



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination Community Plan Evaluation

Case No.: 2015-015010ENV  
 Project Address: 552 Berry Street/ 1 DeHaro Street  
 Zoning: PDR-1-G (Production Distribution and Repair-1-General) Use District  
 58-X Height and Bulk District  
 Block/Lot: 3800/003 and 004  
 Lot Size: 43,350 square feet  
 Plan Area: Eastern Neighborhoods Plan, Showplace Square/Potrero Hill Area  
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### PROJECT DESCRIPTION

The project site is located on two lots on De Haro Street on a block bounded by De Haro Street to the west, King Street to the north, 7<sup>th</sup> Street to the east, and Berry Street to the south. The project site is occupied by three (3) 25-foot-tall, single-story warehouse structures totaling 10,620 square feet with surface parking and storage areas. The existing buildings were constructed in 1926, 1947 and 1989 and are currently vacant. The project site includes a San Francisco Public Utilities Commission easement along its northern property line, which contains sanitary sewer pipes associated with the Mission Creek drainage system.

(Continued on next page.)

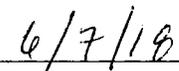
### CEQA DETERMINATION

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

  
 Date

cc: John Fisher, Project Sponsor; Supervisor Malia Cohen, District 11; Doug Vu, Current Planning Division; Virna Byrd, M.D.F

## PROJECT DESCRIPTION (continued)

The proposed project involves the merger of the two lots, the demolition of the existing structures, and the construction of a 4-story, 58-foot-tall mixed-use building (up to 68 feet with rooftop appurtenances). The proposed building would include approximately 43,300 square feet of Production, Distribution and Repair (PDR) space, and 86,300 square feet of office space. The proposed building would include 36 Class 1 bicycle spaces and 24 Class 2 bicycle spaces on the ground floor,<sup>1</sup> 10 off-street vehicle parking spaces and two off-street loading zones. The proposed project includes construction of two publically-accessible private open spaces (POPOS) that would connect to the greenway on the adjacent 888 7<sup>th</sup> Street parcel: one 1,400 square foot POPOS at the intersection of De Haro Street, King Street, and Division Street, and a second 400 square foot POPOS on Berry Street. The proposed project would involve excavation of up to approximately 5 feet below ground surface and 8,000 cubic yards of soil is proposed to be removed. Construction would take approximately 16 months. The project site is located within the Showplace Square/Potrero Hill area of the Eastern Neighborhoods Plan Area.

## PROJECT APPROVAL

Pursuant to Planning Code Section 210.3, the proposed project requires a Conditions Use Authorization from the Planning Commission. Approval of the Conditional Use Authorization constitutes the Approval Action for the proposed project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

## COMMUNITY PLAN EVALUATION OVERVIEW

California 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 552 Berry Street/1 De Haro Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR)<sup>2</sup>. Project-specific

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<sup>1</sup> Class one bicycle spaces are spaces in secure, weather-protected facilities intended for use as long-term, overnight, and work-day bicycle storage by dwelling unit residents, non-residential occupants, and employees. Class two bicycle spaces are bicycle racks located in a publicly-accessible, highly visible location intended for transient or short-term use by visitors, guests, and patrons to the building or use. See Planning Code section 155.1 (a).

<sup>2</sup> Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048.

studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods PEIR was adopted in December 2008. The Eastern Neighborhoods PEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods PEIR also included changes to existing height and bulk districts in some areas, including the project site at 552 Berry Street/1 De Haro Street.

The Planning Commission held public hearings to consider the various aspects of the proposed Eastern Neighborhoods Rezoning and Area Plans and related Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods PEIR by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.<sup>3,4</sup>

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

The Eastern Neighborhoods PEIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a “No Project” alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the PEIR. The Eastern Neighborhoods PEIR estimated that implementation of the Eastern Neighborhoods Plan could result in approximately 7,400 to 9,900 net dwelling units and 3,200,000 to 6,600,000 square feet of net non-residential space (excluding PDR loss) built in the Plan Area throughout the lifetime of the Plan (year 2025). The Eastern Neighborhoods PEIR projected that this level of development would result in a total population increase of approximately 23,900 to 33,000 people throughout the lifetime of the plan.<sup>5</sup>

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

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<sup>3</sup> San Francisco Planning Department. Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (FEIR), Planning Department Case No. 2004.0160E, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

<sup>4</sup> San Francisco Planning Department. San Francisco Planning Commission Motion 17659, August 7, 2008. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=1268>, accessed August 17, 2012.

<sup>5</sup> Table 2 Forecast Growth by Rezoning Option Chapter IV of the Eastern Neighborhoods Draft EIR shows projected net growth based on proposed rezoning scenarios. A baseline for existing conditions in the year 2000 was included to provide context for the scenario figures for parcels affected by the rezoning.

As a result of the Eastern Neighborhoods rezoning process, the project site has been rezoned to PDR-1-G (Production Distribution and Repair-General-1) District. The PDR-1-G District is intended to promote, retain and encourage existing production, distribution, and repair activities and promote new business formation. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in the Community Plan Evaluation (CPE) Checklist, under Land Use. The 552 Berry Street/1 De Haro Street site, which is located in the Potrero Hill/Showplace Square subarea of the Eastern Neighborhoods, was designated as a site with buildings up to 58 feet in height.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 552 Berry Street/1 De Haro Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods PEIR, including the Eastern Neighborhoods PEIR development projections. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 552 Berry Street/1 De Haro Street project, and identified the mitigation measures applicable to the 552 Berry Street/1 De Haro Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.<sup>6,7</sup> Therefore, no further CEQA evaluation for the 552 Berry Street/1 De Haro Street project is required. In sum, the Eastern Neighborhoods 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 two lots on De Haro Street on a block bounded by De Haro Street to the west, King Street to the north, 7<sup>th</sup> Street to the east, and Berry Street to the south. The project site is occupied by three (3) 25-foot-tall, single-story warehouse structures totaling 10,620 square feet with surface parking and storage areas. The existing buildings were constructed in 1926, 1947 and 1989 and are currently vacant. The project site is located in a PDR-1-G (Production Distribution and Repair-1-General) Zoning District and a 58-X Height and Bulk District.

The project vicinity is a mix of residential, industrial and commercial uses. The industrial and commercial businesses in the project vicinity are mostly housed in one- and three-story structures ranging in height from 18 feet to 48 feet. The residential buildings range from four to five stories in height, ranging from 55 feet to 65 feet tall.

Immediately adjacent to the north of the project site are four (4) five-story, approximately 65-foot-tall residential buildings constructed in 2007. Across Berry Street from the project site is the Recology Golden Gate waste management service yard, which includes one- and two-story administrative and vehicle maintenance buildings as well as a parking and storage lot. Across De Haro Street from the project site is a two-story commercial and warehouse building constructed in 1945.

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<sup>6</sup> Steve Wertheim, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Citywide Planning and Policy Analysis, 552 Berry St/1 De Haro St, April 24, 2017. This document (and all other documents cited in this report, unless otherwise noted), is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2015-015010ENV.

<sup>7</sup> Jeff Joslin, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 552 Berry St/1 De Haro St, November 8, 2017.

The project site is served by transit lines (Muni lines 8, 8AX, 8BX, 10, 14X, 19, 22, 55, and 83X) and bicycle facilities (there are bike lanes on 5<sup>th</sup>, 11<sup>th</sup>, 13<sup>th</sup>, 16<sup>th</sup>, and 17<sup>th</sup> streets). Zoning districts in the vicinity of the project site include UMU (Urban Mixed Use), PDR-1-G (Production, Distribution and Repair-1-General) and PDR-1-D (Production, Distribution and Repair-1-Design). Height and bulk districts in the project vicinity include 58-X and 68-X.

**POTENTIAL ENVIRONMENTAL EFFECTS**

The Eastern Neighborhoods PEIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods Rezoning and Area Plans. The proposed 552 Berry Street/1 De Haro Street project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods PEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods plan areas. Thus, the plan analyzed in the Eastern Neighborhoods PEIR considered the incremental impacts of the proposed 552 Berry Street/1 De Haro Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

Significant and unavoidable impacts were identified in the Eastern Neighborhoods PEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. The proposed project would not contribute to any of the significant and unavoidable impacts identified in the Eastern Neighborhoods PEIR.

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

**Table 1 – Eastern Neighborhoods PEIR Mitigation Measures**

Mitigation Measure	Applicability	Compliance
<b>F. Noise</b>		
F-1: Construction Noise (Pile Driving)	Not Applicable (N/A): pile driving not proposed	N/A
F-2: Construction Noise	Applicable: temporary construction noise from use of heavy equipment	The project sponsor has agreed to implement <b>Project Mitigation Measure 2: Construction Noise</b>
F-3: Interior Noise Levels	Not Applicable: noise-sensitive uses are not proposed.	N/A
F-4: Siting of Noise-Sensitive Uses	Not Applicable: the project does not include noise-sensitive uses.	N/A

Mitigation Measure	Applicability	Compliance
F-5: Siting of Noise-Generating Uses	Applicable: proposed project includes potentially noise-generating uses (PDR)	The project sponsor has agreed to implement <b>Project Mitigation Measure 3: Operational Noise</b>
F-6: Open Space in Noisy Environments	Not Applicable: CEQA no longer requires the consideration of the effects of the existing environment on a proposed project's future users or residents where that project would not exacerbate existing noise levels.	N/A
<b>G. Air Quality</b>		
G-1: Construction Air Quality	Applicable: Proposed project is located in the Air Pollution Exposure Zone (APEZ).	Project sponsor has agreed to implement <b>Project Mitigation Measure 4: Construction Air Quality.</b>
G-2: Air Quality for Sensitive Land Uses	Not Applicable: the proposed project does not include sensitive land uses.	N/A
G-3: Siting of Uses that Emit DPM	Not Applicable: This measure applies to projects that would generate 100 truck trips or more per day. The proposed project would generate 45 truck trips per day.	N/A
G-4: Siting of Uses that Emit other TACs	Applicable: The proposed project may include tenants who install diesel generators.	<b>Project Mitigation Measure 5: Best Available Control Technology for Diesel Generators</b> has been agreed to by the project sponsor.
<b>J. Archeological Resources</b>		
J-1: Properties with Previous Studies	Not Applicable: The project site is not located in an area with a previous archeological study.	N/A
J-2: Properties with no Previous Studies	Applicable: The project site is located in an area with no previous archeological study.	<b>Project Mitigation Measure 1: Archeology – Accidental Discovery</b> has been agreed to by the project sponsor.

Mitigation Measure	Applicability	Compliance
J-3: Mission Dolores Archeological District	Not Applicable: The project site is not located in the Mission Dolores Archeological District	N/A
<b>K. Historical Resources</b>		
K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan area	Not Applicable: plan-level mitigation completed by Planning Department	N/A
K-2: Amendments to Article 10 of the Planning Code Pertaining to Vertical Additions in the South End Historic District (East SoMa)	Not Applicable: plan-level mitigation completed by Planning Commission	N/A
K-3: Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in the Dogpatch Historic District (Central Waterfront)	Not Applicable: plan-level mitigation completed by Planning Commission	N/A
<b>L. Hazardous Materials</b>		
L-1: Hazardous Building Materials	Applicable: Proposed project includes demolition of existing building.	<b>Project Mitigation Measure 6: Hazardous Building Materials</b> has been agreed to by the project sponsor.
<b>E. Transportation</b>		
E-1: Traffic Signal Installation	Not Applicable: automobile delay removed from CEQA analysis	N/A
E-2: Intelligent Traffic Management	Not Applicable: automobile delay removed from CEQA analysis	N/A
E-3: Enhanced Funding	Not Applicable: automobile delay removed from CEQA analysis	N/A
E-4: Intelligent Traffic Management	Not Applicable: automobile delay removed from CEQA analysis	N/A
E-5: Enhanced Transit Funding	Not Applicable: plan level mitigation by SFMTA	N/A

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

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

## PUBLIC NOTICE AND COMMENT

A “Notification of Project Receiving Environmental Review” was mailed on February 6, 2017 to adjacent occupants and owners of properties within 300 feet of the project site. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. Comments included concerns about new shadow on neighboring private open spaces, the need for more open space in the Showplace Square area, construction noise, traffic and parking. These comments are addressed in the Initial Study in the Wind and Shadow, Recreation, Noise and Transportation sections. The proposed project would not result in significant adverse environmental impacts associated with the issues beyond those identified in the Eastern Neighborhoods PEIR.

## CONCLUSION

As summarized above and further discussed in the CPE Initial Study<sup>8</sup>:

1. The proposed project is consistent with the development density established for the project site in the Eastern Neighborhoods Rezoning and Area Plans;
2. The proposed project would not result in effects on the environment that are peculiar to the project or the project site that were not identified as significant effects in the Eastern Neighborhoods PEIR;

<sup>8</sup> The CPE Initial Study is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2015-015010.

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

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

# EXHIBIT 1

## MITIGATION MONITORING AND REPORTING PROGRAM

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Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<b>MITIGATION MEASURE 1</b> <b>Accidental Discovery-Archeology (implementing Eastern Neighborhoods PEIR Mitigation Measure J-2)</b>				
<p>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, 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.</p>	<p>Project sponsor at the direction of the Environmental Review Officer (ERO).</p>	<p>Prior to and during soils-disturbing activities.</p>	<p>Project sponsor shall distribute Alert sheet and shall submit a signed affidavit confirming the distribution to the ERO.</p>	<p>Considered complete when ERO receives signed affidavit.</p>
<p>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</p>	<p>Project sponsor/Head Foreman and archeological consultant at the direction of the</p>	<p>Accidental discovery.</p>	<p>In the event of accidental discovery, the project sponsor shall suspend soils-disturbing activities, notify the ERO, and</p>	<p>Considered complete when archeological consultant completes additional measures as directed by the ERO as warranted.</p>

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<p>activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.</p> <p>If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an archeological consultant from the pool of qualified archeological consultants maintained by the Planning Department archeologist. 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.</p> <p>Measures might include: preservation in situ of the archeological resource; an archeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is</p>	<p>ERO.</p>		<p>retain a qualified archeological consultant at the direction of the ERO. The archeological consultant shall identify and evaluate the archeological resources and recommend actions for review and approval by the ERO. The archeological consultant shall undertake additional measures at the direction of the ERO.</p>	

# EXHIBIT 1

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Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<p>required, it shall be consistent with the Environmental Planning 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.</p>				
<p>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 describes 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.</p> <p>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</p>	<p>Archeological consultant at the direction of the ERO.</p>	<p>Following completion of additional measures by archeological consultant as determined by the ERO.</p>	<p>Submittal of draft FARR to ERO for review and approval. Distribution of the FARR by the archeological consultant.</p>	<p>Considered complete upon distribution of approved FARR.</p>

# EXHIBIT 1

## MITIGATION MONITORING AND REPORTING PROGRAM

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Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<p>Environmental Planning Division of the Planning Department shall receive one bound copy, one unbound copy and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.</p>				
<p><b>MITIGATION MEASURE 2</b></p> <p><b>Construction Noise (Implementing Eastern Neighborhoods PEIR Mitigation Measure F-1)</b></p>				
<p>The project sponsor shall develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:</p>	<p>Project sponsor/ contractor(s).</p>	<p>During construction.</p>	<p>Project sponsor/contractor(s) to provide monthly reports during construction period.</p>	<p>Considered complete upon receipt of final monitoring report at completion of construction.</p>

# EXHIBIT 1

## MITIGATION MONITORING AND REPORTING PROGRAM

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Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<ul style="list-style-type: none"> <li>• Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses;</li> <li>• Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site;</li> <li>• Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses;</li> <li>• Monitor the effectiveness of noise attenuation measures by taking noise measurements; and</li> <li>• Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed.</li> </ul>				
<p><b>MITIGATION MEASURE 3</b></p> <p><b>Operational Noise (Implementing Eastern Neighborhoods PEIR Mitigation Measure F-5)</b></p>				
<p>The project sponsor shall ensure that the proposed project is designed such that exterior assemblies meet an STC rating of at least 27.</p>	<p>Project sponsor.</p>	<p>Prior to approval of building permit.</p>	<p>Project sponsor and Department of Building Inspection.</p>	<p>Upon determination that the approved project includes exterior assemblies that meet an STC rating of at least 27.</p>

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<b>MITIGATION MEASURE 4</b>  <b>Construction Air Quality (Implementing Eastern Neighborhoods PEIR Mitigation Measure G-1)</b>				
<p>The project sponsor or the project sponsor's Contractor shall comply with the following:</p> <p><i>A. 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.,</li> </ol>	<p>Project sponsor/ contractor(s).</p>	<p>Prior to demolition or construction activities requiring the use of off-road equipment.</p>	<p>Project sponsor/contractor(s) and the ERO.</p>	<p>Considered complete on submittal of certification statement.</p>

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<p>traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute idling limit.</p> <p>4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.</p>				
<p><i>B. Waivers.</i></p> <p>1. The Planning Department's Environmental Review Officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1).</p> <p>2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the</p>				

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<p>equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to Table below.</p> <p style="text-align: center;"><b>Table – Off-Road Equipment Compliance Step-down Schedule</b></p> <table border="1" data-bbox="92 794 688 976"> <thead> <tr> <th data-bbox="92 794 237 873">Compliance Alternative</th> <th data-bbox="237 794 447 873">Engine Emission Standard</th> <th data-bbox="447 794 688 873">Emissions Control</th> </tr> </thead> <tbody> <tr> <td data-bbox="92 873 237 906">1</td> <td data-bbox="237 873 447 906">Tier 2</td> <td data-bbox="447 873 688 906">ARB Level 2 VDECS</td> </tr> <tr> <td data-bbox="92 906 237 938">2</td> <td data-bbox="237 906 447 938">Tier 2</td> <td data-bbox="447 906 688 938">ARB Level 1 VDECS</td> </tr> <tr> <td data-bbox="92 938 237 971">3</td> <td data-bbox="237 938 447 971">Tier 2</td> <td data-bbox="447 938 688 971">Alternative Fuel*</td> </tr> </tbody> </table> <p data-bbox="92 976 688 1230">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.</p>	Compliance Alternative	Engine Emission Standard	Emissions Control	1	Tier 2	ARB Level 2 VDECS	2	Tier 2	ARB Level 1 VDECS	3	Tier 2	Alternative Fuel*				
Compliance Alternative	Engine Emission Standard	Emissions Control														
1	Tier 2	ARB Level 2 VDECS														
2	Tier 2	ARB Level 1 VDECS														
3	Tier 2	Alternative Fuel*														
<p>C. <i>Construction Emissions Minimization Plan.</i> 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</p>	Project sponsor/contractor(s).	Prior to issuance of a permit specified in Section 106A.3.2.6 of the Francisco Building Code.	Project sponsor/contractor(s) and the ERO.	Considered complete on findings by ERO that Plan is complete.												

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<p>Section A.</p> <ol style="list-style-type: none"> <li>1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.</li> <li>2. The project sponsor shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.</li> </ol>				

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<p>3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.</p>				
<p><i>D. 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>Quarterly during demolition and construction activities.</p>	<p>Project sponsor/ contractor(s) and the ERO.</p>	<p>Considered complete on findings by ERO that Plan is being/was implemented.</p>

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

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<b>MITIGATION MEASURE 6</b>  <b>Hazardous Building Materials (implementing Eastern Neighborhoods PEIR Mitigation Measure L-1)</b>				
<p>The sponsor shall ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.</p>	<p>Project sponsor, Construction contractor(s).</p>	<p>Prior to any demolition or construction activities.</p>	<p>If necessary, the project sponsor to provide hazardous materials survey and abatement results to the Planning Department and SFDPH.</p>	<p>Prior to any demolition or construction activities.</p>