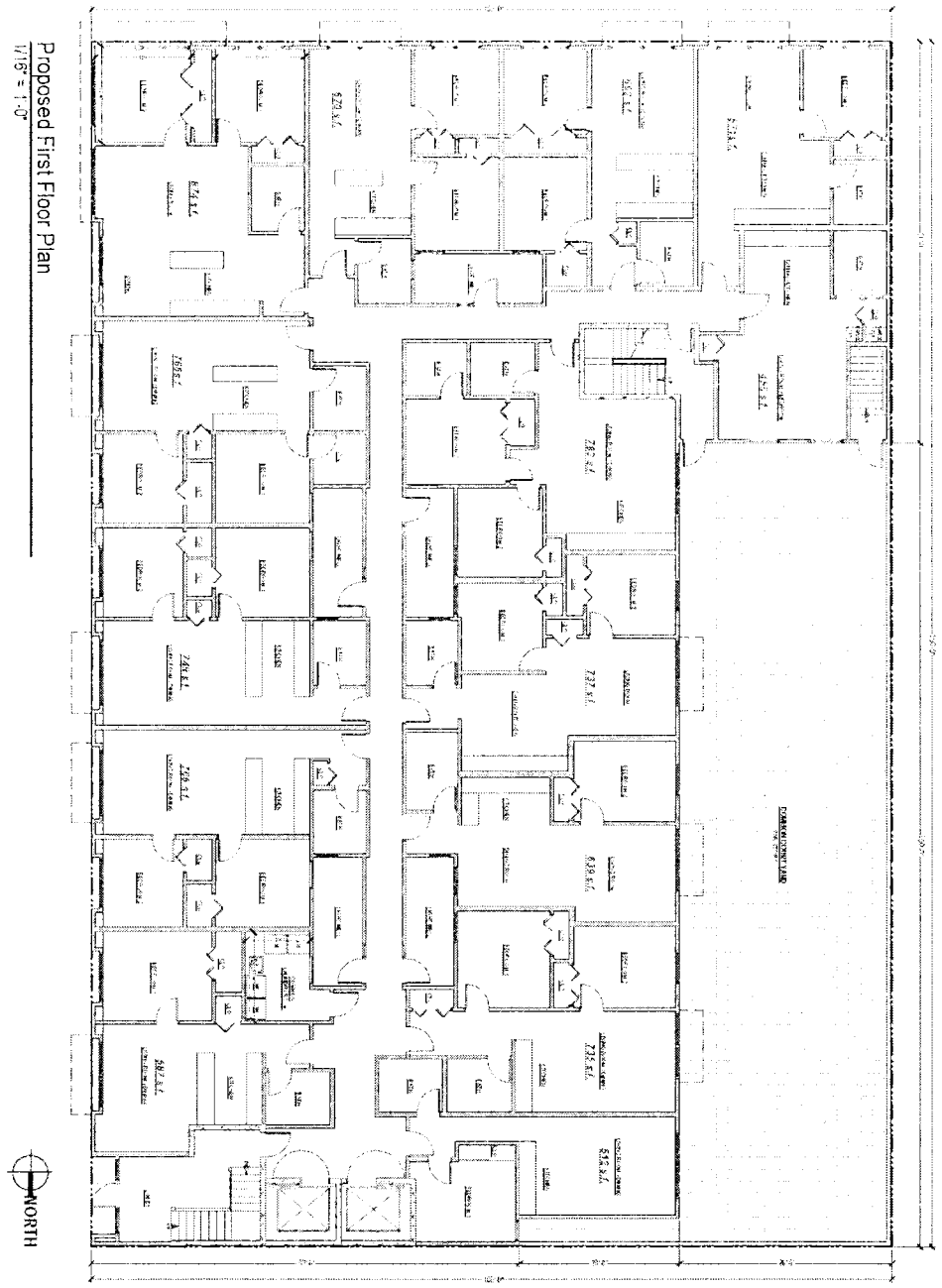

Figure 4 – First Floor Plan
480 Potrero Avenue
Source: Sia Consulting, August 2012

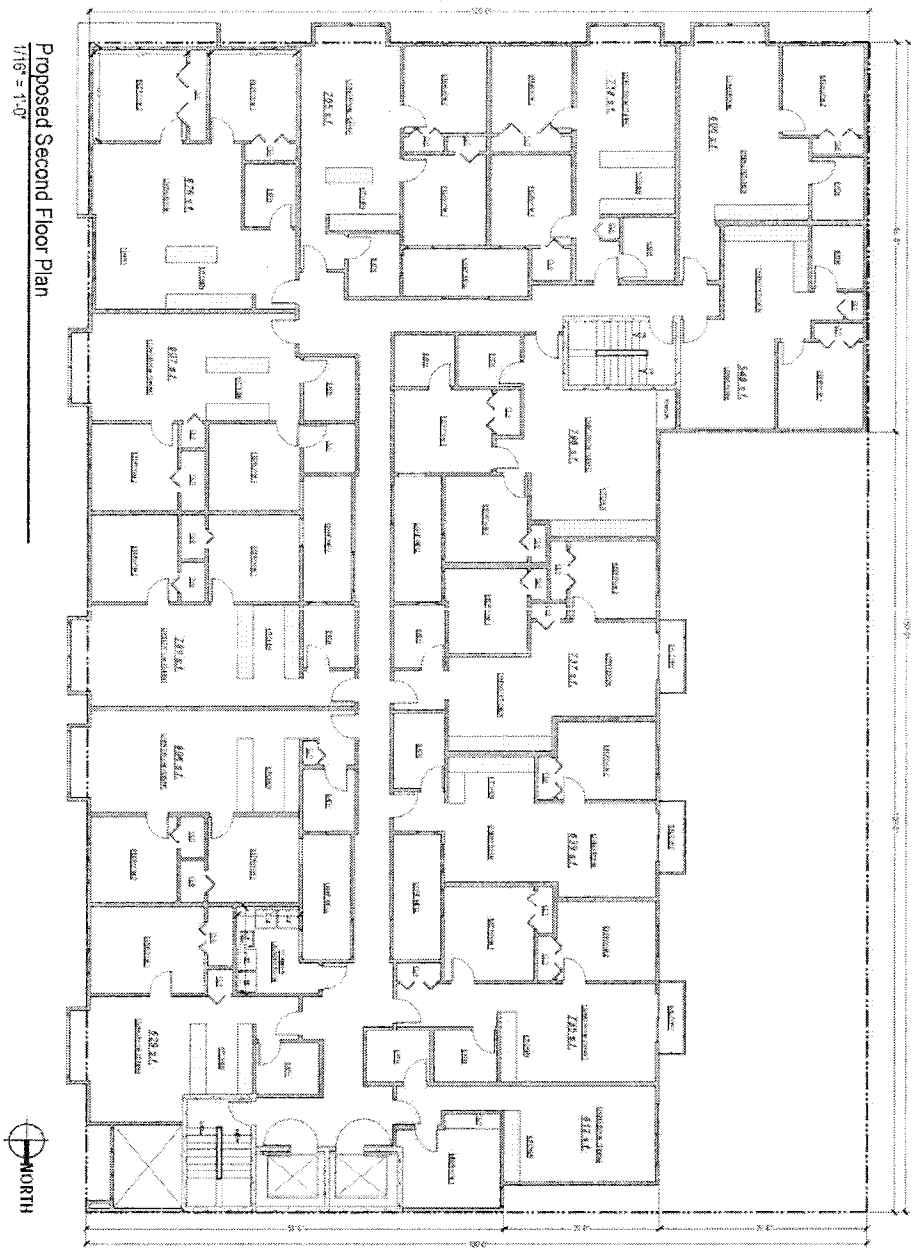

Figure 5 – Second Floor Plan
480 Potrero Avenue
Source: Sia Consulting, August 2012

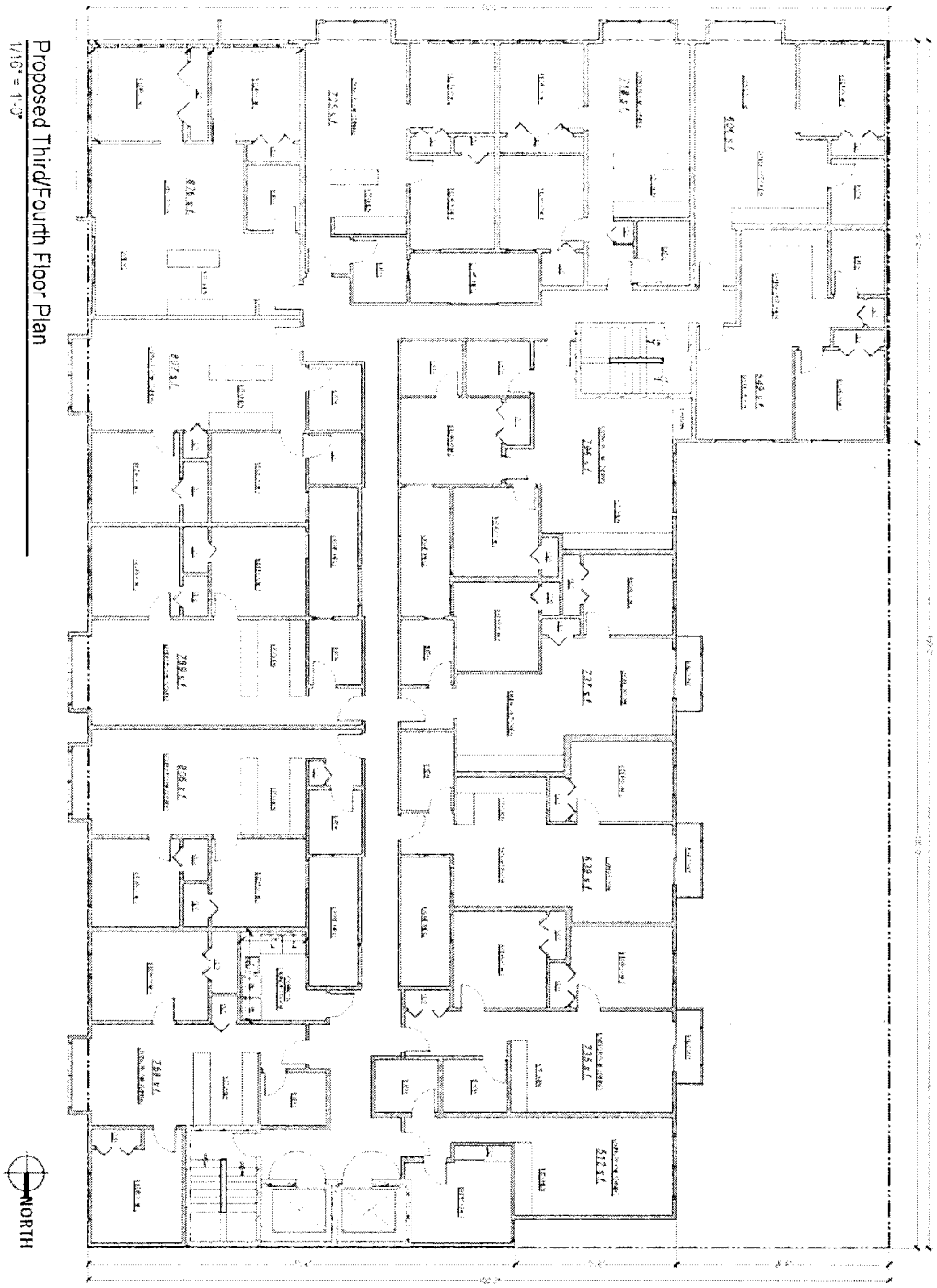

Figure 6 – Third/Fourth Floor Plan
480 Potrero Avenue
Source: Sia Consulting, August 2012

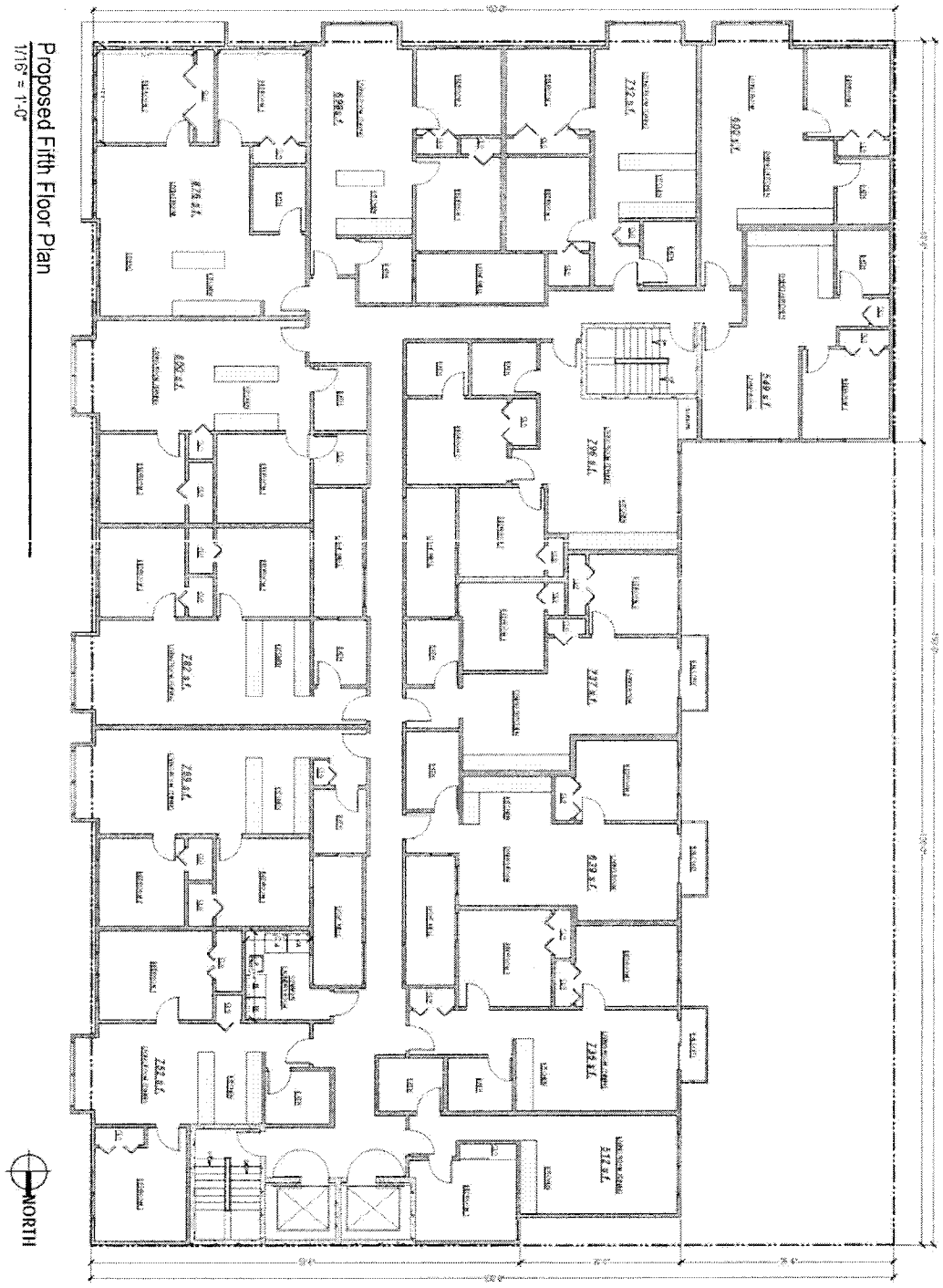

Figure 7 – Fifth Floor Plan
480 Potrero Avenue
Source: Sia Consulting, August 2012

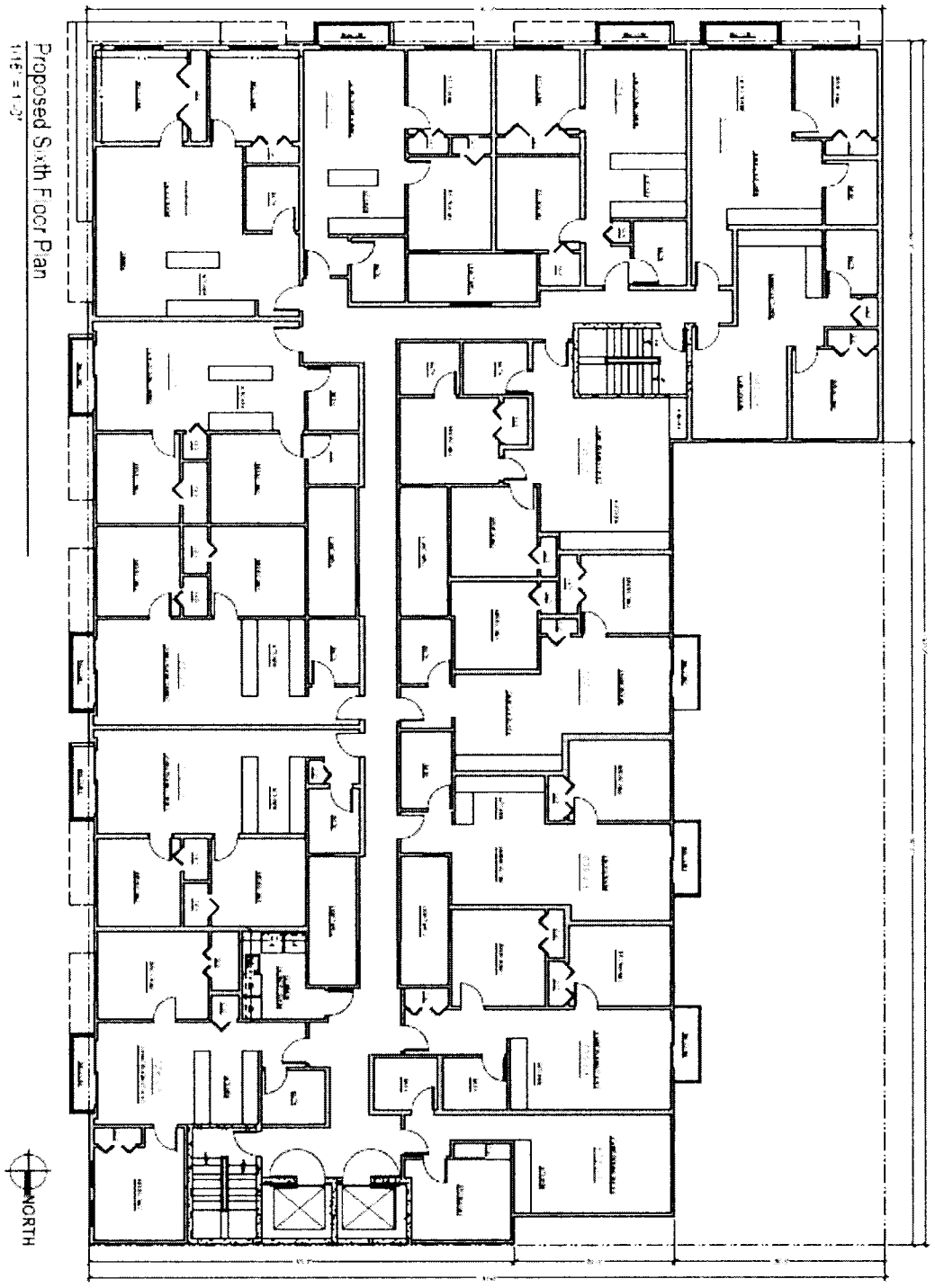

Figure 8 – Sixth Floor Plan
480 Potrero Avenue
Source: Sia Consulting, August 2012

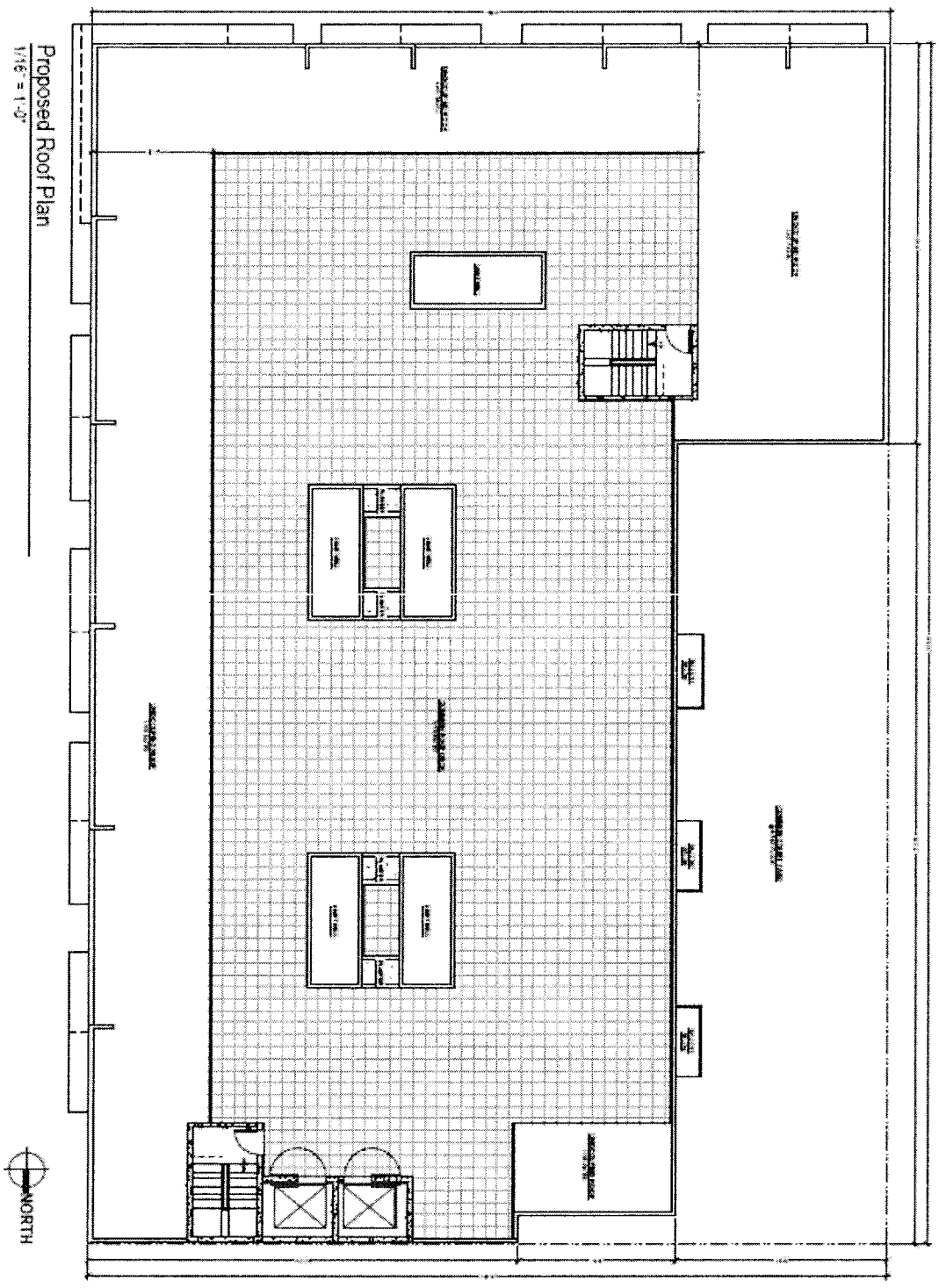

Figure 9 – Roof Plan
480 Potrero Avenue
Source: Sia Consulting, August 2012

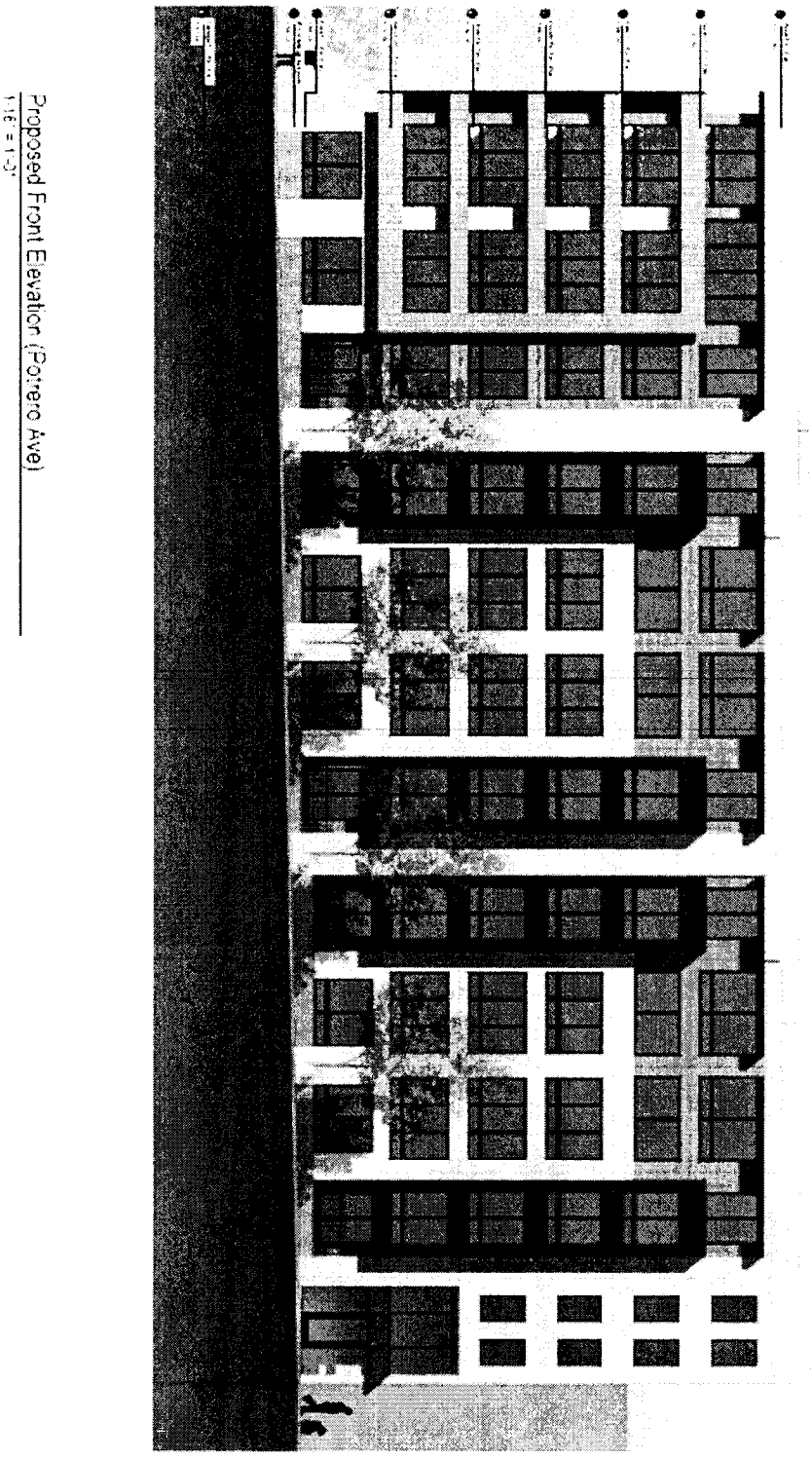

Figure 10 – East Elevation (Potrero Avenue)
480 Potrero Avenue
Source: Sia Consulting, August 2012

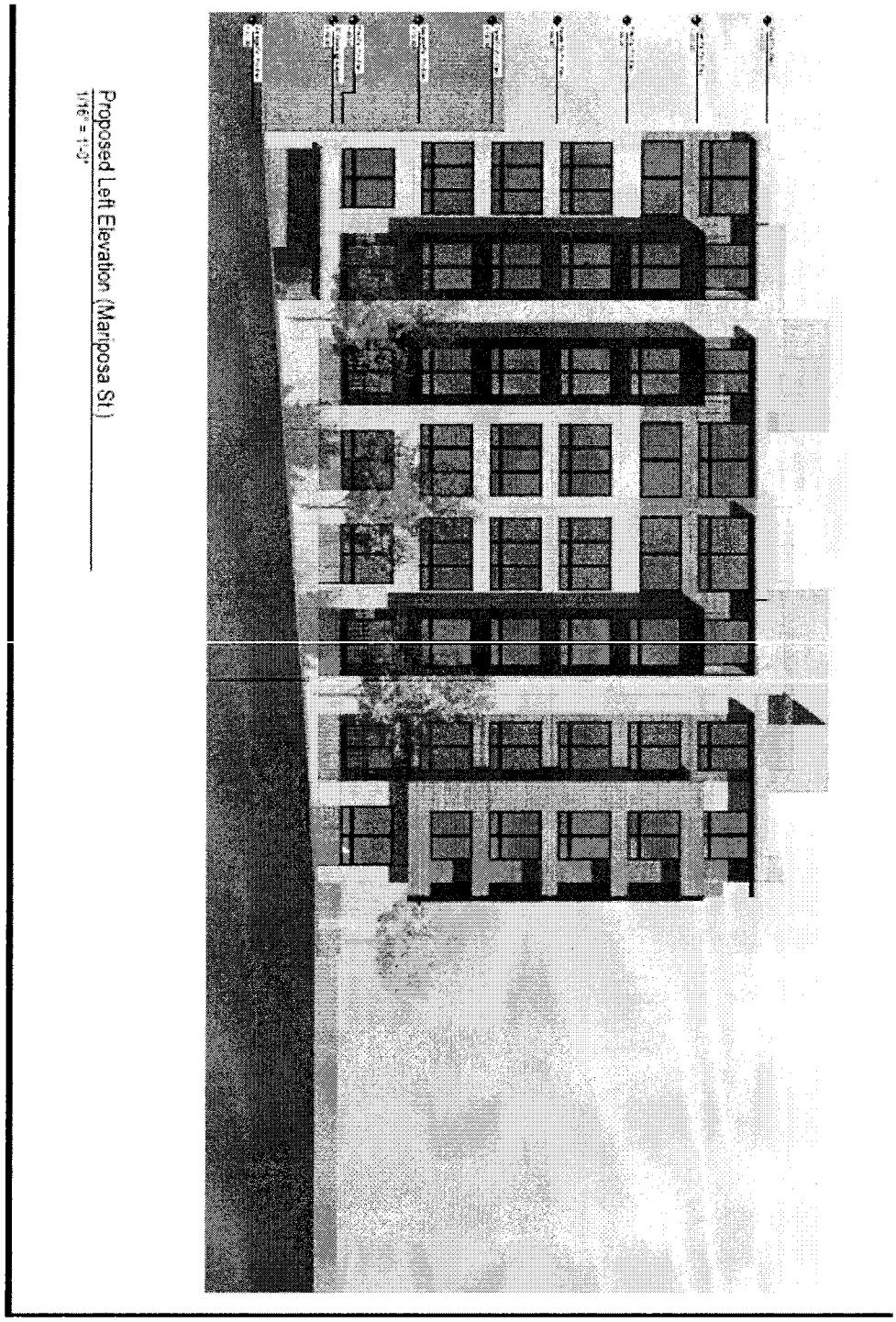

Figure 11 – South Elevation (Mariposa Street)
480 Potrero Avenue
Source: Sia Consulting, August 2012

B. PROJECT SETTING

The project site is located at 480 Potrero Avenue, on the northwest corner of Potrero Avenue and Mariposa Street, at the boundary of the Mission and Potrero Hill neighborhoods. Land uses in the surrounding neighborhood are mixed, and include residential, industrial, commercial, office, and automotive service facilities.

Development along the west side of Potrero Avenue from Mariposa Street to 17th Street, comprises a two-story, industrial building (Sunny Auto Body), and a two-story, office building (currently occupied by Horizons Unlimited) which also fronts on 17th Street.

Along the east side of Potrero Avenue, from 17th Street to Mariposa Street, is a gasoline and service station; a three-story, three-unit apartment building; a two-story industrial building with office use; a two-story, three-unit residential building; a two-story, three-unit residential building; a two-story, two-unit residential building; a three-story, three-unit residential building; and a two-story, two-unit building with ground-floor commercial use (Sadie's Flying Elephant), which is directly across from the project site and also fronts on Mariposa Street.

Immediately adjacent to the project site, along the north side of Mariposa Street from Potrero Avenue to Hampshire Street is a two-story club building (Verdi Hall), and a two-story office building that also fronts on Hampshire Street.

Across the project site, along the south side of Mariposa from Potrero Avenue to Hampshire Street, is a 64-unit apartment complex that that fronts on Hampshire Street, Mariposa Street, and Hampshire Street; and a three-story, office building (Homeless Prenatal Program) that also fronts on 18th Street.

The project site, similar to other parcels along Potrero Avenue, is zoned Urban Mixed Use (UMU). The UMU District is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR (Production, Distribution, and Repair) districts in the Eastern Neighborhoods. Within the UMU, allowed uses include PRD uses such as light manufacturing, home and business services, arts activities, warehouse, and wholesaling. Family-

sized dwelling units are encouraged. Beyond this UMU district is RH-2 (Residential, House, Two-Family) to the south and east and PDR-1-G (Production, Distribution, and Repair - General) to the west and north of project site. In relation to height regulations, surrounding parcels range from 68-X, 58-X, 55-X, and 40-X height and bulk districts.

C. COMPATIBILITY WITH EXISTING ZONING AND PLANS

	Applicable	*Not Applicable*
Discuss any variances, special authorizations, or changes proposed to the Planning Code or Zoning Map, if applicable.	☒	☐
Discuss any conflicts with any adopted plans and goals of the City or Region, if applicable.	☐	☒
Discuss any approvals and/or permits from City departments other than the Planning Department or the Department of Building Inspection, or from Regional, State, or Federal Agencies.	☒	☐

SAN FRANCISCO PLANNING CODE

The *San Francisco Planning Code (Planning Code)*, which incorporates by reference the City's Zoning Maps, governs permitted uses, densities, and configuration of buildings within San Francisco. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless the proposed project conforms to the *Planning Code,* an exception is granted pursuant to provisions of the *Planning Code,* or a reclassification of the site occurs.

The proposed project is a residential development which is a permitted use in the UMU zoning district. As mentioned above, the UMU District is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. Within the UMU, family-sized dwelling units are encouraged. The UMU district does not provide a residential density limit. However, pursuant to Planning Code Section 207.6, no less than 40% of all dwelling units must contain two or more bedrooms, or 30% of all dwelling units must contain three or more bedrooms. The proposed project would provide 58 two-bedroom

units or 69% of the 84 total units, and a conditional use authorization is not required pursuant to Section 207.6.

The project site is located within a 58-X height and bulk district and the proposed building would be 58 feet tall. Bulk restrictions are not required.

Planning Code Section 843.08 does not require off-street parking for residential use. Section 151.1 would permit up to 0.75 off-street parking space for each dwelling unit in the UMU district. As principally permitted, the project, with 84 dwelling units, proposes 38 off-street parking spaces. Section 155.5 of the Planning Code requires that residential projects of 50 dwelling units or more provide 25 bicycle parking spaces plus 1 for every 4 dwellings over 50 dwelling units. The project proposes 84 dwelling units and thus would be required to provide 33 bicycle parking spaces. Thirty-three bicycle parking spaces would be provided in the parking garage.

Pursuant to Section 135 of the Planning Code, approximately 80 square feet of private open space or 54 square feet of common open space per dwelling unit, or some equivalent combination of private and common open space is required. The proposed project would be required to provide 4,536 square feet of common open space, and the project would provide 9,354 square feet of common open space at the first floor courtyard and roof deck. The project would provide more open space than the required amount.

The proposed project would require a Large Project Authorization by the Planning Commission since the proposed project involves new construction of more than 25,000 gross square feet (Section 329).

Projects proposing five or more dwelling units are subject to the Inclusionary Affordable Housing Program outlined in Section 415 of the Code. The project sponsor would fulfill their requirement of complying with Section 415 by providing 13 on-site rental units.

The proposed project would require building permit(s) from the Department of Building Inspection (DBI). Any curb or street modifications would require approval by the Department of Parking and Traffic within the Municipal Transportation Agency (SFMTA) and from the Department of Public Works (DPW). Protection and addition of street trees would require approval from DPW. Prior to disturbing soils on the project site, the San Francisco Department

of Public Health (DPH) shall approve a Site Mitigation Plan (SMP) for the exposure to naturally-occurring asbestos and potential contaminants in soils during construction.

PLANS AND POLICIES

San Francisco General Plan Priority Planning Policies

The San Francisco *General Plan*, which provides general policies and objectives to guide land use decisions, contains some policies that relate to physical environmental issues. The compatibility of the project with *General Plan* policies that do not relate to physical environmental issues will be considered by decision-makers as part of their decision whether to approve or disapprove the proposed project and any potential conflicts identified as part of that process would not alter the physical environmental effects of the proposed project.

In November 1986, the voters of San Francisco approved Proposition M, the Accountable Planning Initiative, which added Section 101.1 to the City's *Planning Code* to establish eight Priority Policies. These policies, and the sections of this Environmental Evaluation addressing the environmental issues associated with the policies, are: (1) preservation and enhancement of neighborhood-serving retail uses; (2) protection of neighborhood character (Question 1c, Land Use); (3) preservation and enhancement of affordable housing (Question 3b, Population and Housing, with regard to housing supply and displacement issues); (4) discouragement of commuter automobiles (Questions 5a, b, f, and g, Transportation and Circulation); (5) protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership (Question 1c, Land Use); (6) maximization of earthquake preparedness (Questions 13 a-d, Geology, Soils, and Seismicity); (7) landmark and historic building preservation (Question 4a, Cultural Resources); and (8) protection of open space (Questions 8 a and b, Wind and Shadow, and Questions 9a and c, Recreation and Public Space). Prior to issuing a permit for any project which requires an Initial Study under the California Environmental Quality Act (CEQA), and prior to issuing a permit for any demolition, conversion, or change of use, and prior to taking any action which requires a finding of consistency with the *General Plan*, the City is required to find that the proposed project or legislation is consistent with the Priority Policies. As noted above, the consistency of the proposed project with the environmental topics associated with the Priority Policies is discussed in the Evaluation of Environmental Effects.

Other Plans

Environmental plans and policies are those, like the Bay Area Air Quality Plan, that directly address environmental issues and/or contain targets or standards, which must be met in order to preserve or improve characteristics of the City's physical environment. The proposed project would not obviously or substantially conflict with any such adopted environmental plan or policy.

Eastern Neighborhoods Rezoning and Area Plans

The project site is located within the Mission Area Plan, one of four area plans analyzed in the Eastern Neighborhoods Rezoning and Area Plans EIR that was adopted in December 2008. The Eastern Neighborhoods planning effort was intended to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods also included changes to existing height and bulk districts in some areas.

During the Eastern Neighborhoods adoption phase, the Planning Commission held public hearings to consider the various aspects of the proposed area plans, and Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods Final EIR by Motion 176591 and adopted the Preferred Project for final recommendation to the Board of Supervisors.[2]

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

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[1] *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report*, Planning Department Case No. 2004.0160E, certified August 7, 2008. The FEIR is on file for public review at the Planning Department, 1650 Mission Street Suite 400 as part of Case No. 2004.0160E, or at: http://www.sfgov.org/site/planning_index.asp?id=67762.

[2] San Francisco Planning Commission Motion 17659, August 7, 2008. http://www.sfgov.org/site/uploadedfiles/planning/Citywide/Eastern_Neighborhoods/Draft_Resolution_Public%20Parcels_FINAL.pdf

The current project at 480 Potrero Avenue is based on the findings of the Eastern Neighborhoods Final EIR, a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a "No Project" alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the Final EIR.

The project site is located in the Mission Area of the Eastern Neighborhoods, and the Planning Department's Citywide Planning, Environmental Planning, and Current Planning staff have determined that the proposed project is consistent with density established with the Eastern Neighborhoods, satisfies the requirements of the General Plan and the Planning Code, and is eligible for a Community Plan Exemption.[3,4] The sufficiency of the Eastern Neighborhoods EIR for environmental review of the proposed project was considered in the Community Plan Exemption Checklist, discussed below.

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[3] San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 480 Potrero Avenue. This document is on file and available for review as part of Case File No. 2011.0430E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

[4] San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 480 Potrero Avenue. This document is on file and available for review as part of Case File No. 2011.0430E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

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 factor checked below.

☐ Land Use	☐ Air Quality	☐ Biological Resources
☐ Aesthetics	☐ Greenhouse Gas Emissions	☐ Geology and Soils
☐ Population and Housing	☐ Wind and Shadow	☐ Hydrology and Water Quality
☐ Cultural and Paleo. Resources	☐ Recreation	☒ Hazards/Hazardous Materials
☐ Transportation and Circulation	☐ Utilities and Service Systems	☐ Mineral/Energy Resources
☐ Noise	☐ Public Services	☐ Agricultural and Forest Resources
	☒ Mandatory Findings of Significance	

E. EVALUATION OF ENVIRONMENTAL EFFECTS

California Environmental Quality Act (CEQA) State Guidelines Section 15183 provides an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects for projects eligible for a Community Plan Exemption 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 which were not discussed in the underlying EIR; and d) are previously identified in the EIR, but which 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 that project solely on the basis of that impact.

An initial analysis, in the form of a Community Plan Exemption Checklist and Determination, was conducted by the Planning Department to evaluate potential project-specific environmental effects peculiar to the 480 Potrero Avenue project, and it incorporated by reference information contained within the Eastern Neighborhoods Final EIR (Case No. 2004.0160E; State Clearinghouse No. 2005032048). This initial analysis assessed the proposed project's potential to cause environmental impacts and concluded that, with the exception of hazardous materials, the proposed project would not result in new, potentially significant peculiar environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods Final EIR.[5] Due to the potentially significant peculiar impact concerning hazardous materials, this Focused Initial Study was prepared for that topic area only.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
1. HAZARDS AND HAZARDOUS MATERIALS Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐	☐
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?	☐	☐	☐	☐	☒
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?	☐	☐	☐	☐	☒

5 Community Plan Exemption Checklist, 480 Potrero Avenue, September 26, 2012. This document is on file and available for review as part of Case File No. 2012.0110E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	☐
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	☐	☐	☐	☒	☐

The project site is not located within one-quarter mile of an existing or proposed school, and therefore, Topic 1c is not applicable to the proposed project. The project site is not included on the Department of Toxic Substances Control (DTSC) list compiled pursuant to Government Code Section 65962.5 of hazardous materials sites in San Francisco, and therefore, Topics 1d is not applicable to the proposed project. The project site is not located within an airport land use plan area, nor is it in the vicinity of a private airstrip, and therefore, Topics 1e and 1f are not applicable to the proposed project. The Maher Ordinance (Ordinance 253-86) is a San Francisco ordinance that requires certain hazardous materials reporting and handling for parcels primarily located "Bayward of the high-tide-line." The project site is not within the limits of the Maher Zone.

Impact HZ-1: The proposed project would not create a significant hazard through routine transport, use, disposal, handling or emission of hazardous materials. (Less than Significant)

The project would involve the construction of a new residential development containing 84 dwelling units on a vacant lot. As with other residential developments, the development would likely handle common types of hazardous materials, such as cleaners and disinfectants. These products are labeled to inform users of potential risks and to instruct them in appropriate handling procedures. Most of these materials are consumed through use, resulting in relatively little waste. Businesses are required by law to ensure employee safety by identifying hazardous materials in the workplace, providing safety information to workers who handle hazardous materials, and adequately training workers. For these reasons, hazardous materials used during project operation would not pose any substantial public health or safety hazards related to

hazardous materials. Thus, there would be less-than-significant impacts related to hazardous materials use, with development of the proposed project.

Impact HZ-2: Demolition and excavation of the project site would result in handling and accidental release of contaminated soils and the exposure of serpentinite bedrock. (Less than Significant with Mitigation Incorporated)

The subject property was developed in 1946 and was previously used as a warehouse by a mechanical contractor, manufacturing parts for the American Racing Company, and a machine shop for welding and lifting devices. The project site is currently a vacant lot containing the remnants of the foundation for the former four-story concrete live/work structure that was demolished in 2005.

A Phase I Environmental Site Assessment (ESA) was prepared for the project site.[6] An ESA describes current and prior uses of the property, reviews environmental agency databases and records, reports site reconnaissance observations, and summarizes potential soil and groundwater contamination issues. The following is a summary from the Phase I ESA for the proposed project.

According to the ESA, the 1900 Sanborn map shows that the project site, as well as properties to the north, south, and west, were unoccupied. To the east a vacant lot and some residential development are present. The 1914 Sanborn map indicated scattered lumber piles occupying the site. The property to the north was also occupied by scattered lumber piles, and the St. Francis Welfare League Club House. The property to the east shows more residential development since the 1900 Sanborn map. To the south, the California Card Manufacturing Company and an office are located. To the west scattered lumber piles are evident. The 1950 Sanborn map indicates a number of changes from the 1914 Sanborn map. The site is occupied by an office building and a vacant lot at 480 Potrero Avenue, and J.D. Christian Machinery Manufacturing at 460 to 470 Potrero Avenue. To the north, a rubber products warehouse is located and to the east, residential property is located. The property to the south remains unchanged from the 1914 Sanborn map. To the west, an Athletic Club and furniture warehouse is present. To the west across Hampshire Street, the San Francisco Municipal Railways Garage Bus Service and Repair is present.

[6] Treadwell & Rollo, Phase I Environmental Site Assessment, 460-480 Potrero Avenue, San Francisco, August 17, 2000. A copy of this document is available for review at the Planning Department, 1650 Mission Street, Suite 400, in File No. 2011.0430E.

The 1975 Sanborn map shows no significant changes to the site at 480 Potrero Avenue. At 460 and 470 Potrero, the site is occupied by a Manufacturing Marine and Industrial Equipment warehouse. The property to the north is occupied by a Market Equipment warehouse, and the property to the east remains unchanged from the 1950 map. The property to the south is now vacant and the property to the west is unchanged from the previous Sanborn map. The 1987, 1989, and 1991 Sanborn maps shows the site as it was during the site reconnaissance for the Phase I ESA. The properties to the north, east, and west remains unchanged from the previous Sanborn map and the Mariposa Apartment complex now occupies the property to the south.

The ESA reports that the site is not listed on regulatory agency database and no records were found at the San Francisco Department of Public Health (SFDPH) or San Francisco Fire Department files regarding fuel or hazardous material releases at the site. However, one underground storage tank was removed from the site on July 11, 2000. Two soil samples collected from beneath the former tank did not detect any petroleum hydrocarbons contamination at or above method reporting limits. Based on the analytical results, case closure with no further action was requested to SFDPH. The site has been granted Case Closure and a Remedial Action Completion Certificate from the San Francisco Department of Public Health (SFDPH) dated August 1, 2000 and no additional environmental investigation or groundwater monitoring is required.[7] Therefore, potential hazardous materials impacts related to groundwater would be less-than-significant. As such, the mitigation measures discussed below pertain to potential soil contamination.

In addition, there are four facilities within the ESA study area that appear on agency lists. These facilities are located at 2440 Mariposa Street, about 150 feet southwest and up gradient of the project site; 445 Hampshire Street, about 400 feet northwest and cross gradient of the project site; 2650 18th Street, about 600 feet southwest and up gradient of the project site; and 626 Potrero Avenue, about 700 feet south and cross gradient of the project site. There is no readily available evidence that these facilities have affected or are likely to affect the environmental conditions of the site.

[7] A copy of the SFDPH letter can be reviewed at 1650 Mission Street, Suite 400 in Case File No. 2011.0430E.

The project site is likely underlain with approximately three feet of fill that possibly contains elevated concentrations of petroleum hydrocarbons and heavy metals. The sources of these chemicals generally result from past regional industrial activities and debris from the 1906 Earthquake and Fire. In the site vicinity, previous investigations encountered groundwater at approximately 12 to 14 feet below existing grade.

The proposed project, the construction of a six-story residential building containing 84 units, would require excavation of up to approximately 16 feet below grade. The project sponsor proposes to support the residential building with a concrete foundation system. This project design feature would encapsulate the soil and groundwater underneath the project site. Therefore, implementation of the proposed project would further reduce any health risk through dermal contact, inhalation, and ingestion as the proposed building's concrete foundation would provide a physical barrier between any contaminations and site users.

Results of subsurface investigation also indicate that the site is underlain by approximately three feet of fill overlying serpentinite bedrock.[8] When serpentine is exposed, it becomes weathered. The serpentine mineral is released and becomes part of the soil. Serpentinite commonly contains naturally occurring chrysotile asbestos (NOA), a fibrous mineral that can be hazardous to human health if it becomes airborne. In the absence of proper controls, the asbestos could become airborne during the excavation and the handling of excavated materials. On-site workers and the public could be exposed to the airborne asbestos unless appropriate control measures are implemented.

A Site Mitigation Plan (SMP) would be required for the proposed project due to the presence of the serpentinite bedrock. The SMP would present the soil management measures for soil/rock excavation and grading activities that would occur as part of construction at the project site. It should include measures to mitigate potential risks to the environment and to protect on-site construction workers, nearby residents, and pedestrians from potential exposure to substances encountered during soil excavation and grading activities.

The project sponsor would be required to ensure that the construction contractors comply with the asbestos Airborne Toxic Control Measure (ATCM) to prevent airborne (fugitive) dust

[8] Treadwell and Rollo, "Geotechnical Investigation, 480 Potrero Avenue, San Francisco, California," December 17, 2004. This report is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, in Project File No. 2011.0430E.

containing asbestos from migrating beyond property boundaries during excavation and handling of excavated materials. The measures implemented would protect the workers themselves as well as the public. The California Air Resources Board (CARB) adopted the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations, which became effective in the Bay Area Air Quality Management District (BAAQMD) on November 19, 2002.[9] The ATCM protects public health and the environment by requiring the use of best available dust mitigation measures to prevent off-site migration of asbestos-containing dust from road construction and maintenance activities, construction and grading operations, and quarrying and surface mining operations in areas of ultramafic rock,[10] serpentine,[11] or asbestos.[12] The BAAQMD implements this regulation in the Bay Area.

Implementation of **Mitigation Measure M-HZ-2A**, which would include a requirement for the project sponsor to implement a Site Mitigation Plan (SMP) and comply with the Asbestos ATCM, would ensure that project impacts related to exposure to naturally-occurring asbestos in soils and rock during construction would be reduced to a less than significant level.

Workers and members of the public in the area during project construction could also be exposed to contaminated soils (petroleum hydrocarbons and heavy metals), and this potential exposure to hazardous materials is a potentially significant impact. Implementation of **Mitigation Measures M-HZ-2B and M-HZ-2C**, which would include the preparation of a soil management plan and a health and safety plan prior to construction and were developed in consultation with the SFDPH's Environmental Health Section, would reduce this impact to a less-than-significant level. The following mitigation measures would mitigate any long-term environmental or health and safety risks caused by the presence of the low-level petroleum hydrocarbons in the soil and

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9 California Air Resources Board, Regulatory Advisory, *Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations*, July 29, 2002.

10 Ultramafic rocks are formed in high temperature environments well below the surface of the earth.

11 Serpentine is a naturally occurring group of minerals that can be formed when ultramafic rocks are metamorphosed during uplift to the earth's surface. Serpentinite is a rock consisting of one or more serpentine minerals, formed when ultramafic rocks metamorphose. This rock type is commonly associated with ultramafic rock along faults such as the Hayward fault. Small amounts of chrysotile asbestos, a fibrous form of serpentine minerals are common in serpentinite.

12 Asbestos is a term used for several types of naturally occurring fibrous materials found in many parts of California.

groundwater, as well as any project impacts related to exposure to naturally-occurring asbestos in soils and rock during construction.

Mitigation Measure M-HZ-2A: Construction Air Quality (Asbestos)

A Site Mitigation Plan (SMP) will be implemented to address the asbestos exposure to the construction workers, nearby residents, pedestrians and future users of the site. Dust control measures are to be implemented to reduce exposure during excavation, grading, loading and transporting of excavated materials. Soil/rock excavated and removed from the site will require appropriate disposal; additional sampling may be necessary. These measures are to include:

- Site fencing.
- Wetting exposed soil/rock – exposed soil/rock will be watered at least twice a day to prevent visible dust from migrating off-site.
- Covering exposed soil/rock. In particular, stockpiles will be covered and trucks transporting contaminated soil/rock will be covered with a tarpaulin or other cover.
- Preventing distribution of dust and soil/rock off-site by decontamination and other measures to prevent soil/rock from being tracked off-site by vehicles or carried off-site on clothes. Measures to achieve this include: water being misted or sprayed during the loading of soil/rock onto trucks for off-haul; wheels being cleaned prior to entering public streets; public streets will be swept daily if soil/rock is visible and excavation and loading activities will be suspended if winds exceed 20 miles per hour.
- Instituting a site-specific health and safety plan (HSP) developed by a certified industrial hygienist that represents the site contractors, which includes that air sampling and monitoring be conducted to evaluate the amount of airborne particles generated during excavation, grading, loading and transportation.
- Contacting BAAQMD and completion of an Asbestos Dust Mitigation Plan permit application with BAAQMD prior to any excavation activities.

In order to control potential exposure during soil/rock disturbance, the soil/rock are to be moisture conditioned using dust suppressants, covering exposed soil/rock and stockpiles with weighed down plastic sheeting or capping the site with building asphalt or at least two feet of clean imported fill.

Excavated soil is to be disposed off-site after proper profiling for disposal. Before disposal of asbestos materials, the soils will be characterized and will be analyzed for chromium and nickel. Excavated soil/rock material will either be loaded directly into trucks and removed from the site or stockpiled onsite. If stockpiled, the soil/rock will be placed on visqueen, bermed and tarped at all times.

Direct contact to the underlying soil/rock by future site users will be mitigated by encapsulation with the concrete foundation system and buildings. It is not anticipated that groundwater will be encountered during construction.

If unanticipated hazardous materials are encountered, the work is to stop; the site superintendent and project contractor are to be notified to conduct an inspection.

After excavation and foundation construction activities are completed, the project sponsor shall prepare and submit a closure/certification report to EHS-HWU at DPH for review and approval. The closure/certification report shall include mitigation measures for handling and removing contaminated soils from the project site, whether the construction contractor modified any of these mitigation measures, and how and why the construction contractor modified those mitigation measures.

Mitigation Measure M-HZ-2B: Testing for and Handling, Hauling, and Disposal of Contaminated Soils

Step 1: Soil Testing. Prior to approval of a building permit for the project, the project sponsor shall hire a consultant to collect soil samples (borings) from areas on the site in which soil would be disturbed and test the soil samples for contamination. The project sponsor shall enter the San Francisco Voluntary Remedial Action Program (VRAP) under the DPH. The project sponsor shall submit a VRAP application and a fee of $592 in the form of a check payable to the San Francisco Department of Public Health (DPH), to the Site Assessment and Mitigation Program, Department of Public Health, 1390 Market Street, Suite 210, San Francisco, California 94102. The fee of $592 shall cover three hours of soil testing report review and administrative handling. If additional review is necessary, DPH shall bill the project sponsor for each additional hour of review over the first three hours, at a rate of $197 per hour. These fees shall be charged pursuant to Section 31.47(c) of the San Francisco Administrative Code. The consultant shall submit the work plan to DPH for review and concurrence prior to performing the soil sampling. The consultant shall

analyze the soil borings as discrete, not composite samples. The consultant shall prepare a report on the soil testing that includes the results of the soil testing and a map that shows the locations of stockpiled soils from which the consultant collected the soil samples. The project sponsor shall submit the report on the soil testing to DPH for review and concurrence. DHP shall review the soil testing program to determine whether soils on the project site are contaminated with lead or petroleum hydrocarbons at or above potentially hazardous levels.

Step 2: Preparation of Site Mitigation Plan. Prior to beginning demolition and construction work, the project sponsor shall prepare a Site Mitigation Plan (SMP). The SMP shall include a discussion of the level of contamination of soils on the project site and mitigation measures for managing contaminated soils on the site, including but not limited to: 1) the alternatives for managing contaminated soils on the site (e.g., encapsulation/capping, partial or complete removal, treatment, recycling for reuse, or a combination); 2) the preferred alternative for managing contaminated soils on the site and a brief justification; and 3) the specific practices to be used to handle, haul, and dispose of contaminated soils on the site. The SMP shall be submitted to the DPH for review and approval at least six weeks prior to beginning demolition and construction work. A copy of the SMP shall be submitted to the Planning Department to become part of the case file. Additionally, the DPH may require confirmatory samples for the project site.

Step 3: Handling, Hauling, and Disposal of Contaminated Soils

(a) Specific work practices: If, based on the results of the soil tests conducted, DPH determines that the soils on the project site are contaminated at or above potentially hazardous levels, the construction contractor shall be alert for the presence of such soils during excavation and other construction activities on the site (detected through soil odor, color, and texture and results of on-site soil testing), and shall be prepared to handle, profile (i.e., characterize), and dispose of such soils appropriately (i.e., as dictated by local, state, and federal regulations) when such soils are encountered on the site. If excavated materials contain over one percent friable asbestos, they shall be treated as hazardous waste, and shall be transported and disposed of in accordance with applicable State and federal regulations. These procedures are intended to mitigate any potential health risks related to chrysotile asbestos, which may or may not be located on the site.

(b) Dust suppression: Soils exposed during excavation for site preparation and project construction activities shall be kept moist throughout the time they are exposed, both during and after construction work hours.

(c) Surface water runoff control: Where soils are stockpiled, visqueen shall be used to create an impermeable liner, both beneath and on top of the soils, with a berm to contain any potential surface water runoff from the soil stockpiles during inclement weather.

(d) Soils replacement: If necessary, clean fill or other suitable material(s) shall be used to bring portions of the project site, where contaminated soils have been excavated and removed, up to construction grade.

(e) Hauling and disposal: Contaminated soils shall be hauled off the project site by waste hauling trucks appropriately certified with the State of California and adequately covered to prevent dispersion of the soils during transit, and shall be disposed of at a permitted hazardous waste disposal facility registered with the State of California. Any contaminated groundwater shall be subject to the requirements of the City's Industrial Waste Ordinance (Ord. No. 199-77), requiring that groundwater meet specified water quality standards before it may be discharged into the system.

Step 4: Preparation of Closure/Certification Report. After construction activities are completed, the project sponsor shall prepare and submit a closure/certification report to DPH for review and approval. The closure/certification report shall include the mitigation measures in the SMP for handling and removing contaminated soils from the project site, whether the construction contractor modified any of these mitigation measures, and how and why the construction contractor modified those mitigation measures.

Mitigation Measure M-HZ-2C: Disposal of Contaminated Soil, Site Health and Safety Plan

If, based on the results of the soil tests conducted, the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, any contaminated soils designated as hazardous waste and required by DPH to be excavated shall be removed by a qualified Removal Contractor and disposed of at a regulated Class I hazardous waste landfill in accordance with California and U.S. Environmental Protection Agency

regulations, as stipulated in the Site Mitigation Plan. The Removal Contractor shall obtain, complete, and sign hazardous waste manifests to accompany the soils to the disposal site. Other excavated soils shall be disposed of in an appropriate landfill, as governed by applicable laws and regulations, or other appropriate actions shall be taken in coordination with the DPH.

If the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, a Site Health and Safety (H&S) Plan shall be required by the California Division of Occupational Safety and Health (Cal-OSHA) prior to initiating any earth-moving activities at the site. The Site Health and Safety Plan shall identify protocols for managing soils during construction to minimize worker and public exposure to contaminated soils. The protocols shall include at a minimum:

- Sweeping of adjacent public streets daily (with water sweepers) if any visible soil material is carried onto the streets.

- Characterization of excavated native soils proposed for use on site prior to placement to confirm that the soil meets appropriate standards.

- The dust controls specified in the Construction Dust Control Ordinance (176-08). This includes dust control during excavation and truck loading shall include misting of the area prior to excavation, misting soils while loading onto trucks, stopping all excavation work should winds exceed 25 mph, and limiting vehicle speeds onsite to 15mph.

- Protocols for managing stockpiled and excavated soils.

- The Site Health and Safety Plan shall identify site access controls to be implemented from the time of surface disruption through the completion of earthwork construction. The protocols shall include as a minimum:

- Appropriate site security to prevent unauthorized pedestrian/vehicular entry, such as fencing or other barrier or sufficient height and structural integrity to prevent entry and based upon the degree of control required.

- Posting of "no trespassing" signs.

- Providing on-site meetings with construction workers to inform them about security measures and reporting/contingency procedures.

If groundwater contamination is identified, the Site Health and Safety Plan and Site Mitigation Plan shall identify protocols for managing groundwater during construction to minimize worker and public exposure to contaminated groundwater. The protocols shall include procedures to prevent unacceptable migration of contamination from defined plumes during dewatering.

The Site Health and Safety Plan shall include a requirement that construction personnel be trained to recognize potential hazards associated with underground features that could contain hazardous substances, previously unidentified contamination, or buried hazardous debris. Excavation personnel shall also be required to wash hands and face before eating, smoking, and drinking.

The Site Health and Safety Plan shall include procedures for implementing a contingency plan, including appropriate notification and control procedures, in the event unanticipated subsurface hazards are discovered during construction. Control procedures shall include, but would not be limited to, investigation and removal of underground storage tanks or other hazards.

Impact HZ-3: The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. (Less than Significant)

The implementation of the proposed project could add to congested traffic conditions in the immediate area in the event of an emergency evacuation. However, the proposed project would be relatively insignificant within the dense urban setting of the project site and it is expected that traffic would be dispersed within the existing street grid such that there would be no significant adverse effects on nearby traffic conditions. Therefore, the proposed project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan and this impact would be less than significant.

Impact HZ-5: The proposed project would not expose people or structures to a significant risk of loss, injury or death involving fires. (Less than Significant)

San Francisco ensures fire safety and emergency accessibility within new and existing developments through provisions of its Building and Fire Codes. The project would conform to these standards, which may include development of an emergency procedure manual and an exit drill plan for the proposed development. Potential fire hazards (including those associated with hydrant water pressure and blocking of emergency access points) would be addressed during the permit review process. Conformance with these standards would ensure appropriate life safety protections. Consequently, the project would not have a significant impact on fire hazards nor interfere with emergency access plans.

Impact C-HZ: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, would not have a substantial cumulative impact with hazards and hazardous materials. (Less than Significant)

Impacts from hazards are generally site-specific, and typically do not result in cumulative impacts. Any hazards present at surrounding sites would be subject to the same safety requirements discussed for the proposed project above, which would reduce any cumulative hazard effects to levels considered less than significant. Overall, with implementation of Mitigation Measures M-HZ-2A to M-HZ-2C described above, the proposed project would not contribute to any cumulatively considerable significant effects related to hazards and hazardous materials.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
2. MANDATORY FINDINGS OF SIGNIFICANCE—Would the project:					
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒	☐

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
b) Have impacts that would be individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☐	☒	☐
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐	☐

The proposed project would involve the construction of a six-story, 58-foot-tall, residential building containing 84 residential units on a vacant lot. As previously discussed, an initial analysis was conducted and found that, with the exception of hazardous materials, the proposed project would not result in any new, peculiar potentially significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods Final EIR. Due to the peculiar impact found concerning hazardous materials, this Focused Initial Study was prepared for this topic area only.

The foregoing analysis identifies potentially significant impacts regarding hazardous materials, which would be mitigated to a less-than-significant level through implementation of Mitigation Measures M-HZ-2A to M-HZ-2C, as set forth above, would reduce the potential impacts of the proposed project to less-than-significant levels. Therefore, the proposed project would not result in any new significant environmental impacts not already described in the Eastern Neighborhoods Program EIR.

F. MITIGATION MEASURES

Mitigation Measure M-HZ-2A: Construction Air Quality (Asbestos)

A Site Mitigation Plan (SMP) will be implemented to address the asbestos exposure to the construction workers, nearby residents, pedestrians and future users of the site. Dust control measures are to be implemented to reduce exposure during excavation, grading, loading and transporting of excavated materials. Soil/rock excavated and removed from the site will require appropriate disposal; additional sampling may be necessary. These measures are to include:

- Site fencing.
- Wetting exposed soil/rock – exposed soil/rock will be watered at least twice a day to prevent visible dust from migrating off-site.
- Covering exposed soil/rock. In particular, stockpiles will be covered and trucks transporting contaminated soil/rock will be covered with a tarpaulin or other cover.
- Preventing distribution of dust and soil/rock off-site by decontamination and other measures to prevent soil/rock from being tracked off-site by vehicles or carried off-site on clothes. Measures to achieve this include: water being misted or sprayed during the loading of soil/rock onto trucks for off-haul; wheels being cleaned prior to entering public streets; public streets will be swept daily if soil/rock is visible and excavation and loading activities will be suspended if winds exceed 20 miles per hour.
- Instituting a site-specific health and safety plan (HSP) developed by a certified industrial hygienist that represents the site contractors, which includes that air sampling and monitoring be conducted to evaluate the amount of airborne particles generated during excavation, grading, loading and transportation.
- Contacting BAAQMD and completion of an Asbestos Dust Mitigation Plan permit application with BAAQMD prior to any excavation activities.

In order to control potential exposure during soil/rock disturbance, the soil/rock are to be moisture conditioned using dust suppressants, covering exposed soil/rock and stockpiles with weighed down plastic sheeting or capping the site with building asphalt or at least two feet of clean imported fill.

Excavated soil is to be disposed off-site after proper profiling for disposal. Before disposal of asbestos materials, the soils will be characterized and will be analyzed for chromium and nickel. Excavated soil/rock material will either be loaded directly into trucks and removed from the site or stockpiled onsite. If stockpiled, the soil/rock will be placed on visqueen, bermed and tarped at all times.

Direct contact to the underlying soil/rock by future site users will be mitigated by encapsulation with the concrete foundation system and buildings. It is not anticipated that groundwater will be encountered during construction.

If unanticipated hazardous materials are encountered, the work is to stop; the site superintendent and project contractor are to be notified to conduct an inspection.

After excavation and foundation construction activities are completed, the project sponsor shall prepare and submit a closure/certification report to EHS-HWU at DPH for review and approval. The closure/certification report shall include mitigation measures for handling and removing contaminated soils from the project site, whether the construction contractor modified any of these mitigation measures, and how and why the construction contractor modified those mitigation measures.

Mitigation Measure M-HZ-2B: Testing for and Handling, Hauling, and Disposal of Contaminated Soils

Step 1: Soil Testing. Prior to approval of a building permit for the project, the project sponsor shall hire a consultant to collect soil samples (borings) from areas on the site in which soil would be disturbed and test the soil samples for contamination. The project sponsor shall enter the San Francisco Voluntary Remedial Action Program (VRAP) under the DPH. The project sponsor shall submit a VRAP application and a fee of $592 in the form of a check payable to the San Francisco Department of Public Health (DPH), to the Site Assessment and Mitigation Program, Department of Public Health, 1390 Market Street, Suite 210, San Francisco, California 94102. The fee of $592 shall cover three hours of soil testing report review and administrative handling. If additional review is necessary, DPH shall bill the project sponsor for each additional hour of review over the first three hours, at a rate of $197 per hour. These fees shall be charged pursuant to Section 31.47(c) of the San Francisco Administrative Code. The consultant shall submit the work plan to DPH for review and concurrence prior to performing the soil sampling. The consultant shall analyze the soil borings as discrete, not composite samples. The consultant shall prepare a report on the soil testing that includes the results of the soil testing and a map that shows the locations of stockpiled soils from which the consultant collected the soil samples. The project sponsor shall submit the report on the soil testing to DPH for review and concurrence. DHP shall review the soil testing program to determine whether soils on the project site are contaminated with lead or petroleum hydrocarbons at or above potentially hazardous levels.

Step 2: Preparation of Site Mitigation Plan. Prior to beginning demolition and construction work, the project sponsor shall prepare a Site Mitigation Plan (SMP). The SMP shall include a

discussion of the level of contamination of soils on the project site and mitigation measures for managing contaminated soils on the site, including but not limited to: 1) the alternatives for managing contaminated soils on the site (e.g., encapsulation/capping, partial or complete removal, treatment, recycling for reuse, or a combination); 2) the preferred alternative for managing contaminated soils on the site and a brief justification; and 3) the specific practices to be used to handle, haul, and dispose of contaminated soils on the site. The SMP shall be submitted to the DPH for review and approval at least six weeks prior to beginning demolition and construction work. A copy of the SMP shall be submitted to the Planning Department to become part of the case file. Additionally, the DPH may require confirmatory samples for the project site.

Step 3: Handling, Hauling, and Disposal of Contaminated Soils

(a) Specific work practices: If, based on the results of the soil tests conducted, DPH determines that the soils on the project site are contaminated at or above potentially hazardous levels, the construction contractor shall be alert for the presence of such soils during excavation and other construction activities on the site (detected through soil odor, color, and texture and results of on-site soil testing), and shall be prepared to handle, profile (i.e., characterize), and dispose of such soils appropriately (i.e., as dictated by local, state, and federal regulations) when such soils are encountered on the site. If excavated materials contain over one percent friable asbestos, they shall be treated as hazardous waste, and shall be transported and disposed of in accordance with applicable State and federal regulations. These procedures are intended to mitigate any potential health risks related to chrysotile asbestos, which may or may not be located on the site.

(b) Dust suppression: Soils exposed during excavation for site preparation and project construction activities shall be kept moist throughout the time they are exposed, both during and after construction work hours.

(c) Surface water runoff control: Where soils are stockpiled, visqueen shall be used to create an impermeable liner, both beneath and on top of the soils, with a berm to contain any potential surface water runoff from the soil stockpiles during inclement weather.

(d) Soils replacement: If necessary, clean fill or other suitable material(s) shall be used to bring portions of the project site, where contaminated soils have been excavated and removed, up to construction grade.

(e) Hauling and disposal: Contaminated soils shall be hauled off the project site by waste hauling trucks appropriately certified with the State of California and adequately covered to prevent dispersion of the soils during transit, and shall be disposed of at a permitted hazardous waste disposal facility registered with the State of California. Any contaminated groundwater shall be subject to the requirements of the City's Industrial Waste Ordinance (Ord. No. 199-77), requiring that groundwater meet specified water quality standards before it may be discharged into the system.

Step 4: Preparation of Closure/Certification Report. After construction activities are completed, the project sponsor shall prepare and submit a closure/certification report to DPH for review and approval. The closure/certification report shall include the mitigation measures in the SMP for handling and removing contaminated soils from the project site, whether the construction contractor modified any of these mitigation measures, and how and why the construction contractor modified those mitigation measures.

Mitigation Measure M-HZ-2C: Disposal of Contaminated Soil, Site Health and Safety Plan

If, based on the results of the soil tests conducted, the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, any contaminated soils designated as hazardous waste and required by DPH to be excavated shall be removed by a qualified Removal Contractor and disposed of at a regulated Class I hazardous waste landfill in accordance with California and U.S. Environmental Protection Agency regulations, as stipulated in the Site Mitigation Plan. The Removal Contractor shall obtain, complete, and sign hazardous waste manifests to accompany the soils to the disposal site. Other excavated soils shall be disposed of in an appropriate landfill, as governed by applicable laws and regulations, or other appropriate actions shall be taken in coordination with the DPH.

If the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, a Site Health and Safety (H&S) Plan shall be required by the California Division of Occupational Safety and Health (Cal-OSHA) prior to initiating any earth-

moving activities at the site. The Site Health and Safety Plan shall identify protocols for managing soils during construction to minimize worker and public exposure to contaminated soils. The protocols shall include at a minimum:

- Sweeping of adjacent public streets daily (with water sweepers) if any visible soil material is carried onto the streets.

- Characterization of excavated native soils proposed for use on site prior to placement to confirm that the soil meets appropriate standards.

- The dust controls specified in the Construction Dust Control Ordinance (176-08). This includes dust control during excavation and truck loading shall include misting of the area prior to excavation, misting soils while loading onto trucks, stopping all excavation work should winds exceed 25 mph, and limiting vehicle speeds onsite to 15mph.

- Protocols for managing stockpiled and excavated soils.

- The Site Health and Safety Plan shall identify site access controls to be implemented from the time of surface disruption through the completion of earthwork construction. The protocols shall include as a minimum:

- Appropriate site security to prevent unauthorized pedestrian/vehicular entry, such as fencing or other barrier or sufficient height and structural integrity to prevent entry and based upon the degree of control required.

- Posting of "no trespassing" signs.

- Providing on-site meetings with construction workers to inform them about security measures and reporting/contingency procedures.

If groundwater contamination is identified, the Site Health and Safety Plan and Site Mitigation Plan shall identify protocols for managing groundwater during construction to minimize worker and public exposure to contaminated groundwater. The protocols shall include procedures to prevent unacceptable migration of contamination from defined plumes during dewatering.

The Site Health and Safety Plan shall include a requirement that construction personnel be trained to recognize potential hazards associated with underground features that could contain hazardous substances, previously unidentified contamination, or buried hazardous debris. Excavation personnel shall also be required to wash hands and face before eating, smoking, and drinking.

The Site Health and Safety Plan shall include procedures for implementing a contingency plan, including appropriate notification and control procedures, in the event unanticipated subsurface hazards are discovered during construction. Control procedures shall include, but would not be limited to, investigation and removal of underground storage tanks or other hazards.

G. PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was mailed on May 23, 2012 to owners of properties within 300 feet of the project site and adjacent occupants. Fifteen members of the public expressed concerns related to the proposed project but none of the comments were related to hazardous materials. All concerns raised by the public were addressed in the Community Plan Exemption Certificate. [13]

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[13] Community Plan Exemption Certificate, 480 Potrero Avenue. This document is on file and available for review as part of Case No. 2011.0430E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

H. DETERMINATION

On the basis of this Initial Study:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental documentation is required.

Bill Wycko
Environmental Review Officer
for
John Rahaim
Director of Planning

DATE September 7, 2012

SAN FRANCISCO
PLANNING DEPARTMENT

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Attachment A
Certificate of Determination
EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.:	**2011.0430E**
Project Address:	**480 Potrero Avenue**
Zoning:	UMU (Urban Mixed Use) Zoning District 58-X Height and Bulk District
Block/Lot:	3973/002C
Lot Size:	15,000 square feet
Plan Area:	Mission Subarea of the Eastern Neighborhoods
Project Sponsor:	Reza Khoshnevisan, Sia Consulting, (415) 922-0200
Staff Contact:	Don Lewis, (415) 575-9095, don.lewis@sfgov.org

PROJECT DESCRIPTION:

The rectangular project site is located at the northwest corner of Potrero Avenue and Mariposa Street on the boundary of the Mission and Potrero Hill neighborhoods. The project site is currently a vacant lot containing the remnants of the foundation from the former four-story concrete live/work structure that was demolished in 2005. The project sponsor proposes the construction of a six-story, 58-foot-tall, residential building approximately 89,600 square feet in size. The new building would contain 84 residential units (26 one-bedroom and 58 two-bedroom) and 38 parking spaces in a one-level basement parking garage accessed from Mariposa Street. The proposed building would include windows and doors with a minimum Sound Transmission Class rating of 27 and mechanical ventilation. The proposed project would require Planning Commission authorization under Planning Code Section 329 for construction of a building greater than 25,000 square feet in size. The project site is located in the eastern portion of the Mission Area Plan, which is one of the area plans adopted through the Eastern Neighborhoods Planning effort.

EXEMPT STATUS:

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

REMARKS:

(See next page.)

DETERMINATION:

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

BILL WYCKO
Environmental Review Officer

Date

cc: Reza Khoshnevisan, Project Sponsor; Supervisor David Campos, District 9; Ben Fu, Current Planning Division; Exemption/Exclusion File; Virna Byrd, M.D.F.

REMARKS:

California Environmental Quality Act (CEQA) State Guidelines Section 15183 provides an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific 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 which were not discussed in the underlying EIR; and d) are previously identified in the EIR, but which 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 that project solely on the basis of that impact.

This determination evaluates the potential project-specific environmental effects peculiar to the 480 Potrero Avenue residential project described above, and incorporates by reference information contained within the Eastern Neighborhoods Rezoning and Area Plans Final EIR (Eastern Neighborhoods Final EIR) (Case No. 2004.0160E; State Clearinghouse No. 2005032048). Project-specific studies summarized in this determination were prepared for the proposed project at 480 Potrero Avenue to determine if there would be significant impacts attributable to the proposed project.

With the exception of hazards and hazardous materials, this determination assesses the proposed project's potential to cause environmental impacts and concludes that the proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods Final EIR.[1] With the exception of hazards and hazardous materials, this determination does not identify new or additional information that would alter the conclusions of the Eastern Neighborhoods Final EIR. This determination also identifies mitigation measures contained in the Eastern Neighborhoods Final EIR that would be applicable to the proposed project at 480 Potrero Avenue. Relevant information pertaining to prior environmental review conducted for the Eastern Neighborhoods is included below, as well as an evaluation of potential environmental effects. A Focused Initial Study/ Mitigated Negative Declaration was also prepared for the proposed project to cover potentially significant project-specific impacts regarding hazards and hazardous materials. Additional mitigation measures, not included in the FEIR, are described in the Initial Study/ Mitigated Negative Declaration.

Background

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods Final EIR was adopted in December 2008. The Eastern Neighborhoods Final EIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving

[1] A Focused Initial Study will be conducted for hazards and hazardous materials topic. A copy of this document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of Case File No. 2011.0430E.

an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods Final EIR also included changes to existing height and bulk districts in some areas, including the project site at 480 Potrero Avenue.

During the Eastern Neighborhoods adoption phase, the Planning Commission held public hearings to consider the various aspects of the proposed area plans, and Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods Final EIR by Motion 176592 and adopted the Preferred Project for final recommendation to the Board of Supervisors.[3]

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

The Eastern Neighborhoods Final EIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a "No Project" alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the Final EIR.

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

The project site, as a result of the Eastern Neighborhoods, has been rezoned to Urban Mixed Use (UMU). The UMU District is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR (Production, Distribution, and Repair) districts in the Eastern Neighborhoods. Within the UMU, allowed uses include PDR uses such as light manufacturing, home and business services, arts activities, warehouse, and wholesaling. Family-sized dwelling units are encouraged. The proposed project and its

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[2] *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report*, Planning Department Case No. 2004.0160E, certified August 7, 2008. The FEIR is on file for public review at the Planning Department, 1650 Mission Street Suite 400 as part of Case No. 2004.0160E, or at: http://www.sfgov.org/site/planning_index.asp?id=67762.

[3] San Francisco Planning Commission Motion 17659, August 7, 2008. http://www.sfgov.org/site/uploadedfiles/planning/Citywide/Eastern_Neighborhoods/Draft_Resolution_Public%20Parcels_FINAL.pdf

relation to PDR land supply and cumulative land use effects is discussed further in this determination under Land Use, below. The 480 Potrero Avenue site was designated and envisioned as a site with a building up to 58 feet in height and containing residential use.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. With the exception of hazards and hazardous materials, this determination concludes that the proposed residential project at 480 Potrero Avenue is consistent with and was encompassed within the analysis in the Eastern Neighborhoods Final EIR. This determination also finds, with the exception of hazards and hazardous materials, that the Eastern Neighborhoods Final EIR adequately anticipated and described the impacts of the proposed 480 Potrero Avenue project, and identified the mitigation measures applicable to the 480 Potrero Avenue project. The proposed project is also consistent with the zoning controls for the project site. Therefore, with the exception of hazards and hazardous materials, no further CEQA evaluation for the 480 Potrero Avenue project is necessary. In sum, the Eastern Neighborhoods FEIR, this Certificate of Exemption, and Focused Initial Study/ Mitigated Negative Declaration for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

Potential Environmental Effects

The Eastern Neighborhoods Final EIR 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 project. The proposed 480 Potrero Avenue project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods Final EIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods. Thus, the project analyzed in the Eastern Neighborhoods Final EIR considered the incremental impacts of the proposed 480 Potrero Avenue project. As a result, the proposed project, with the exception of hazards and hazardous materials, would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods Final EIR. Topics for which the Final EIR identified a significant program-level impact are addressed in this Certification of Determination, with the exception of hazards and hazardous materials, while project impacts for all other topics are discussed in the Community Plan Exemption Checklist.[4] With the exception of hazards and hazardous materials, the following discussion demonstrates that the 480 Potrero Avenue Street project would not result in significant impacts beyond those analyzed in the Eastern Neighborhoods Final EIR, including project-specific impacts related to land use, archeological resources, historic architectural resources, transportation, noise, and shadow. The FEIR did not include a discussion of greenhouse gas emissions, mineral and energy resources or agricultural and forest resources so those topics are also considered in this Certificate of Determination of Exemption from Environmental Review.

[4] San Francisco Planning Department, Community Plan Exemption Checklist, 480 Potrero Avenue, September 26, 2012. This document is on file and is available for review as part of Case File No. 2011.0430E at 1650 Mission Street, Suite 400, San Francisco, CA.

Land Use

The Eastern Neighborhoods Rezoning and Area Plans re-zoned much of the city's industrially-zoned land in the Mission, Central Waterfront, East South of Market and Showplace Square/Potrero Hill neighborhoods. The four main goals that guided the Eastern Neighborhood planning process were to reflect local values, increase housing, maintain some industrial land supply, and to improve the quality of all existing areas with future development. The re-zoning applied new residential and mixed-used zoning districts to parts of the Eastern Neighborhoods currently zoned for industrial, warehousing, and commercial service use.

The Eastern Neighborhoods Final EIR evaluated three land use options "alternatives" and under each of these options the subject property was designated Urban Mixed Use (UMU). The UMU District is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. Within the UMU, allowed uses include PDR uses such as light manufacturing, home and business services, arts activities, warehouse, and wholesaling.

The proposed project would replace an existing vacant lot with a 58-foot-tall residential building. The proposed building is consistent with the height and bulk controls and the proposed uses are permitted within the UMU zoning controls. Further, the project is proposed on an in-fill site, and would not substantially impact upon the existing character of the vicinity and would not physically divide an established community.

The Eastern Neighborhoods Final EIR identified an unavoidable significant land use impact due to the cumulative loss of PDR. The proposed project would contribute to this impact because the project precludes an opportunity for PDR; however, the incremental loss in PDR opportunity is not considerable due to the size of the project site.

In addition, Citywide Planning and Neighborhood Planning have both determined that the proposed project is consistent with the Eastern Neighborhoods Final EIR and satisfies the requirements of the General Plan and the Planning Code.[5,6] Therefore, the project is eligible for a Community Plan Exemption.

Archeological Resources

The Eastern Neighborhoods Final EIR identified a significant impact related to archeological resources and determined that *Mitigation Measures J-1: Properties with Previous Studies, J-2: Properties With No Previous Studies*, and *J-3: Mission Dolores Archeological District* would reduce effects to a less-than-significant level. Since the proposed site is located outside Archeological Mitigation Zone A and B, and since no previous

[5] San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 480 Potrero Avenue. This document is on file and available for review as part of Case File No. 2011.0430E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

[6] San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Neighborhood Analysis, 480 Potrero Avenue. This document is on file and available for review as part of Case File No. 2011.0430E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

studies have been conducted on the project site, *Mitigation Measure J-2* applies to the proposed project. Pursuant to *Mitigation Measure J-2*, a Preliminary Archeological Sensitivity Study memorandum was prepared for the proposed project.[7] This memorandum determined that no CEQA-significant archeological resources are expected within project-affected soils. However, in the event such resources are encountered during ground-disturbing activities, implementation of *Mitigation Measure J-2* would reduce potential effects to a less-than-significant level. Therefore, Eastern Neighborhoods *Mitigation Measure J-2* (see Project Mitigation Measure 1 on page 24 of this Certificate of Determination) shall be undertaken to reduce the potential significant impact to a less than significant level from soils-disturbing activities on buried archeological resources.

Historic Architectural Resources

The Eastern Neighborhoods FEIR anticipated that program implementation may result in demolition of buildings identified as historical resources, and found this impact to be significant and unavoidable. This impact was addressed in a Statement of Overriding Considerations with findings and adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009.

Eastern Neighborhoods FEIR *Mitigation Measure K-1, Interim Procedures for Permit Review in the Eastern Neighborhoods Plan Area,* required certain projects to be presented to the Landmarks Preservation Advisory Board (now the Historic Preservation Commission). This mitigation measure is no longer relevant, because the Showplace Square/Northeast Mission historic resource survey was completed and adopted by the Historic Preservation Commission on June 15, 2011. *Mitigation Measures K-2* and *K-3*, which amended Article 10 of the Planning Code to reduce potential adverse effects to contributory structures within the South End Historic District (East SoMa) and the Dogpatch Historic District (Central Waterfront), do not apply the proposed project because it is not located within the South End or Dogpatch Historic Districts.

The subject property is a vacant lot and is not located within the boundaries of an identified or known historic district. Therefore, the subject property is not considered a historic resource for purposes of CEQA, and the proposed project would not result in impacts on a historical resource.

In summary, the project would not result in a significant effect with regard to historic architectural resources.

Transportation

Trip generation of the proposed project was calculated using information in the *2002 Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department.[8] The proposed project would generate about 775 person trips (inbound and outbound) on a weekday daily basis, consisting of 61 person trips by auto, 45 transit trips, 8 walk trips

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[7] Randall Dean, EP archeologist, memorandum to Don Lewis, EP planner, August 11, 2011. This memorandum is available for review at the Planning Department, 1650 Mission Street, Suite 400, in File No. 2011.0430E.

[8] Wade Wietgrefe, San Francisco Planning Department, *Transportation Memorandum for Revised Project,* September 2012. These calculations are available for review as part of Case File No. 2011.0430! at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

and 20 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 53 vehicle trips (accounting for vehicle occupancy data for this Census Tract).

The estimated 53 new p.m. peak hour vehicle trips would travel through the intersections surrounding the project block. Intersection operating conditions are characterized by the concept of Level of Service (LOS), which ranges from A to F and provides a description of an intersection's performance based on traffic volumes, intersection capacity, and vehicle delays. LOS A represents free flow conditions, with little or no delay, while LOS F represents congested conditions, with extremely long delays; LOS D (moderately high delays) is considered the lowest acceptable level in San Francisco.

A transportation study was completed for a previously proposed project which included 13,155 square feet of commercial space and 78 dwelling units.[9] The transportation study analyzed the LOS of the following five intersections: Potrero Avenue/10th Street/Brannan Street/Division Street; Potrero Avenue/16th Street; Potrero Avenue/17th Street; Potrero Avenue/Mariposa Street; and Bryant Street/Mariposa Street. With the exception of the Potrero Avenue/10th Street/Brannan Street/Division Street intersection, all of the LOS for these intersections are at an acceptable LOS B or better, and would continue to operate acceptably with the addition of project traffic, which would be considerably less than what was analyzed in the transportation study since the current project no longer proposes commercial use. The Potrero Avenue/10th Street/Brannan Street/Division Street intersection is operating at LOS D under existing conditions and would remain operating at LOS D under existing plus project conditions. As such, the proposed project would not result in a significant adverse impact at these intersections under existing plus project conditions. Therefore, the proposed project's impact on existing vehicular traffic is considered less than significant.

Given that the proposed project would add approximately 53 p.m. peak hour vehicle trips to surrounding intersections, it is not anticipated that the proposed project would substantially increase traffic volumes at these or other nearby intersections, nor substantially increase average delay that would cause these intersections to deteriorate to unacceptable levels of service.

The Eastern Neighborhoods Final EIR evaluated three land use options. The proposed project is located in the Mission Subarea of the Eastern Neighborhoods. The nearest intersection to the project site that was analyzed (existing and 2025 operating conditions) in the Eastern Neighborhoods Final EIR is located at Potrero Avenue/16th Street (two blocks away). With the Eastern Neighborhood Rezoning, this intersection is anticipated to change from LOS B to LOS F under 2025 weekday p.m. peak hour conditions under all Plan options as well as under the 2025 No Project option.[10]

The nearest Mission Subarea intersection in which the Eastern Neighborhoods Final EIR identified a significant impact under 2025 weekday p.m. peak hour was at 13th Street/Bryant Street (about six blocks to the north of the project site) which operated at LOS C under existing (baseline) conditions and would

[9] Fehr and Peers, *480 Potrero Avenue, Transportation Impact Study*, September 2012. A copy of this document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, California, as a part of Case File No. 2011.0430!

[10] This intersection was not considered a significant unavoidable impact under the Eastern Neighborhoods Final EIR.

deteriorate to LOS E under 2025 weekday p.m. peak hour operating conditions under Plan Options B and C. It is likely these conditions would occur with or without the proposed project, and the proposed project's contribution of 53 p.m. peak hour vehicle trips would not be a substantial proportion of the overall traffic volume or the new vehicle trips generated by Eastern Neighborhoods' projects, should they be approved. Under the Eastern Neighborhoods Final EIR, specific mitigation measures were not proposed for the 13th Street/Bryant Street intersection, and a Statement of Overriding Considerations related to the significant and unavoidable cumulative (2025) traffic impacts was adopted as part of the EIR Certification and project approval on January 19, 2009. Since the proposed project would not contribute significantly to 2025 Cumulative conditions, it would therefore, not have any significant cumulative traffic impacts.

Transit

As indicated above, the proposed project is estimated to add 260 daily transit person trips, of which 45 are estimated to occur in the p.m. peak hour. The project site is well-served by several local and regional transit lines including Muni lines 9, 9L, 12, 19, 22, 27, and 33. Transit trips to and from the proposed project would utilize the nearby Muni lines, and would transfer to and from other Muni lines. The addition of 45 p.m. peak hour transit trips would increase Muni ridership; however, this net increase would not be substantial as existing transit lines have the capacity to accommodate these new trips. Additionally, the proposed project would not substantially interfere with any nearby transit routes. Therefore, the project would have a less-than-significant impact on transit.

The Eastern Neighborhoods Final EIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership due to the change from 2025 No-Project operating conditions for Muni lines 9, 10, 12, 14, 14L, 22, 27, 47, 49 and 67 under all Eastern Neighborhoods rezoning options. Mitigation measures proposed to address these impacts related to pursuing enhanced transit funding; conducting transit corridor and service improvements; and increasing transit accessibility, service information and storage/maintenance capabilities for Muni lines in Eastern Neighborhoods. Even with mitigation, however, cumulative impacts on the above lines were found to be significant and unavoidable and a Statement of Overriding Considerations with findings was adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on August 7, 2008. The proposed project would not conflict with the implementation of these mitigation measures, and it is likely the significant and unavoidable cumulative transit conditions would occur with or without the proposed project. The proposed project's contribution of 45 p.m. peak hour transit trips would not be a substantial proportion of the overall transit volume generated by Eastern Neighborhood projects, should they be approved. Since the proposed project would not contribute significantly to 2025 Cumulative conditions, it would not have a significant cumulative transit impact.

Loading

Based on the *SF Guidelines*, the proposed project would generate an average loading demand of 0.12 truck-trips per hour. *Planning Code* Section 152.1 does not require off-street loading for residential development less than 100,000 square feet. Therefore, off-street loading spaces are not required for the proposed project, which would include 85,490 square feet of residential use. The proposed project would avoid the potential for impacts to adjacent roadways due to loading activities by limiting all long-term and construction loading/staging operations to the existing on-street parking area along Potrero Avenue

and Mariposa Street. Vehicles performing move in/move out activities would be able to obtain temporary parking permits for loading and unloading operations on Potrero Avenue and Mariposa Street.

Pedestrian and Bicycle Conditions

The proposed project would generate approximately 8 p.m. peak-hour pedestrian trips. The proposed project would not cause a substantial amount of pedestrian and vehicle conflicts, as there are adequate sidewalk and crosswalk widths and the project does not propose any new curb cuts. Pedestrian activity would increase as a result of the project, but not to a degree that could not be accommodated on local sidewalks or would result in safety concerns.

In the vicinity of the project site, there are six on-street bicycle facilities. There is a Class II route on Potrero Avenue south of Alameda Street; a Class III route on Potrero Avenue north of Alameda Street approaching Division Street; a Class II route on 16 Street east of Kansas Street; a Class II route on 17th Street from Kansas Street to Potrero Avenue, and from Treat Street to Church Street; a Class II on Division Street from 9th Street to 11th Street; and a Class II on Harrison Street from 11th Street to 22th Street. Although the proposed project would result in an increase in the number of vehicles in the project vicinity, this increase would not substantially affect bicycle travel in the area.

In conclusion, the proposed project would not substantially increase pedestrian and bicycle hazards.

Parking

While the proposed project would not be required to provide off-street parking spaces pursuant to *Planning Code* Section 843.08, the project includes 38 parking spaces in an underground garage, consistent with the allowable 0.75 to 1 ratio under the Planning Code. Based on the methodology presented in the SF Guidelines, on an average weekday, the demand for parking would be 116 spaces. Thus, the project would have an unmet parking demand of 78 spaces. Additionally, the project site is located on a transit corridor and in a relatively dense area well-served by a mix of uses. As such, it is expected that many of the residents would be encouraged not to make their trips by car.

San Francisco does not consider parking supply as part of the permanent physical environment. Parking conditions are not static, as parking supply and demand varies from day to day, day to night, month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel.

Parking deficits are considered to be social effects, rather than impacts on the physical environment as defined by CEQA. Under CEQA, a project's social impacts need not be treated as significant impacts on the environment. Environmental documents, should however, address the secondary physical impacts that could be triggered by a social impact (CEQA Guidelines §15131a). The social inconvenience of parking deficits, such as having to hunt for scarce parking spaces, is not an environmental impact, but there may be secondary physical environmental impacts, such as increased traffic congestion at intersections, air quality impacts, safety impacts, or noise impacts caused by congestion. In the experience of San Francisco transportation planners, however, the absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles, or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find

alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service in particular would be in keeping with the City's "Transit First" policy. The City's Transit First Policy, established in the City's Charter Section 16.102, provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation." The project area is well-served by public transit, which provides alternatives to auto travel. Therefore, the creation of, or increase in parking demand resulting from a proposed project that cannot be met by existing or proposed parking facilities would not be considered a significant effect.

In summary, the project would not result in a significant effect with regard to transportation.

Noise

The Eastern Neighborhoods FEIR identified potential conflicts related to residences and other noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural, institutional, educational, and office uses. In addition, the Eastern Neighborhoods FEIR noted that the project would incrementally increase traffic-generated noise on some streets in the project area, and result in construction noise impacts from pile driving and other construction activities. With implementation of six noise mitigation measures cited in the FEIR, Plan-related noise impacts were found to be less than significant.

Eastern Neighborhoods FEIR Mitigation Measures F-1 and F-2, which require noise controls on the use of pile driving equipment and other construction equipment, are not applicable to the proposed project because project construction would not involve pile driving and would not create noise levels that could substantially affect any nearby sensitive receptors.[11]

Ambient noise levels in the vicinity of the project site are typical of noise levels in neighborhoods in San Francisco, which are dominated by vehicular traffic, including trucks, cars, Muni buses, emergency vehicles, and land use activities, such as commercial businesses and periodic temporary construction-related noise from nearby development, or street maintenance. Noises generated by residential and commercial uses are common and generally accepted in urban areas. The noise generated by the occupants of the proposed project would not be considered a significant impact of the proposed project. An approximate doubling of traffic volumes in the area would be necessary to produce an increase in ambient noise levels noticeable to most people. The project would not cause a doubling in traffic volumes and therefore would not cause a noticeable increase in the ambient noise level in the project vicinity.

The *San Francisco General Plan* noise guidelines indicate that any new residential development in areas with noise levels above 60 dBA[12] should be undertaken only after a detailed analysis of noise reduction requirements is made and needed noise insulation features are included in the design. In areas where noise levels exceed 65 dBA, a detailed analysis of noise reduction requirements must be done and needed

[11] Sensitive receptors include residences, hospitals, nursing homes, senior citizen centers, schools, churches, and libraries.

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

noise insulation features included in the design. According to the Eastern Neighborhoods Final EIR, noise levels on Potrero Avenue are between 60 and 75 dBA. Title 24 of the California Code of Regulations establishes uniform noise insulation standards for multi-unit residential projects (including hotels, motels, and live/work developments). This state regulation requires meeting an interior standard of 45 dBA in any habitable room. DBI would review the final building plans to ensure that the building wall and floor/ceiling assemblies for the residential development meet State standards regarding sound transmission for residents.

The Eastern Neighborhoods Final EIR identified a significant impact related to new development including noise-sensitive uses located along streets with noise levels above a day-night average of 60 dBA (Ldn), where such development is not already subject to the California Noise Insulation Standards in Title 24 of the California Code of Regulations. Since the 480 Potrero Street project, a multi-unit residential project, is subject to Title 24, *Mitigation Measure F-3: Interior Noise Levels* from the Eastern Neighborhoods Final EIR is not applicable.

The Eastern Neighborhoods Final EIR identified a significant impact related to potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses. Since the proposed project includes noise-sensitive uses with sensitive receptors, *Mitigation Measure F-4: Siting of Noise-Sensitive Uses* (see Project Mitigation Measure 2 on page 25 of this Certificate of Determination) applies to the proposed project. Pursuant to this measure, a noise specialist was hired by the project sponsor to conduct a noise study that included a 24-hour noise measurement and site survey of noise-generating uses within 900 feet of the project site.[13]

The 24-hour noise measurement recorded a day-night noise average of 70.2 dBA (Ldn), which is comparable to what was forecasted by the noise modeling undertaken by the Department of Public Health, which predicts a traffic noise level of between 60 dBA and 75 dBA (Ldn) for the project block. The only substantial noise-generating uses within 900 feet of the site with a direct line-of-sight to the project site are transportation noise sources from Potrero Avenue and an auto body shop (Sunny Auto Body) that is adjacent to the project site. The noise assessment revealed that the primary noise source at the project site was from trucks, buses, emergency vehicles, and motorcycles traveling on Potrero Avenue.

Given the noise environment, the noise study concluded that it would appear that the interior noise level can typically be maintained below the State standards of 45 dBA (Ldn) by standard residential construction methods with the incorporation of forced-air mechanical ventilation systems in residential units. Preliminary calculations suggest that the residential units nearest Potrero Avenue would require windows and doors with a minimum Sound Transmission Class rating of 27 STC (70.2 – 27 = 43.2) and a suitable form of mechanical ventilation to ensure that the interior average noise level of 45 dBA (Ldn) is met as required by the San Francisco Building Code. The proposed building would include windows and doors with a minimum Sound Transmission Class rating of 27 and mechanical ventilation. Therefore, the noise study demonstrates that acceptable interior noise levels consistent with those in the Title 24

[13] ARC Management, Environmental Noise Report, 480 Potrero Avenue, June 18, 2012. This document is on file and is available for review as part of Case File No. 2011.0430E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA.

standards would be attained by the proposed project and no further acoustical analysis or engineering is required.

The Eastern Neighborhoods Final EIR identified a significant impact related to potential conflicts between existing sensitive receptors and new noise-generating uses and determined that *Mitigation Measures F-5: Siting of Noise-Generating Uses* would reduce effects to a less-than-significant level. Since the proposed residential development would not be expected to generate noise levels in excess of ambient noise in the vicinity of the project site, *Mitigation Measure F-5* is not applicable.

Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code). The Noise Ordinance requires that construction work be conducted in the following manner: 1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); 2) impact tools must have intake and exhaust mufflers that are approved by the Director of the Department of Public Works (DPW) to best accomplish maximum noise reduction; and 3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m., unless the Director of DPW authorizes a special permit for conducting the work during that period.

DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the construction period for the proposed project of approximately 3 months, occupants of the nearby properties could be disturbed by construction noise and possibly vibration. There may be times when noise could interfere with indoor activities in nearby residences and other businesses near the project site and may be considered an annoyance by occupants of nearby properties. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project because the construction noise would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be obliged to comply with the City's Noise Ordinance.

In summary, the project would not result in a significant effect with regard to noise.

Air Quality

The Eastern Neighborhoods FEIR identified potentially significant air quality impacts related to construction activities that may cause wind-blown dust and pollutant emissions; roadway-related air quality impacts on sensitive land uses; and the siting of uses that emit diesel particulate matter (DPM) and toxic air contaminants (TACs) as part of everyday operations. The Eastern Neighborhoods FEIR identified four mitigation measures that would reduce air quality impacts to less-than-significant levels.

Eastern Neighborhoods FEIR Mitigation Measure G-1 requires individual projects that include construction activities to include dust control measures and maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. This mitigation measure was identified in the Initial Study. Subsequent to publication of the Initial Study, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and

Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection.

Also subsequent to publication of the Initial Study, the Bay Area Air Quality Management District (BAAQMD), the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (SFBAAB), provided updated 2011 BAAQMD *CEQA Air Quality Guidelines* (Air Quality Guidelines),[14] which provided new methodologies for analyzing air quality impacts, including construction activities. The Air Quality Guidelines provide screening criteria for determining whether a project's criteria air pollutant emissions may violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. If a project meets the screening criteria, then the lead agency or applicant would not need to perform a detailed air quality assessment of their proposed project's air pollutant emissions and construction or operation of the proposed project would result in a less-than-significant air quality impact..

For determining potential health risk impacts, San Francisco has partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco and identify portions of the City that result in additional health risks for affected populations ("hot spots"). Air pollution hot spots were identified based on two health based criteria: (1) Excess cancer risk from all sources > 100; and (2) $PM_{2.5}$ concentrations from all sources including ambient >10$\mu g/m^3$.

Sensitive receptors[15] within these hot spots are more at risk for adverse health effects from exposure to substantial air pollutant concentrations than sensitive receptors located outside these hot spots. These locations (i.e., within hot spots) require additional consideration when projects or activities have the potential to emit toxic air contaminants (TACs), including diesel particulate matter (DPM) emissions from temporary and variable construction activities.

Construction activities from the proposed project may result in dust, primarily from ground-disturbing activities. The proposed project would be subject to and would comply with the Construction Dust Control Ordinance, therefore the portions of Mitigation Measure G-1 that deal with dust control are not applicable to the proposed project. Construction activities from the proposed project would also result in

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[14] Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, updated May 2011.

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

the emission of criteria air pollutants and DPM from equipment exhaust, construction-related vehicular activity, and construction worker automobile trips. Construction would last approximately 12 months.

The project site is not located within an identified hot spot, therefore, the ambient health risk to sensitive receptors from air pollutants is not considered substantial. The proposed project's construction activities would be temporary and variable in nature. Furthermore, the proposed project would be subject to California regulations limiting idling times to five minutes, which would further reduce sensitive receptors exposure to temporary and variable DPM emissions.[16] Therefore, the construction of the proposed project would not expose sensitive receptors to substantial pollutant concentrations. In addition, the proposed project meets the construction screening criteria provided in the BAAQMD studies for construction-related criteria air pollutants. Therefore, the remainder of Mitigation Measure G-1 that deals with maintenance and operation of construction equipment is not applicable to the proposed project.

Mitigation Measure G-2 requires new sensitive receptors near sources of TACs, including DPM, to include an analysis of air pollutant concentrations ($PM_{2.5}$) to determine whether those concentrations would result in a substantial health risk to new sensitive receptors. The proposed project would include new sensitive receptors. However, the project site is not located within an identified air pollution hot spot, therefore, the ambient health risk to sensitive receptors from air pollutants is not considered substantial. Therefore, Mitigation Measure G-2 is not applicable to the proposed project.

Mitigation Measure G-3 minimizes potential exposure of sensitive receptors to DPM by requiring uses that would be served by at least 100 trucks per day or 40 refrigerated trucks per day be located no less than 1,000 feet from residential units and other sensitive receptors. The proposed project would construct 84 residential units and it is not expected to be served by 100 trucks per day or 40 refrigerator trucks per day. Furthermore, the project site is not located within an identified hot spot, therefore, the ambient health risk to sensitive receptors from air pollutants is not considered substantial. Therefore, Mitigation Measure G-3 is not applicable to the proposed project.

Mitigation Measure G-4 involves the siting of commercial, industrial, or other uses that emit TACs as part of everyday operations. The proposed project would construct 84 residential units and would not generate more than 10,000 vehicle trips per day, 1,000 truck trips per day, or include a new stationary source. Furthermore, the project site is not located within an identified hot spot, therefore, the ambient health risk to sensitive receptors from air pollutants is not considered substantial. Therefore, Mitigation Measure G-4 is not applicable to the proposed project.

The proposed project would result in an increase in operational-related criteria air pollutants including from the generation of daily vehicle trips and energy demand. The proposed project meets the screening criteria provided in the BAAQMD *CEQA Air Quality* Guidelines (May 2011) for operational-related criteria air pollutants

[16] California Code of Regulations, Title 13, Division 3, § 2485.

For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to air quality.

The project site is underlain by approximately three feet of fill overlying serpentinite bedrock. Serpentinite commonly contains naturally occurring chrysotile asbestos (NOA), a fibrous mineral that can be hazardous to human health if it becomes airborne. Please see the Focused Initial Study/ Mitigated Negative Declaration for the discussion of potential impacts related to the exposure of airborne asbestos.

Greenhouse Gas Emissions

Gases that trap heat in the atmosphere are referred to as greenhouse gases (GHGs) because they capture heat radiated from the sun as it is reflected back into the atmosphere, much like a greenhouse does. The accumulation of GHG's has been implicated as the driving force for global climate change. The primary GHGs are carbon dioxide, methane, nitrous oxide, ozone, and water vapor.

While the presence of the primary GHGs in the atmosphere are naturally occurring, carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O) are largely emitted from human activities, accelerating the rate at which these compounds occur within earth's atmosphere. Emissions of carbon dioxide are largely by-products of fossil fuel combustion, whereas methane results from off-gassing associated with agricultural practices and landfills. Other GHGs include hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, and are generated in certain industrial processes. Greenhouse gases are typically reported in "carbon dioxide-equivalent" measures (CO_2E).[17]

There is international scientific consensus that human-caused increases in GHGs have and will continue to contribute to global warming. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years. Secondary effects are likely to include a global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity.[18]

The California Air Resources Board (ARB) estimated that in 2006 California produced about 484 million gross metric tons of CO_2E ($MMTCO_2E$), or about 535 million U.S. tons.[19] The ARB found that transportation is the source of 38 percent of the State's GHG emissions, followed by electricity generation (both in-state and out-of-state) at 22 percent and industrial sources at 20 percent. Commercial and residential fuel use (primarily for heating) accounted for 9 percent of GHG emissions.[20] In the Bay Area, fossil fuel consumption in the transportation sector (on-road motor vehicles, off-highway mobile sources, and aircraft) and the industrial and commercial sectors are the two largest sources of GHG emissions,

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[17] Because of the differential heat absorption potential of various GHGs, GHG emissions are frequently measured in "carbon dioxide-equivalents," which present a weighted average based on each gas's heat absorption (or "global warming") potential.

[18] California Climate Change Portal. Frequently Asked Questions About Global Climate Change. Available online at: http://www.climatechange.ca.gov/publications/faqs.html. Accessed November 8, 2010.

[19] California Air Resources Board (ARB), "California Greenhouse Gas Inventory for 2000-2006— by Category as Defined in the Scoping Plan." http://www.arb.ca.gov/cc/inventory/data/tables/ghg_inventory_scopingplan_2009-03-13.pdf. Accessed March 2, 2010.

[20] Ibid.

each accounting for approximately 36% of the Bay Area's 95.8 $MMTCO_2E$ emitted in 2007.[21] Electricity generation accounts for approximately 16% of the Bay Area's GHG emissions followed by residential fuel usage at 7%, off-road equipment at 3% and agriculture at 1%.[22]

In 2006, the California legislature passed Assembly Bill No. 32 (California Health and Safety Code Division 25.5, Sections 38500, et seq., or AB 32), also known as the Global Warming Solutions Act. AB 32 requires ARB to design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020 (representing a 25 percent reduction in emissions).

Pursuant to AB 32, ARB adopted a Scoping Plan in December 2008, outlining measures to meet the 2020 GHG reduction limits. In order to meet these goals, California must reduce its GHG emissions by 30 percent below projected 2020 business as usual emissions levels, or about 15 percent from today's levels.[23] The Scoping Plan estimates a reduction of 174 million metric tons of CO_2E ($MMTCO_2E$) (about 191 million U.S. tons) from the transportation, energy, agriculture, forestry, and high global warming potential sectors, see Table 1, below. ARB has identified an implementation timeline for the GHG reduction strategies in the Scoping Plan.[24] Some measures may require new legislation to implement, some will require subsidies, some have already been developed, and some will require additional effort to evaluate and quantify. Additionally, some emissions reductions strategies may require their own environmental review under CEQA or the National Environmental Policy Act (NEPA).

AB 32 also anticipates that local government actions will result in reduced GHG emissions. ARB has identified a GHG reduction target of 15 percent from current levels for local governments themselves and notes that successful implementation of the plan relies on local governments' land use planning and urban growth decisions because local governments have primary authority to plan, zone, approve, and permit land development to accommodate population growth and the changing needs of their jurisdictions.

Table 1. GHG Reductions from the AB 32 Scoping Plan Sectors[25]

GHG Reduction Measures By Sector	GHG Reductions ($MMTCO_2E$)
Transportation Sector	62.3
Electricity and Natural Gas	49.7
Industry	1.4
Landfill Methane Control Measure (Discrete Early	1

[21] Bay Area Air Quality Management District, Source Inventory of Bay Area Greenhouse Gas Emissions: Base Year 2007, Updated: February 2010. Available online at: http://www.baaqmd.gov/~/media/Files/Planning%20and%20Research/Emission%20Inventory/regionalinventory2007_2_10.ashx. Accessed March 2, 2010.

[22] Ibid.

[23] California Air Resources Board, California's Climate Plan: Fact Sheet. Available online at: http://www.arb.ca.gov/cc/facts/scoping_plan_fs.pdf. Accessed March 4, 2010.

[24] California Air Resources Board. AB 32 Scoping Plan. Available Online at: http://www.arb.ca.gov/cc/scopingplan/sp_measures_implementation_timeline.pdf. Accessed March 2, 2010.

[25] Ibid.

Action)	
Forestry	5
High Global Warming Potential GHGs	20.2
Additional Reductions Needed to Achieve the GHG Cap	34.4
Total	**174**
Other Recommended Measures	
Government Operations	1-2
Agriculture- Methane Capture at Large Dairies	1
Methane Capture at Large Dairies	1
Additional GHG Reduction Measures	
Water	4.8
Green Buildings	26
High Recycling/ Zero Waste • Commercial Recycling • Composting • Anaerobic Digestion • Extended Producer Responsibility • Environmentally Preferable Purchasing	9
Total	**42.8-43.8**

The Scoping Plan relies on the requirements of Senate Bill 375 (SB 375) to implement the carbon emission reductions anticipated from land use decisions. SB 375 was enacted to align local land use and transportation planning to further achieve the State's GHG reduction goals. SB 375 requires regional transportation plans, developed by Metropolitan Planning Organizations (MPOs), to incorporate a "sustainable communities strategy" in their regional transportation plans (RTPs) that would achieve GHG emission reduction targets set by ARB. SB 375 also includes provisions for streamlined CEQA review for some infill projects such as transit-oriented development. SB 375 would be implemented over the next several years and the Metropolitan Transportation Commission's 2013 RTP would be its first plan subject to SB 375.

Senate Bill 97 (SB 97) required the Office of Planning and Research (OPR) to amend the state CEQA guidelines to address the feasible mitigation of GHG emissions or the effects of GHGs. In response, OPR amended the CEQA guidelines to provide guidance for analyzing GHG emissions. Among other changes to the CEQA Guidelines, the amendments add a new section to the CEQA Checklist (CEQA Guidelines Appendix G) to address questions regarding the project's potential to emit GHGs.

The Bay Area Air Quality Management District (BAAQMD) is the primary agency responsible for air quality regulation in the nine county San Francisco Bay Area Air Basin (SFBAAB). As part of their role in air quality regulation, BAAQMD has prepared the CEQA air quality guidelines to assist lead agencies in evaluating air quality impacts of projects and plans proposed in the SFBAAB. The guidelines provide procedures for evaluating potential air quality impacts during the environmental review process consistent with CEQA requirements. On June 2, 2010, the BAAQMD adopted new and revised CEQA air quality thresholds of significance and issued revised guidelines that supersede the 1999 air quality guidelines. The *2010 CEQA Air Quality Guidelines* provide for the first time CEQA thresholds of significance for greenhouse gas emissions. OPR's amendments to the CEQA Guidelines as well as BAAQMD's *2010 CEQA Air Quality Guidelines* and thresholds of significance have been incorporated into this analysis accordingly.

The most common GHGs resulting from human activity are CO_2, CH_4, and N_2O.[26] State law defines GHGs to also include hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. These latter GHG compounds are usually emitted in industrial processes, and therefore not applicable to the proposed project. Individual projects contribute to the cumulative effects of climate change by directly or indirectly emitting GHGs during construction and operational phases. Direct operational emissions include GHG emissions from new vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with landfill operations.

The proposed project would increase the activity onsite by replacing the existing vacant lot with a residential development consisting of 84 dwelling units. The proposed project could result in an increase in overall energy and also water usage which generates indirect emissions from the energy required to pump, treat and convey water. The expansion could also result in an increase in discarded landfill materials. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and operations associated with energy use, water use and wastewater treatment, and solid waste disposal.

As discussed above, the BAAQMD has adopted CEQA thresholds of significance for projects that emit GHGs, one of which is a determination of whether the proposed project is consistent with a Qualified Greenhouse Gas Reduction Strategy, as defined in the *2010 CEQA Air Quality Guidelines*. On August 12, 2010, the San Francisco Planning Department submitted a draft of the City and County of San Francisco's *Strategies to Address Greenhouse Gas Emissions* to the BAAQMD.[27] This document presents a comprehensive assessment of policies, programs and ordinances that collectively represent San Francisco's Qualified Greenhouse Gas Reduction Strategy in compliance with the BAAQMD's *2010 CEQA Air Quality Guidelines* and thresholds of significance.

San Francisco's GHG reduction strategy identifies a number of mandatory requirements and incentives that have measurably reduced greenhouse gas emissions including, but not limited to, increasing the energy efficiency of new and existing buildings, installation of solar panels on building roofs, implementation of a green building strategy, adoption of a zero waste strategy, a construction and demolition debris recovery ordinance, a solar energy generation subsidy, incorporation of alternative fuel vehicles in the City's transportation fleet (including buses and taxis), and a mandatory composting ordinance. The strategy also identifies 42 specific regulations for new development that would reduce a project's GHG emissions.

San Francisco's climate change goals as are identified in the 2008 Greenhouse Gas Reduction Ordinance as follows:

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[26] Governor's Office of Planning and Research. *Technical Advisory- CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review.* June 19, 2008. Available at the Office of Planning and Research's website at: http://www.opr.ca.gov/ceqa/pdfs/june08-ceqa.pdf. Accessed March 3, 2010.

[27] San Francisco Planning Department. *Strategies to Address Greenhouse Gas Emissions in San Francisco.* 2010. The final document is available online at: http://www.sfplanning.org/index.aspx?page=1570.

- By 2008, determine the City's 1990 GHG emissions, the baseline level with reference to which target reductions are set;
- Reduce GHG emissions by 25 percent below 1990 levels by 2017;
- Reduce GHG emissions by 40 percent below 1990 levels by 2025; and
- Reduce GHG emissions by 80 percent below 1990 levels by 2050.

The City's 2017 and 2025 GHG reduction goals are more aggressive than the State's GHG reduction goals as outlined in AB 32, and consistent with the State's long-term (2050) GHG reduction goals. San Francisco's *Strategies to Address Greenhouse Gas Emissions* identifies the City's actions to pursue cleaner energy, energy conservation, alternative transportation and solid waste policies, and concludes that San Francisco's policies have resulted in a reduction in greenhouse gas emissions below 1990 levels, meeting statewide AB 32 GHG reduction goals. As reported, San Francisco's 1990 GHG emissions were approximately 8.26 million metric tons (MMT) CO_2E and 2005 GHG emissions are estimated at 7.82 $MMTCO_2E$, representing an approximately 5.3 percent reduction in GHG emissions below 1990 levels.

The BAAQMD reviewed San Francisco's *Strategies to Address Greenhouse Gas Emissions* and concluded that the strategy meets the criteria for a Qualified GHG Reduction Strategy as outlined in BAAQMD's CEQA Guidelines (2010) and stated that San Francisco's "aggressive GHG reduction targets and comprehensive strategies help the Bay Area move toward reaching the State's AB 32 goals, and also serve as a model from which other communities can learn."[28]

Based on the BAAQMD's 2010 *CEQA Air Quality Guidelines*, projects that are consistent with San Francisco's *Strategies to Address Greenhouse Gas Emissions* would result in a less than significant impact with respect to GHG emissions. Furthermore, because San Francisco's strategy is consistent with AB 32 goals, projects that are consistent with San Francisco's strategy would also not conflict with the State's plan for reducing GHG emissions. As discussed in San Francisco's *Strategies to Address Greenhouse Gas Emissions*, new development and renovations/alterations for private projects and municipal projects are required to comply with San Francisco's ordinances that reduce greenhouse gas emissions. Applicable requirements are shown below in Table 2.

Table 2. Regulations Applicable to the Proposed Project

Regulation	Requirements	Project Compliance	Discussion
Transportation Sector			
Emergency Ride Home Program	All persons employed in San Francisco are eligible for the emergency ride home program.	☒ Project Complies ☐ Not Applicable	The project would be required to comply with this program.

[28] Letter from Jean Roggenkamp, BAAQMD, to Bill Wycko, San Francisco Planning Department. October 28, 2010. This letter is available online at: http://www.sfplanning.org/index.aspx?page=1570. Accessed November 12, 2010.

Regulation	Requirements	Project Compliance	Discussion
		☐ Project Does Not Comply	
Transportation Management Programs (Planning Code, Section 163)	Requires new buildings or additions over a specified size (buildings >25,000 sf or 100,000 sf depending on the use and zoning district) within certain zoning districts (including downtown and mixed-use districts in the City's eastern neighborhoods and south of market) to implement a Transportation Management Program and provide on-site transportation management brokerage services for the life of the building.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project would be required to comply with Section 163.
Bicycle parking in Residential Buildings (Planning Code, Section 155.5)	(A) For projects up to 50 dwelling units, one Class 1 space for every 2 dwelling units. (B) For projects over 50 dwelling units, 25 Class 1 spaces plus one Class 1 space for every 4 dwelling units over 50.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	Planning Code Section 155.5 applies to the proposed project.
Car Sharing Requirements (Planning Code, Section 166)	New residential projects or renovation of buildings being converted to residential uses within most of the City's mixed-use and transit-oriented residential districts are required to provide car share parking spaces.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	Planning Code Section 166 applies to the proposed project.
Parking requirements for San Francisco's Mixed-Use zoning districts (Planning Code Section 151.1)	The Planning Code has established parking maximums for many of San Francisco's Mixed-Use districts.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project site is located within a mixed-use neighborhood and therefore would be required to comply with Section 151.1
Energy Efficiency Sector			
San Francisco Green Building Requirements for Energy Efficiency (SF Building Code, Chapter 13C)	Under the Green Point Rated system and in compliance with the Green Building Ordinance, all new residential buildings will be required to be at a minimum 15% more energy efficient than Title 24 energy efficiency requirements.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would be required to comply with the City's Green Building Ordinance.
San Francisco Green Building Requirements for Stormwater Management (SF Building Code,	Requires all new development or redevelopment disturbing more than 5,000 square feet of ground surface to manage stormwater on-site using low impact design. These projects are required to comply with LEED®	☒ Project Complies ☐ Not Applicable	The proposed project will be disturbing more than 5,000 square feet and will therefore be required to comply with the City's Stormwater Management Ordinance.

Regulation	Requirements	Project Compliance	Discussion
Chapter 13C) Or San Francisco Stormwater Management Ordinance (Public Works Code Article 4.2)	Sustainable Sites Credits 6.1 and 6.2, or comply with the City's Stormwater ordinance and stormwater design guidelines.	☐ Project Does Not Comply	
Residential Water Conservation Ordinance (SF Building Code, Housing Code, Chapter 12A)	Requires all residential properties (existing and new), prior to sale, to upgrade to the following minimum standards: 1. All showerheads have a maximum flow of 2.5 gallons per minute (gpm) 2. All showers have no more than one showerhead per valve 3. All faucets and faucet aerators have a maximum flow rate of 2.2 gpm 4. All Water Closets (toilets) have a maximum rated water consumption of 1.6 gallons per flush (gpf) 5. All urinals have a maximum flow rate of 1.0 gpf 6. All water leaks have been repaired. Although these requirements apply to existing buildings, compliance must be completed through the Department of Building Inspection, for which a discretionary permit (subject to CEQA) would be issued.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would be required to comply with the Residential Water Conservation Ordinance.
Residential Energy Conservation Ordinance (SF Building Code, Housing Code, Chapter 12)	Requires all residential properties to provide, prior to sale of property, certain energy and water conservation measures for their buildings: attic insulation; weather-stripping all doors leading from heated to unheated areas; insulating hot water heaters and insulating hot water pipes; installing low-flow showerheads; caulking and sealing any openings or cracks in the building's exterior; insulating accessible heating and cooling ducts; installing low-flow water-tap aerators; and installing or retrofitting toilets to make them low-flush. Apartment buildings and hotels are also required to insulate steam and hot water pipes and tanks, clean and tune their boilers, repair boiler leaks, and install a time-clock on the burner. Although these requirements apply to existing buildings, compliance must be completed through the Department of Building Inspection, for which a discretionary permit (subject to CEQA)	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would be required to comply with the Residential Energy Conservation Ordinance.

Regulation	Requirements	Project Compliance	Discussion
	would be issued.		
Waste Reduction Sector			
San Francisco Green Building Requirements for solid waste (SF Building Code, Chapter 13C)	Pursuant to Section 1304C.0.4 of the Green Building Ordinance, all new construction, renovation and alterations subject to the ordinance are required to provide recycling, composting and trash storage, collection, and loading that is convenient for all users of the building.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would be required to comply with the San Francisco Green Building Code requirements for solid waste.
Mandatory Recycling and Composting Ordinance (Environment Code, Chapter 19)	The mandatory recycling and composting ordinance requires all persons in San Francisco to separate their refuse into recyclables, compostables and trash, and place each type of refuse in a separate container designated for disposal of that type of refuse.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would be required to comply with the Mandatory Recycling and Composting Ordinance.
Environment/Conservation Sector			
Street Tree Planting Requirements for New Construction (Planning Code Section 428)	Planning Code Section 428 requires new construction, significant alterations or relocation of buildings within many of San Francisco's zoning districts to plant on 24-inch box tree for every 20 feet along the property street frontage.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project would be required to comply with Section 428.
Wood Burning Fireplace Ordinance (San Francisco Building Code, Chapter 31, Section 3102.8)	Bans the installation of wood burning fire places except for the following: • Pellet-fueled wood heater • EPA approved wood heater • Wood heater approved by the Northern Sonoma Air Pollution Control District	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would not include a wood burning fireplace.
Regulation of Diesel Backup Generators (San Francisco Health Code, Article 30)	Requires (among other things): • All diesel generators to be registered with the Department of Public Health • All new diesel generators must be equipped with the best available air emissions control technology.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would be required to comply with Article 30 of the San Francisco Health Code.

Depending on a proposed project's size, use, and location, a variety of controls are in place to ensure that a proposed project would not impair the State's ability to meet statewide GHG reduction targets outlined in AB 32, nor impact the City's ability to meet San Francisco's local GHG reduction targets. Given that: (1)

San Francisco has implemented regulations to reduce greenhouse gas emissions specific to new construction and renovations of private developments and municipal projects; (2) San Francisco's sustainable policies have resulted in the measured success of reduced greenhouse gas emissions levels; (3) San Francisco has met and exceeded AB 32 greenhouse gas reduction goals for the year 2020; (4) current and probable future state and local greenhouse gas reduction measures will continue to reduce a project's contribution to climate change; and (5) San Francisco's *Strategies to Address Greenhouse Gas Emissions* meet BAAQMD's requirements for a Qualified GHG Reduction Strategy, projects that are consistent with San Francisco's regulations would not contribute significantly to global climate change. The proposed project would be required to comply with these requirements, and was determined to be consistent with San Francisco's *Strategies to Address Greenhouse Gas Emissions.*[29] As such, the proposed project would result in a less than significant impact with respect to GHG emissions.

Shadow

The Eastern Neighborhoods EIR notes that Section 295[30] would limit potential new shadow impacts on parks and that new shadow impacts would be evaluated on a project-specific basis, but that without detailed development proposals, the potential for new shadow impacts could not be determined and the EIR concluded that increasing heights as part of the rezoning effort could potentially result in significant and unavoidable shadow impacts, requiring individual projects to undergo a detailed shadow analysis.

Section 295 of the Planning Code was adopted in response to Proposition K (passed November 1984) in order to protect certain public open spaces from shadowing by new structures during the period between one hour after sunrise and one hour before sunset, year round. Planning Code Section 295 restricts net new shadow on public open spaces under the jurisdiction of, or to be acquired by, the Recreation and Park Commission by any structure exceeding 40 feet unless the Planning Commission, in consultation with the Recreation and Park Commission, finds the impact to be less than significant. The proposed development would be 58 feet in height. To determine whether this proposed project would conform to Section 295, a shadow fan analysis was prepared by Planning Department staff.[31] The shadow fan indicated that project shadows could not reach any site under Recreation and Park Commission jurisdiction.

The proposed building would add new shade to portions of adjacent properties, sidewalks and streets. However, because the height of the proposed building would not be substantially taller than surrounding buildings, and because of the existing configuration of surrounding buildings, the net new shadow would not be considered substantial and would not increase the total amount of shading in the neighborhood above levels that are common and generally accepted in urban areas. Due to the dense urban fabric of the city, the loss of sunlight on private residences or property is rarely considered to be a significant

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[29] Greenhouse Gas Analysis: Compliance Checklist. July 3, 2012. This document is on file in Case File No. 2011.0430E and available for public review at the Planning Department, 1650 Mission Street, Suite 400.

[30] Section 295 of the Planning Code provides that new structures above 40 feet in height that would cast additional shadows on properties under the jurisdiction of or designated to be acquired by the Recreation and Parks Department can only be approved by the Planning Commission.

31 Diego Sanchez, San Francisco Planning Department, to Siavash Tahbazof, letter dated September 11, 2012. This document is available for public review at the Planning Department, 1650 Mission Street, San Francisco, as part of Case No. 2011.0430E.

environmental impact and the limited increase in shading as a result of the proposed project would not be considered a significant impact under CEQA.

The proposed project's potential to increase shadow in the project vicinity would be both individually and cumulatively less than significant.

Mitigation Measures

In accordance with Eastern Neighborhoods Final EIR requirements, the project sponsor has agreed to implement the following mitigation measures.

Project Mitigation Measure 1 – Archeological Resources (J-2: Properties With No Previous Studies in the Eastern Neighborhoods Rezoning and Area Plans Final EIR)

The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in *CEQA Guidelines* Section 15064.5(a)(c). The project sponsor shall distribute the Planning Department archeological resource "ALERT" sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the "ALERT" sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.

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

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

Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Major Environmental Analysis (MEA) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.

The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describing the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

Project Mitigation Measure 2 – Noise (Mitigation Measure F-4: Siting of Noise-Sensitive Uses in the Eastern Neighborhoods Rezoning and Area Plans Final EIR)

New development with noise-sensitive uses require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained. ARC Management conducted a noise study that demonstrated that the proposed project can attain Title 24 standards. Therefore, Project Mitigation Measure 2 has already been implemented.

Public Notice and Comment

A "Notification of Project Receiving Environmental Review" was mailed on May 23, 2012 to owners of properties within 300 feet of the project site and adjacent occupants, and fifteen members of the public expressed their concerns and issues. 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. Members of the public expressed concerns regarding the size of the project, number of units, increased demand for street parking, traffic congestion, pollution, neighborhood character, and public notice. All issues appropriate for CEQA analysis have been adequately addressed in the Eastern Neighborhoods FEIR and this Certificate of Exemption. The proposed project would not result in significant adverse environmental impacts associated with those issues identified by the public, and there is no substantial evidence that any of these topics could have a significant effect on the environment.

Other comments by members of the public in response to the public notice expressed either support for or opposition to the proposed project. Comments regarding the merits of the project are not relevant to CEQA analysis but may be taken into account by decision-makers as part of the project approval process.

Conclusion

With the exception of hazards and hazardous materials, the Eastern Neighborhoods Final EIR incorporated and adequately addressed all potential impacts of the proposed 480 Potrero Avenue project. As described above, and except for hazards and hazardous materials, the 480 Potrero Avenue project would not have any additional or peculiar significant adverse effects not examined in the Eastern Neighborhoods Final EIR, nor has any new or additional information come to light that would alter the conclusions of the Eastern Neighborhoods Final EIR. Thus, with the exception of hazards and hazardous materials, the proposed 480 Potrero Avenue project would not have any new significant or peculiar effects on the environment not previously identified in the Final EIR for the Eastern Neighborhoods Rezoning and Area Plans, nor would any environmental impacts be substantially greater than described in the Eastern Neighborhoods Final EIR. No mitigation measures previously found infeasible have been determined to be feasible, nor have any new mitigation measures or alternatives been identified but rejected by the project sponsor. Therefore, in addition to being exempt from environmental review under Section 15183 of the CEQA Guidelines, the proposed project is also exempt under Section 21083.3 of the California Public Resources Code. Due to the peculiar impact found concerning hazards and hazardous materials, a Focused Mitigated Negative Declaration has been prepared for these topics only.[32]

[32] Preliminary Mitigated Negative Declaration, 480 Potrero Avenue, September 26, 2012. This document is on file and available for review as part of Case File No. 2011.0430E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

Attachment B
Community Plan Exemption Checklist

Case No.:	**2011.0430E**
Project Address:	**480 Potrero Avenue**
Zoning:	UMU (Urban Mixed Use) Zoning District 58-X Height and Bulk District
Block/Lot:	3973/002C
Lot Size:	15,000 square feet
Project Sponsor:	Reza Khoshnevisan, Sia Consulting, (415) 922-0200
Plan Area:	Eastern Neighborhoods
Staff Contact:	Don Lewis - (415) 575-9095, don.lewis@sfgov.org

A. PROJECT DESCRIPTION

The rectangular project site is located at the northwest corner of Potrero Avenue and Mariposa Street on the boundary of the Mission and Potrero Hill neighborhoods. The project site is currently a vacant lot containing the remnants of the foundation from the former four-story concrete live/work structure that was demolished in 2005. The project sponsor proposes the construction of a six-story, 58-foot-tall, residential building approximately 89,600 square feet in size. The new building would contain 84 residential units (26 one-bedroom and 58 two-bedroom) and 38 parking spaces in a one-level basement parking garage accessed from Mariposa Street. The proposed building would include windows and doors with a minimum Sound Transmission Class rating of 27 and mechanical ventilation. The proposed project would require Planning Commission authorization under Planning Code Section 329 for construction of a building greater than 25,000 square feet in size. The project site is located in the eastern portion of the Mission Area Plan, which is one of the area plans adopted through the Eastern Neighborhoods Planning effort.

B. EVALUATION OF ENVIRONMENTAL EFFECTS

This Community Plan Exemption Checklist examines the potential environmental impacts that would result from implementation of the proposed project and indicates whether any such impacts are addressed in the applicable programmatic final EIR (FEIR) for the plan area, the Eastern Neighborhoods Rezoning and Area Plans. Items checked "Sig. Impact Identified in FEIR" identify topics for which a significant impact is identified in the FEIR. In such cases, the analysis considers whether the proposed project would result in impacts that would contribute to the impact identified in the FEIR. If the analysis concludes that the proposed project would contribute to a significant impact identified in the FEIR, the item is checked "Project Contributes to Sig. Impact Identified in FEIR." Mitigation measures identified in the FEIR applicable to the proposed project are identified in the text of the Certificate of Determination under each topic area.

Items checked "Project Has Sig. Peculiar Impact" identify topics for which the proposed project would result in a significant impact that is peculiar to the project, i.e., the impact is not identified as significant in the FEIR. Any impacts not identified in the FEIR will be addressed in a separate Focused Initial Study or EIR.

Any item that was not addressed in the FEIR (i.e., greenhouse gases) is discussed in the Certificate of Determination. For any topic that was found to be less than significant (LTS) in the FEIR and for the proposed project or would have no impacts, the topic is marked LTS/No Impact and is discussed in the Checklist below.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FPEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
1. LAND USE AND LAND USE PLANNING—Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Have a substantial impact upon the existing character of the vicinity?	☒	☐	☐	☒

Please see the Certificate of Determination (Appendix A) for discussion of this topic.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
2. AESTHETICS—Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and other features of the built or natural environment which contribute to a scenic public setting?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area or which would substantially impact other people or properties?	☐	☐	☐	☒

The Eastern Neighborhoods Final EIR evaluated three land use options "alternatives" and under each of these options, it was not anticipated that the proposed project would substantially damage scenic resources that contribute to a scenic public setting. As a proposed rezoning and planning process the project would not directly result in any physical damage. Rather, any changes in urban form and visual quality would be the secondary result of individual development projects that would occur subsequent to the adoption of changes in zoning and community plans.

With respect to views, the Eastern Neighborhoods Final EIR found that while development pursuant to the Plan would result in height increases and use district changes, the rezoning would not substantially degrade the views and new development up to the proposed height limits may even help define the street edge and better frame urban views. The Plan would not be considered to result in a significant adverse impact with regard to views. New construction in the Project area would generate additional night lighting but not in amounts unusual in industrial zones and within developed urban areas in general. Thus, the Final EIR concluded that light and glare impacts would be less than significant.

The proposed project would replace an existing vacant lot with a 58-foot-tall residential building. While the new building would change the visual appearance of the site, it would not substantially degrade its visual character or quality. Furthermore, the proposed building would not be substantially taller than the existing development in the project vicinity and thus, would not obstruct longer-range views from various locations in the Plan Area and the City as a whole.

Design and aesthetics are by definition subjective, and open to interpretation by decision-makers and members of the public. A proposed project would, therefore, be considered to have a significant adverse effect on visual quality only if it would cause a substantial and demonstrable negative change. The proposed project would not have such change. As described in the Certificate of Determination (Appendix A), the proposed building envelope meets Planning Code requirements for the UMU zoning district.

The proposed project would be visible from some residential and commercial buildings within the project site vicinity. Some reduced views on private property would be an unavoidable consequence of the proposed project and would be an undesirable change for those individuals affected. Nonetheless, the change in views would not exceed that commonly expected in an urban setting, and the loss of those private views would not constitute a significant impact under CEQA.

The proposed project's potential aesthetic effects would be consistent with the effects considered in the Eastern Neighborhoods FEIR, which were determined to be less-than-significant. In summary, the project would not result in a significant effect with regard to aesthetics so there would be no significant environmental effect peculiar to the project or its site. No mitigation measure was identified in the FEIR, and none would be required for the proposed project.

Topics:		*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
3.	**POPULATION AND HOUSING— Would the project:**				
a)	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b)	Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	☐	☐	☐	☒
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

One of the objectives of the Eastern Neighborhoods Rezoning and Area Plans Final EIR (FEIR) was to identify appropriate locations for housing in the City's industrially zoned land to meet a citywide need for more housing. According to the FEIR, the rezoning would not create a substantial demand for additional housing in San Francisco, or substantially reduce the housing supply. The proposed project would increase the population on site by constructing 84 dwelling units. This increase in population would not be expected to have an adverse physical environmental impact.

The proposed project is not anticipated to create a substantial demand for increased housing as the project does not propose a commercial use. Additionally, the proposed project would not displace substantial numbers of people because the project site is currently a vacant lot. As such, construction of replacement housing would not be necessary.

The proposed new residential units are consistent with the projections in the FEIR and there would be no significant environmental effects peculiar to the project or its site. No mitigation measure was identified in the FEIR, and none would be required for the proposed project.

Topics:		Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
4.	**CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:**				
a)	Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco *Planning Code*?	☒	☐	☐	☒
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☒	☐	☐	☒
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d)	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

Please see the Certificate of Determination (Appendix A) for discussion of this topic.

Topics:		Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
5.	**TRANSPORTATION AND CIRCULATION—Would the project:**				
a)	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☒	☐	☐	☒
b)	Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☒	☐	☐	☒
c)	Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	☐	☐	☐	☒
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	☐	☐	☐	☒
e)	Result in inadequate emergency access?	☐	☐	☐	☒

Topics:		Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
f)	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

Topics 5c and 5d are not applicable to the proposed project. Please see the Certificate of Determination (Appendix A) for discussion of this topic.

Topics:		Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
6.	**NOISE—Would the project:**				
a)	Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☒	☐	☐	☒
b)	Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☒	☐	☐	☒
c)	Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☒	☐	☐	☒
d)	Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☒	☐	☐	☒
e)	For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	☐	☐	☐	☒
f)	For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
g)	Be substantially affected by existing noise levels?	☒	☐	☐	☒

Topics 6e and 6f are not applicable to the proposed project. All other noise-related topics are discussed in the Certificate of Determination (Appendix A).

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FPEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
7. **AIR QUALITY** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. **Would the project:**				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☒	☐	☐	☒
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations?	☒	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

Please see the Certificate of Determination (Appendix A) for the discussion of this topic. Please see the Focused Initial Study/ Mitigated Negative Declaration for the discussion of potential impacts related to the exposure of airborne asbestos.

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
8. **GREENHOUSE GAS EMISSIONS—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?	☐	☐	☐	☒

When the Eastern Neighborhoods project was initially analyzed in 2005, the initial study checklist did not contain a category concerning greenhouse gas emissions. Please see the Certificate of Determination (Appendix A) for a discussion of this topic.

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
9. WIND AND SHADOW—Would the project:				
a) Alter wind in a manner that substantially affects public areas?	☐	☐	☐	☒
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	☒	☐	☐	☒

Topic 9b is discussed in the Certificate of Determination (Appendix A).

Wind impacts are judged to be less-than-significant at a plan level of analysis and for cumulative development. Specific projects within Eastern Neighborhoods require analysis of wind impacts where deemed necessary. Thus, wind impacts were determined not to be significant in the Eastern Neighborhoods Initial Study and were not analyzed in the FEIR. No mitigation measures were identified in the FEIR.

Based on consideration of the height and location of the proposed 58-foot-tall residential building, the proposed project does not have the potential to cause significant changes to the wind environment in pedestrian areas adjacent or near the project site. As a result, the proposed project would not have any significant wind impacts.

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
10. RECREATION—Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	☐	☐	☐	☒
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☐	☒
c) Physically degrade existing recreational resources?	☐	☐	☐	☒

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

The proposed project would provide on-site open space for passive recreational use for project residents through a combination of a common outdoor space. In addition, the project site is served by the following existing parks: Franklin Square (about two blocks away), Fallen Bridge Park (about two blocks away), McKinley Square (about six blocks away) and Jackson Playground (about eight blocks away). With the projected addition of 84 dwelling units, the proposed project would be expected to generate minimal additional demand for recreational facilities. The increase in demand would not be in excess of amounts expected and provided for in the area and the City as a whole. The additional use of the recreational facilities would be relatively minor compared with the existing use and therefore, the proposed project would not result in substantial physical deterioration of existing recreational resources. Thus, the proposed project would not result in significant impacts, either individually or cumulatively, in regard to recreation facilities, nor require the construction or expansion of public recreation facilities.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
11. UTILITIES AND SERVICE SYSTEMS—Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

The Eastern Neighborhoods Initial Study analyzed growth projections and determined that the program's impacts on the provision of water, wastewater collection and treatment, and solid

waste collection and disposal would not be significant. No mitigation measures were identified in the FEIR.

The proposed project would not exceed wastewater treatment requirements of the Regional Water Quality Control Board and would not require the construction of new wastewater/storm water treatment facilities or expansion of existing ones. The proposed project would have sufficient water supply available from existing entitlement, and solid waste generated by project construction and operation would not result in the landfill exceeding its permitted capacity, and the project would not result in a significant solid waste generation impact. Utilities and service systems would not be adversely affected by the project, individually or cumulatively, and no significant impact would ensue. The proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already disclosed in the Eastern Neighborhoods FEIR.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS No Impact*
12. PUBLIC SERVICES— Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	☐	☐	☐	☒

The Eastern Neighborhoods Initial Study analyzed growth projections and determined that the program's impacts on public services such as fire protection, police protection, and public schools would not be significant. No mitigation measures were identified in the FEIR. Impacts on parks are discussed under Questions 9 and 10.

The proposed project would not substantially increase demand for police or fire protection services and would not necessitate new school facilities in San Francisco. The proposed project would not result in a significant impact to public services. The proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already disclosed in the Eastern Neighborhoods FEIR, associated with public services.

Topics:		Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
13.	BIOLOGICAL RESOURCES— Would the project:				
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c)	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

The Eastern Neighborhoods FEIR found that there would be no significant impact on biological resources. The project site is a vacant lot that is located in a developed urban area which does not support or provide habitat for any rare or endangered wildlife species, animal, or plant life or habitat, and would not interfere with any resident or migratory species. Accordingly, the proposed project would result in no impact on sensitive species, special status species, native or migratory fish species, or wildlife species.

The San Francisco Planning Department, Department of Building Inspection (DBI), and Department of Public Works (DPW) have established guidelines to ensure that legislation adopted by the Board of Supervisors governing the protection of trees is implemented. The DPW Code Section 8.02-8.11 requires disclosure and protection of Landmark, Significant, and Street trees, collectively "protected trees" located on private and public property. A Landmark Tree has the highest level of protection and must meet certain criteria for age, size, shape, species, location, historical association, visual quality, or other contribution to the city's character and have been

found worthy of Landmark status after public hearings at both the Urban Forestry Council and the Board of Supervisors. A Significant tree is either on property under the jurisdiction of the DPW, or on privately owned land within 10 feet of the public-right-of-way, that is greater than 20 feet in height or which meets other criteria.

A Tree Disclosure Statement prepared for the project in April 2011 noted that there are no Significant trees on the project site.[1] The proposed project would remove the three existing street trees to allow for construction of the proposed project, and would include the planting of nine trees (five along Potrero Avenue and four along Mariposa Street). The removal of a protected tree would require issuance of a permit from the Director of Public Works, and may be subject to replacement or payment of an in-lieu fee in the form of a contribution to the City's Adopt-a-Tree Fund. Compliance with the requirements set forth in DPW Code Section 8.02-8.11 would ensure that potential impacts to trees protected under the City's Tree Preservation Ordinance would be less than significant. Therefore, the proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

The project would not result in any significant effect with regard to biology, nor would the project contribute to any potential cumulative effects on biological resources. Thus, there would be no significant environmental impact peculiar to the project or its site. No mitigation measure was identified in the FEIR, and none would be required for the proposed project.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
14. GEOLOGY AND SOILS— Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	☐	☐	☐	☒
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?	☐	☐	☐	☒

[1] The Tree Disclosure Statement is available for public review in Case No. 2011.0430E at 1650 Mission Street, 4th Floor, San Francisco.

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
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 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) Change substantially the topography or any unique geologic or physical features of the site?	☐	☐	☐	☒

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

The maximum depth of soil disturbing activities for the proposed project would be 16 feet below ground surface. It is anticipated that the building would be supported by spread footings. The completed project would not alter the overall topography of the site.

A geotechnical investigation has been performed at the project site.[2] The project site is blanketed by up to four feet of undocumented, non-engineered fill, consisting of clay, sand, and gravel mixtures. Bedrock consisting of Serpentinite was encountered underneath the fill. The bedrock is shallowest at the north end of the site, where it was encountered at about one feet deep, and is deepest in the southwest corner, where it was encountered at a depth of six feet.

The final building plans would be reviewed by the Department of Building Inspection (DBI). In reviewing building plans, the DBI refers to a variety of information sources to determine existing hazards and assess requirements for mitigation. Sources reviewed include maps of Special Geologic Study Areas and known landslide areas in San Francisco as well as the building

[2] Treadwell and Rollo, "Geotechnical Investigation, 480 Potrero Avenue, San Francisco, California," December 17, 2004. This report is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, in Project File No. 2011.0430E.

inspectors' working knowledge of areas of special geologic concern. Potential geologic hazards would be mitigated during the permit review process through these measures. To ensure compliance with all Building Code provisions regarding structure safety, when DBI reviews the geotechnical report and building plans for a proposed project, they will determine the adequacy of necessary engineering and design features. The above-referenced geotechnical investigation would be available for use by the DBI during its review of building permits for the site. Also, DBI could require that additional site-specific soils report(s) be prepared in conjunction with permit applications, as needed. Therefore, potential damage to structures from geologic hazards on the project site would be mitigated through the DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI implementation of the Building Code.

The proposed project would not result in a significant effect related to geology, either individually or cumulatively.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
15. HYDROLOGY AND WATER QUALITY— Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion of siltation on- or off-site?	☐	☐	☐	☒
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	☐	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	☐	☐	☐	☒

Topics:		Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
h)	Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☐	☒
i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j)	Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

The Eastern Neighborhoods Initial Study evaluated population increases on the combined sewer system and the potential for combined sewer outflows, and concluded that programmatic effects related to hydrology and water quality would not be significant. No mitigation measures were identified in the FEIR.

The project site is completely covered by the remnants of the foundation from a four-story building that was demolished in 2005 and would continue to be covered by the proposed residential building. The proposed project would not change the amount of impervious surface area on the site and runoff and drainage would not be adversely affected. Effects related to water resources would not be significant, either individually or cumulatively.

Topics:		Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
16.	**HAZARDS AND HAZARDOUS MATERIALS Would the project:**				
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
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?	☒	☐	☐	☒
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?	☐	☐	☐	☒

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	☐	☐	☐	☒

Please see the Focused Initial Study/ Mitigated Negative Declaration for the discussion of this topic because there are potentially significant impacts that are peculiar to the proposed project.

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
17. MINERAL AND ENERGY RESOURCES— Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
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?	☐	☐	☐	☒
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	☐	☐	☐	☒

The Eastern Neighborhoods FEIR determined that the program would facilitate the construction of both new residential units and commercial buildings. Development of these uses would not result in use of large amounts of fuel, water, or energy in the context of energy use throughout the City and region. The energy demand for individual buildings would be typical for such projects and would meet, or exceed, current state and local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulations enforced by the San Francisco Department of Building Inspection. The project area does not include any natural

resources routinely extracted, and the proposed rezoning does not result in any natural resource extraction program. For these reasons, the Eastern Neighborhoods FEIR concluded that the program would not cause a wasteful use of energy, and would have a less-than-significant impact on energy and mineral resources. No mitigation measures were identified in the FEIR.

The proposed project would not result in a significant physical environmental effect with respect to mineral and energy resources.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
18. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. – **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?	☐	☐	☐	☒

When the Eastern Neighborhoods project was initially analyzed in 2005, the initial study checklist did not contain a category concerning agricultural and forest resources. Nonetheless, all of San Francisco is identified by the California Department of Conservation's Farmland Mapping and Monitoring Program as "Urban and Built-up Land" (Department of Conservation, 2002). In addition, no part of San Francisco falls under the State Public Resource Code definitions of forest land or timberland; therefore, these topics are not applicable to any project in San Francisco.

The project site does not contain agricultural uses and is not zoned for such uses. Therefore, the proposed project would not result in any significant impacts related to agricultural resources.

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
19. MANDATORY FINDINGS OF SIGNIFICANCE—Would the project:				
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☒	☐	☐	☒
b) Have impacts that would be individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☒	☐	☐	☒
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

The Eastern Neighborhoods FEIR identified significant impacts related to land use, transportation, cultural resources, shadow, noise, air quality, and hazardous materials. Mitigation measures reduced all impacts to less than significant, with the exception of those related to land use (cumulative impacts on PDR use), transportation (traffic impacts at nine intersections, and transit impacts), cultural (demolition of historical resources), and shadow (impacts on parks).

As discussed in this document and the CPE Certificate of Determination, and with the exception of hazards and hazardous materials, the proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods FEIR. A Focused Initial Study and Mitigated Negative Declaration has been prepared for the hazards and hazardous materials.[3]

[3] San Francisco Planning Department Focused Initial Study, 480 Potrero Avenue, September 26, 2012. A copy of this document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of Case File No. 2011.0430E.

C. DETERMINATION

On the basis of this review, it can be determined that:

☒ The proposed project qualifies for consideration of a Community Plan exemption based on the applicable General Plan and zoning requirements; **AND**

☐ All potentially significant individual or cumulative impacts of the proposed project were identified in the applicable programmatic EIR (PEIR) for the Plan Area, and all applicable mitigation measures have been or incorporated into the proposed project or will be required in approval of the project.

☒ The proposed project may have a potentially significant impact not identified in the PEIR for the topic area(s) identified above, but that this impact can be reduced to a less-than-significant level in this case because revisions in the project have been made by or agreed to by the project proponent. A focused Initial Study and MITIGATED NEGATIVE DECLARATION is required, analyzing the effects that remain to be addressed.

☐ The proposed project may have a potentially significant impact not identified in the PEIR for the topic area(s) identified above. An ENVIRONMENTAL IMPACT REPORT is required, analyzing the effects that remain to be addressed.

DATE _____

Bill Wycko
Environmental Review Officer
for
John Rahaim, Planning Director