



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination Community Plan Evaluation

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

*Case No.:* 2015-010668ENV  
*Project Address:* 244 9<sup>th</sup> Street  
*Zoning:* Regional Commercial District (RCD)  
Western SoMa Special Use District  
55-X Height and Bulk District  
*Plan Area:* Western SoMa Community Plan  
*Block/Lot:* 3518/005  
*Lot Size:* 3,249 square feet  
*Project Sponsor:* Amir Afifi, SIA Consulting, (415) 741-1292  
*Staff Contact:* Don Lewis, (415) 575-9168, [don.lewis@sfgov.org](mailto:don.lewis@sfgov.org)

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### PROJECT DESCRIPTION

The project site is located on the west side of 9<sup>th</sup> Street between Howard and Folsom streets in the South of Market (SoMa) neighborhood. The project site is occupied by an approximately 30-foot-tall, two-story, 3,900-square-foot, industrial building (constructed in 1924). The existing building is occupied by a dental lab/clinic on the ground floor with one dwelling unit on the second floor. The project sponsor proposes the restoration of the existing building's façade, construction of a three-story vertical addition to add eight residential units, and construction of a basement level to provide nine class I bicycle spaces and storage space. The finished building would result in a 55-foot-tall (71-foot-tall with elevator penthouse), five-story, mixed-use building approximately 12,350-square feet in size with nine residential units and 2,330 square feet of ground-floor commercial space. The project would provide two class 2 bicycle spaces on the sidewalk in front of the project site.

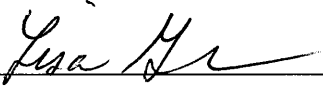
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### CEQA DETERMINATION

The project is eligible for streamlined environmental review per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3.

### DETERMINATION

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

  
\_\_\_\_\_  
LISA GIBSON  
Environmental Review Officer

10/10/17  
\_\_\_\_\_  
Date

cc: Amir Afifi, Project Sponsor; Michael Christensen, Current Planner; Supervisor Jane Kim, District 6; Virna Byrd, M.D.F.; Exclusion/Exemption Dist. List; Historic Preservation Distribution List

## PROJECT DESCRIPTION (continued)

The proposed project would include a total of 1,590 square feet of common open space in the form of a 550-square-foot deck at the third floor and a 1,040-square-foot deck on the roof. The project would plant four new street trees in front of the project site. The existing 10-foot-wide curb cut would be removed and standard sidewalk and curb dimensions restored. No off-street vehicle parking spaces are proposed. During the approximately 18-month construction period, the proposed project would require approximately 10 feet of excavation below ground surface for the proposed basement level, resulting in approximately 900 cubic yards of soil removal. The proposed building would be supported by a stiffened mat foundation on improved soil; impact piling driving is not proposed.

## PROJECT APPROVAL

The proposed project at 244 9<sup>th</sup> Street would require a building permit from the Department of Building Inspection (DBI) for the proposed construction on the project site. The issuance of the building permit by DBI constitutes the *approval action* for the proposed project. The approval action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

## COMMUNITY PLAN EVALUATION OVERVIEW

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

This determination evaluates the potential project-specific environmental effects of the 244 9<sup>th</sup> Street project described above, and incorporates by reference information contained in the programmatic EIR for the *Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project* (Western SoMa PEIR).<sup>1</sup> Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Western SoMa PEIR.

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<sup>1</sup> San Francisco Planning Department, Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project Final Environmental Impact Report (PEIR), Planning Department Case Nos. 2008.0877E and 2007.1035E, State Clearinghouse No. 2009082031, certified December 6, 2012. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed May 28, 2015.

The Western SoMa PEIR included analyses of the following environmental issues: land use; aesthetics; population and housing; cultural and paleontological resources; transportation and circulation; noise and vibration; air quality; greenhouse gas emissions; wind and shadow; recreation; public services, utilities, and service systems; biological resources; geology and soils; hydrology and water quality; hazards and hazardous materials; mineral and energy resources; and agricultural and forest resources.

As a result of the Western SoMa Community Plan, the project site was rezoned from SLR (Service/Light Industrial/Residential District) to Residential Commercial District (RCD) district. The RCD district is located along primary transportation routes and allows for a variety of uses, including residential, office, industrial/PDR, and limited institutional. The RCD district is similar to neighborhood commercial districts but encourages more office uses, including financial and medical services.

Individual projects that could occur in the future under the *Western SoMa Community Plan* will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 244 9<sup>th</sup> Street is consistent with, and was encompassed within, the analysis in the Western SoMa PEIR. This determination also finds that the Western SoMa PEIR adequately anticipated and described the impacts of the proposed 244 9<sup>th</sup> Street project, and identified the mitigation measures applicable to the project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.<sup>2,3</sup> Therefore, no further CEQA evaluation for the 244 9<sup>th</sup> Street project is required. In sum, the Western SoMa PEIR and this certificate of determination and accompanying project-specific initial study comprise the full and complete CEQA evaluation necessary for the proposed project.

## PROJECT SETTING

The project site is located on the west side of 9<sup>th</sup> Street between Howard and Folsom streets in the SoMa neighborhood. The project site is occupied by an approximately 30-foot-tall, two-story, 3,900-square-foot, industrial building (constructed in 1924). The property immediately adjacent to the south of the project site is a four-story mixed-use building (constructed in 2015) with 15 residential units and vacant ground-floor retail space. The property immediately adjacent to the north of the project site is a three-story industrial building (constructed in 1920) with office uses. The property immediately adjacent to the west of the project site, at 45 Dore Street, is a one-story industrial building (constructed in 1923). There is a proposed development at 45 Dore Street (Case No. 2015-006513ENV) that entails the retention of the existing building and construction of a four-story residential building. The surrounding area around the project site is characterized by a variety of uses, including industrial, commercial, office and residential uses, in buildings ranging from one to four stories. Within one-quarter mile of the project site, the San Francisco Municipal Railway (Muni) operates the following bus lines: 12, 14, 14R, 19, 27, and 47. The nearest bus stop, which serves the 12 bus line, is approximately 360 feet east of the project site at the intersection of 9<sup>th</sup> and Folsom streets. There are bicycle lanes along Folsom, Howard, and 8<sup>th</sup> streets. The surrounding parcels are either within the Regional Commercial, Western SoMa Mixed Use-General, Residential Enclave-Mixed (RED), or Folsom Street Neighborhood Commercial Transit zoning districts. Height and bulk districts within a one-block radius include 45-X, 55-X, and 65-X.

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<sup>2</sup> San Francisco Planning Department, *Community Plan Evaluation Eligibility Determination, Citywide Planning Analysis, 244 9<sup>th</sup> Street*, June 20, 2017. This document, and other cited documents, are available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2015-011215ENV.

<sup>3</sup> San Francisco Planning Department, *Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 244 9<sup>th</sup> Street*, June 30, 2017.

## POTENTIAL ENVIRONMENTAL EFFECTS

The Western SoMa PEIR included analyses of environmental issues including: Land Use; Aesthetics, Population and Housing; Cultural and Paleontological Resources; Transportation and Circulation; Noise and Vibration; Air Quality; Greenhouse Gas Emissions; Wind and Shadow; Recreation; Public Services, Utilities, and Service Systems; Biological Resources; Geology and Soils; Hydrology and Water Quality; Hazards and Hazardous Material; Mineral and Energy Resources; and Agriculture and Forest Resources. The proposed 244 9<sup>th</sup> Street project is in conformance with the height, use and density for the site described in the Western SoMa PEIR and would represent a small part of the growth that was forecast for the *Western SoMa Community Plan*. Thus, the project analyzed in the Western SoMa PEIR considered the incremental impacts of the proposed 244 9<sup>th</sup> Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Western SoMa PEIR.

Significant and unavoidable impacts were identified in the Western SoMa PEIR for the following topics: historic resources, transportation and circulation, noise, air quality, and shadow. The project site is located within the Western SoMa Light Industrial and Residential Historic District and the project proposes the alteration of a contributing resource to the historic district. However, Planning staff find that the proposed project would not materially impair the historic district, as the proposed three-story addition would be compatible with the historic district. Therefore, the project would not contribute to any historic resource impact. Transit ridership generated by the project would not considerably contribute to the transit impacts identified in the Western SoMa PEIR. Since the proposed project could generate excessive construction noise, Mitigation Measure M-NO-2a would ensure that project noise from construction activities is minimized to the maximum extent feasible. The proposed project is required to comply with the Construction Dust Control Ordinance, and implementation of Mitigation Measure M-AQ-7 would reduce construction-related air quality impacts by requiring a construction emissions minimization plan for health risks and hazards. The project would not cast new shadow on a park and therefore would not contribute to the significant and unavoidable cumulative shadow impact that was identified in the Western SoMa PEIR. The proposed project would shade nearby streets, sidewalks, and private property at times within the project vicinity, but at levels commonly expected in urban areas.

The Western SoMa PEIR identified feasible mitigation measures to address significant impacts related to cultural and paleontological resources, transportation and circulation, noise and vibration, air quality, wind, biological resources, and hazards and hazardous materials. **Table 1** below lists the mitigation measures identified in the Western SoMa PEIR and states whether the mitigation measure would apply to the proposed project.

**Table 1 – Western SoMa PEIR Mitigation Measures**

Mitigation Measure	Applicability	Compliance
<b>Cultural and Paleontological Resources</b>		
M-CP-1a: Documentation of a Historical Resource	Not Applicable: the existing building is a contributor to a historic district and the proposed project, which would retain and restore the existing façade, would not result in a	Not Applicable

Mitigation Measure	Applicability	Compliance
	substantial adverse change in the significance of the eligible historic district.	
M-CP-1b: Oral Histories	Not Applicable: the project would retain and restore the façade of the existing building; therefore this mitigation measure is not warranted.	Not Applicable
M-CP-1c: Interpretive Program	Not Applicable: the project would retain and restore the façade of the existing building; therefore this mitigation measure is not warranted.	Not Applicable
M-CP-4a: Project-Specific Preliminary Archeological Assessment (PAR)	Applicable: project would require more than 5 feet of below grade excavation.	Pursuant to the results of the PAR, the project sponsor has agreed to implement the Planning Department's Standard Mitigation Measure #3 (Archeological Testing), as Project Mitigation Measure 3.
M-CP-4b: Procedures for Accidental Discovery of Archeological Resources	Applicable: pursuant to the results of the preliminary archeological review.	Pursuant to the results of the preliminary archeological review, the project sponsor has agreed to implement the Planning Department's Standard Mitigation Measure #3 (Archeological Testing), as Project Mitigation Measure 3.
M-CP-7a: Protect Historical Resources from Adjacent Construction Activities	Applicable: project construction would be adjacent to historical resources.	The project sponsor has agreed to use all feasible means to avoid damage to adjacent historical resources (Project Mitigation Measure 1).
M-CP-7b: Construction Monitoring Program for Historical Resources	Applicable: project construction would be adjacent to historical resources.	The project sponsor has agreed to undertake a monitoring plan to minimize damage to adjacent historical resources and to ensure that any damage is documented and repaired (Project Mitigation Measure 2).

Mitigation Measure	Applicability	Compliance
<b>Transportation and Circulation</b>		
M-TR-1c: Traffic Signal Optimization (8 <sup>th</sup> /Harrison/I-80 WB off-ramp)	Not applicable: automobile delay removed from CEQA analysis.	Not Applicable
M-TR-4: Provision of New Loading Spaces on Folsom Street	Not Applicable: project would not remove loading spaces along Folsom Street.	Not Applicable
M-C-TR-2: Impose Development Impact Fees to Offset Transit Impacts	Not Applicable: superseded by Planning Code section 423, Eastern Neighborhoods Impact Fees and Public Benefits Fund.	The project is subject to Eastern Neighborhoods Tier 1 impact fee, a portion of which funds transit improvements.
<b>F. Noise and Vibration</b>		
M-NO-1a: Interior Noise Levels for Residential Uses	Not Applicable: compliance with state building code standards would ensure that existing ambient noise levels would not adversely affect the proposed residential uses.	Not Applicable
M-NO-1b: Siting of Noise-Sensitive Uses	Not Applicable: compliance with state building code standards would ensure that existing ambient noise levels would not adversely affect the proposed residential uses.	Not Applicable
M-NO-1c: Siting of Noise-Generating Uses	Not Applicable: the project is not proposing a noise-generating use.	Not Applicable
M-NO-1d: Open Space in Noisy Environments	Not Applicable: CEQA no longer requires the consideration of the effects of the existing environmental conditions on a proposed project's future users if the project would not exacerbate those environmental conditions.	Not Applicable
M-NO-2a: General Construction Noise Control Measures	Applicable: project proposes construction that could generate excessive construction noise.	The project sponsor has agreed to develop and implement a set of noise attenuation measures during construction (Project Mitigation Measure 4).
M-NO-2b: Noise Control Measures During Pile Driving	Not Applicable: the project does not include pile-driving activities.	Not Applicable

Mitigation Measure	Applicability	Compliance
<b>Air Quality</b>		
M-AQ-2: Transportation Demand Management Strategies for Future Development Projects	Not Applicable: the project would not generate more than 3,500 daily vehicle trips.	Not Applicable
M-AQ-3: Reduction in Exposure to Toxic Air Contaminants for New Sensitive Receptors	Not Applicable: this mitigation measure was superseded by San Francisco Health Code Article 38 (Air Pollutant Exposure Zone).	Not Applicable
M-AQ-4: Siting of Uses that Emit PM <sub>2.5</sub> or other DPM and Other TACs	Not Applicable: the proposed residential and retail uses would not generate substantial levels of PM <sub>2.5</sub> or other DPM and other TACs.	Not Applicable
M-AQ-6: Construction Emissions Minimization Plan for Criteria Air Pollutants	Not Applicable: the project meets the screening criteria for construction criteria air pollutants.	Not Applicable
M-AQ-7: Construction Emissions Minimization Plan for Health Risks and Hazards	Applicable: the project includes construction in an area of poor air quality.	The project sponsor has agreed to implement a Construction Emissions Minimization Plan for Health Risk and Hazards (Project Mitigation Measure 5).
<b>Wind and Shadow</b>		
M-WS-1: Screening-Level Wind Analysis and Wind Testing	Not Applicable: the project would not exceed 80 feet in height as measured by the Planning Code.	Not Applicable
<b>Biological Resources</b>		
M-BI-1a: Pre-Construction Special-Status Bird Surveys	Applicable: the project does not involve building demolition or tree removal.	Not Applicable
M-BI-1b: Pre-Construction Special-Status Bat Surveys	Applicable: the project does not involve demolition of a building or tree removal.	Not Applicable
<b>Hazards and Hazardous Materials</b>		
M-HZ-2: Hazardous Building Materials Abatement	Applicable: the project includes alteration of a pre-1970s building.	The project sponsor has agreed to ensure that any equipment containing polychlorinated biphenyls (PCBs) or mercury, such as fluorescent light ballasts, are removed and properly disposed, and that any

Mitigation Measure	Applicability	Compliance
		fluorescent light tube fixtures, which could contain mercury, are similarly removed intact and properly disposed of (Project Mitigation Measure 6).
M-HZ-3: Site Assessment and Corrective Action	Not Applicable: this mitigation measure was superseded by San Francisco Health Code Article 22A (Maher Ordinance).	Not Applicable

## PUBLIC NOTICE AND COMMENT

A “Notification of Project Receiving Environmental Review” was mailed on April 27, 2017 to adjacent occupants and owners of properties within 300 feet of the project site. No comments on the environmental notice were received.

## CONCLUSION

As summarized above and further discussed in the project-specific initial study<sup>4</sup>:

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

Therefore, no further environmental review shall be required for the proposed project pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

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<sup>4</sup> The initial study is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2015-010668ENV.



**EXHIBIT 1: MITIGATION MONITORING AND REPORTING PROGRAM**

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p><b>MITIGATION MEASURES</b></p> <p><b>Project Mitigation Measure 1 – Protect Historical Resources from Adjacent Construction Activities (Implementing Western SoMa PEIR Mitigation Measure M-CP-7a)</b></p> <p>The project sponsor shall consult with Planning Department environmental planning/preservation staff to determine whether adjacent or nearby buildings constitute historical resources that could be adversely affected by construction-generated vibration. For purposes of this measure, nearby historic buildings shall include those within 100 feet of a construction site if pile driving would be used; otherwise, it shall include historic buildings within 25 feet if heavy equipment would be used on the construction site. (No measures need be applied if no heavy equipment would be employed.) If one or more historical resources is identified that could be adversely affected, the project sponsor shall incorporate into construction specifications for the proposed project a requirement that the construction contractor(s) use all feasible means to avoid damage to adjacent and nearby historic buildings. Such methods may include maintaining a safe distance between the construction site and the historic buildings (as identified by the Planning Department preservation staff), using construction techniques that reduce vibration, appropriate excavation shoring methods to prevent movement of adjacent structures, and providing adequate security to minimize risks of vandalism and fire.</p>	Project sponsor, contractor, and Environmental Review Officer (ERO).	Prior to and during construction activities.	Project sponsor and contractor.	Considered complete upon ERO’s approval of construction specifications.

**MONITORING AND REPORTING PROGRAM**

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p><b>Project Mitigation Measure 2 – Construction Monitoring Program for Historical Resources (Implementing Western SoMa PEIR Mitigation Measure M-CP-7b)</b></p> <p>The project sponsor shall undertake a monitoring program to minimize damage to adjacent historic buildings and to ensure that any such damage is documented and repaired. The monitoring program, which shall apply within 100 feet where pile driving would be used and within 25 feet otherwise, shall include the following components. Prior to the start of any ground-disturbing activity, the project sponsor shall engage a historic architect or qualified historic preservation professional to undertake a pre-construction survey of historical resource(s) identified by the San Francisco Planning Department within 125 feet of planned construction to document and photograph the buildings’ existing conditions. Based on the construction and condition of the resource(s), the consultant shall also establish a maximum vibration level that shall not be exceeded at each building, based on existing condition, character-defining features, soils conditions, and anticipated construction practices (a common standard is 0.2 inch per second, peak particle velocity). To ensure that vibration levels do not exceed the established standard, the project sponsor shall monitor vibration levels at each structure and shall prohibit vibratory construction activities that generate vibration levels in excess of the standard.</p> <p>Should vibration levels be observed in excess of the standard, construction shall be halted and alternative construction techniques put in practice, to the extent feasible. (For example,</p>	<p>Project sponsor, contractor, qualified historic preservation professional, and ERO.</p>	<p>Prior to the start of demolition, earth moving, or construction activity proximate to a designated historical resource.</p>	<p>Planning Department Preservation Technical Specialist shall review and approve construction monitoring program.</p>	<p>Considered complete upon submittal to ERO of post-construction report on construction monitoring program and effects, if any, on proximately historical resources.</p>

**MONITORING AND REPORTING PROGRAM**

<b>Adopted Mitigation Measures</b>	<b>Responsibility for Implementation</b>	<b>Mitigation Action and Schedule</b>	<b>Monitoring/Reporting Responsibility</b>	<b>Monitoring Schedule</b>
<p>pre-drilled piles could be substituted for driven piles, if feasible based on soils conditions; smaller, lighter equipment might be able to be used in some cases.) The consultant shall conduct regular periodic inspections of each building during ground-disturbing activity on the project site. Should damage to either building occur, the building(s) shall be remediated to its pre-construction condition at the conclusion of ground-disturbing activity on the site.</p>				
<p><b>Project Mitigation Measure 3 – Archeological Testing (Implementing Western SoMa PEIR Mitigation Measure M-CP-4a)</b></p> <p>Based on a reasonable presumption that archeological resources may be present on the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archeological consultant from the rotational Department Qualified Archeological Consultants List (QACL) maintained by the Planning Department archeologist. The project sponsor shall contact the Planning Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant’s work shall be conducted in accordance with this measure at the direction of the ERO. All plans and reports prepared by the consultant as specified herein shall be submitted</p>	<p>Project sponsor/ archeological consultant at the direction of the ERO.</p>	<p>Prior to issuance of any permit for soils-disturbing activities and during construction activities.</p>	<p>Project sponsor/archeological consultant and ERO.</p>	<p>Considered complete upon ERO’s approval of FARR.</p>

**MONITORING AND REPORTING PROGRAM**

<b>Adopted Mitigation Measures</b>	<b>Responsibility for Implementation</b>	<b>Mitigation Action and Schedule</b>	<b>Monitoring/Reporting Responsibility</b>	<b>Monitoring Schedule</b>
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first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of 4 weeks. At the direction of the ERO, the suspension of construction can be extended beyond 4 weeks only if such a suspension is the only feasible means to reduce to a less-than-significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Section 15064.5(a)(c).

**Consultation with Descendant Communities.** On discovery of an archeological site<sup>1</sup> associated with descendant Native Americans, the Overseas Chinese, or other descendant group, an appropriate representative<sup>2</sup> of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site, and to consult with ERO regarding appropriate archeological treatment of the site; of recovered data from the site; and if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archeological Resources Report shall be provided to the representative of the descendant group.

**Archeological Testing Program.** The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved

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

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

**MONITORING AND REPORTING PROGRAM**

<b>Adopted Mitigation Measures</b>	<b>Responsibility for Implementation</b>	<b>Mitigation Action and Schedule</b>	<b>Monitoring/Reporting Responsibility</b>	<b>Monitoring Schedule</b>
<p>ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project; the testing method to be used; and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.</p> <p>At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If, based on the archeological testing program, the archeological consultant finds that significant archeological resources may be present, the ERO, in consultation with the archeological consultant, shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. No archeological data recovery shall be undertaken without the prior approval of the ERO or the Planning Department archeologist. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor, either:</p> <ul style="list-style-type: none"> <li>A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or</li> <li>B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance, and that</li> </ul>				

**MONITORING AND REPORTING PROGRAM**

<b>Adopted Mitigation Measures</b>	<b>Responsibility for Implementation</b>	<b>Mitigation Action and Schedule</b>	<b>Monitoring/Reporting Responsibility</b>	<b>Monitoring Schedule</b>
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interpretive use of the resource is feasible.

**Archeological Monitoring Program.** If the ERO, in consultation with the archeological consultant, determines that an archeological monitoring program shall be implemented, the archeological monitoring program shall minimally include the following provisions:

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to the commencement of any project-related soils-disturbing activities. The ERO, in consultation with the archeological consultant, shall determine which project activities shall be archeologically monitored. In most cases, any soils-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), or site remediation shall require archeological monitoring because of the risk these activities pose to potential archeological resources and to their depositional context.
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource.
- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with the project archeological consultant, determined that project construction

**MONITORING AND REPORTING PROGRAM**

<b>Adopted Mitigation Measures</b>	<b>Responsibility for Implementation</b>	<b>Mitigation Action and Schedule</b>	<b>Monitoring/Reporting Responsibility</b>	<b>Monitoring Schedule</b>
<p>activities could have no effects on significant archeological deposits.</p> <ul style="list-style-type: none"> <li>▪ The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis.</li> <li>▪ If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile-driving/construction activities and equipment until the deposit is evaluated. If, in the case of pile-driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile-driving activity may affect an archeological resource, the pile-driving activity shall be terminated until an appropriate evaluation of the resource has been made, in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.</li> </ul>				

Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.

**Archeological Data Recovery Program.** The archeological data recovery program shall be conducted in accordance with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on

**MONITORING AND REPORTING PROGRAM**

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the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. The ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

- **Field Methods and Procedures.** Descriptions of proposed field strategies, procedures, and operations.
- **Cataloguing and Laboratory Analysis.** Description of selected cataloguing system and artifact analysis procedures.
- **Discard and De-accession Policy.** Description of and rationale for field and post-field discard and de-accession policies.
- **Interpretive Program.** Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- **Security Measures.** Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.



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- **Final Report.** Description of proposed report format and distribution of results.
- **Curation.** Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

**Human Remains and Associated or Unassociated Funerary Objects.** The treatment of human remains and of associated or unassociated funerary objects discovered during any soils-disturbing activity shall comply with applicable state and federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco; and in the event of the Coroner’s determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission, who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines, Section 15064.5[d]). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.

**Final Archeological Resources Report.** The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery

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<p>program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert in the final report.</p> <p>Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archeological Site Survey Northwest Information Center (NWIC) shall receive one copy, and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound, one unbound, and one unlocked, searchable PDF copy on CD of the FARR, along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/CRHR. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.</p> <p><b>Project Mitigation Measure 4: General Construction Noise Control Measures (Implementing Western SoMa PEIR Mitigation Measure M-NO-2a)</b></p> <p>To ensure that project noise from construction activities is minimized to the maximum extent feasible, the sponsor of a subsequent development project shall undertake the following:</p> <ul style="list-style-type: none"> <li>The sponsor of a subsequent development project shall require the general contractor to ensure that equipment and trucks used for project construction use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating</li> </ul>	<p>Project sponsor and contractor.</p>	<p>Prior to issuance of a building permit and during construction activities.</p>	<p>The project sponsor shall prepare and submit monthly noise reports during construction.</p>	<p>Considered complete upon final monthly report.</p>

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<p>shields or shrouds, wherever feasible).</p> <ul style="list-style-type: none"> <li>• The sponsor of a subsequent development project shall require the general contractor to locate stationary noise sources (such as compressors) as far from adjacent or nearby sensitive receptors as possible, to muffle such noise sources, and to construct barriers around such sources and/or the construction site, which could reduce construction noise by as much as 5 dBA. To further reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, if feasible.</li> <li>• The sponsor of a subsequent development project shall require the general contractor to use impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used, along with external noise jackets on the tools, which could reduce noise levels by as much as 10 dBA.</li> <li>• The sponsor of a subsequent development project shall include noise control requirements in specifications provided to construction contractors. Such requirements could include, but not be limited to: performing all work in a manner that minimizes noise to the extent feasible; undertaking the most noisy activities during times of least disturbance to</li> </ul>				

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<p>surrounding residents and occupants, as feasible; and selecting haul routes that avoid residential buildings inasmuch as such routes are otherwise feasible.</p> <p>Prior to the issuance of each building permit, along with the submission of construction documents, the sponsor of a subsequent development project shall submit to the San Francisco Planning Department and Department of Building Inspection (DBI) a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include: (1) a procedure and phone numbers for notifying DBI, the Department of Public Health, and the Police Department (during regular construction hours and off-hours); (2) a sign posted on-site describing noise complaint procedures and a complaint hotline number that shall be answered at all times during construction; (3) designation of an on-site construction complaint and enforcement manager for the project; and (4) notification of neighboring residents and non-residential building managers within 300 feet of the project construction area at least 30 days in advance of extreme noise-generating activities (defined as activities generating noise levels of 90 dBA or greater) about the estimated duration of the activity.</p>				

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<p><b>Project Mitigation Measure 5 – Construction Air Quality (Implementing Western SoMa PEIR Mitigation Measure M-AQ-7)</b></p> <p>A. <i>Engine Requirements.</i></p> <ol style="list-style-type: none"> <li>1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.</li> <li>2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.</li> <li>3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction</li> </ol>	Project sponsor, contractor(s).	Submit certification statement prior to construction activities requiring the use of off-road equipment.	Project sponsor, contractor(s), and the ERO.	Considered complete upon submittal of certification statement.

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<p>site to remind operators of the two-minute idling limit.</p>				
<p>4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.</p>				
<p>B. <i>Waivers.</i></p>				
<p>1. The Planning Department’s Environmental Review Officer (ERO) or designee may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for on-site power generation meets the requirements of Subsection (A)(1).</p>				
<p>2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road</p>				

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equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to the table below.

**Table – Off-Road Equipment Compliance Step-down Schedule**

Engine Standard	Emission	Emissions Control
Tier 2		ARB Level 2 VDECS
Tier 2		ARB Level 1 VDECS
Tier 2		Alternative Fuel*

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

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

1. The Plan shall include estimates of the construction timeline by phase, with a

Project sponsor, contractor(s).

Prepare and submit a Plan prior to issuance of a permit specified in Section 106A.3.2.6 of the San Francisco Building Code.

Project sponsor, contractor(s), and the ERO.

Considered complete upon findings by the ERO that the Plan is complete.

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<p>description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.</p>				
<p>2. The ERO shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.</p>				
<p>3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the</p>				



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<p>Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.</p> <p>D. <i>Monitoring.</i> After start of construction activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.</p>	<p>Project sponsor/contractor(s).</p>	<p>Submit quarterly reports.</p>	<p>Project sponsor, contractor(s), and the ERO.</p>	<p>Considered complete upon findings by the ERO that the Plan is being/has been implemented.</p>

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<p><b>Project Mitigation Measure 6 – Hazardous Building Materials Abatement (Implementing Western SoMa PEIR Mitigation Measure M-HZ-2)</b></p> <p>The project sponsor shall ensure that any equipment containing polychlorinated biphenyls (PCBs) or mercury, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tube fixtures, which could contain mercury, are similarly removed intact and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.</p>	Project sponsor, construction contractor(s).	Prior to any demolition or construction activities	Project Sponsor; Planning Department; Department of Public Health	Prior to any demolition or construction activities