

From: [George, Sherie \(CPC\)](#)
To: [BOS Legislation, \(BOS\)](#)
Cc: [Gibson, Lisa \(CPC\)](#); [Dwyer, Debra \(CPC\)](#); [Taylor, Michelle \(CPC\)](#); [Sucre, Richard \(CPC\)](#); [RUIZ-ESQUIDE, ANDREA \(CAT\)](#)
Subject: Board of Supervisors File No. 231285 - Department Response Submittal for appeal of GPE for 2395 Sacramento Street
Date: Wednesday, January 31, 2024 4:58:03 PM
Attachments: [2395 Sacramento GPE Appeal - Planning_Historic Supplemental Response_1.pdf](#)

Hello,

Attached please find the department's [supplemental response submittal 1](#) for appeal for GPE for 2395 Sacramento Street. Please note, a department supplemental response 2 will be forthcoming to address more detailed concerns raised in the appellant's supplemental letters of appeal dated January 12, 2024 and January 26, 2024.

Please let me know if you need any additional materials from the department on this submittal.

Best,
Sherie George

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[San Francisco Property Information Map](#)



GENERAL PLAN EVALUATION APPEAL SUPPLEMENTAL RESPONSE 1

2395 Sacramento Street

Date: January 31, 2024
To: Angela Calvillo, Clerk of the Board of Supervisors
From: Lisa Gibson, Environmental Review Officer – (628) 652-7571
Michelle Taylor – michelle.taylor@sfgov.org (628)652-7352
Sherie George - sherie.george@sfgov.org (628) 652-7558

RE: Board File No. [231285](#)
Planning Case No. 2022-004172ENV and 2022-004172APL
Planning Department Supplemental Response 1 for Appeal of
General Plan Evaluation for 2395 Sacramento Street: Historic Resources

Hearing Date: February 6, 2024, continued from January 23, 2024

Project Sponsor: Tuija Catalano of Reuben Junius & Rose, LLP, on behalf of
Eduardo Sagues, Gokovacandir, LLC

Appellant: Richard Toshiyuki Drury of Lozeau Drury LLP, on behalf of Jonathan Clark

Attachments: Attachment A: General Plan Evaluation: 2395 Sacramento Street, Attachment B:
Agreement to Implement Mitigation Monitoring and Reporting Program, October 20,
2023. (MMRP)

Introduction

This memorandum provides the Planning Department's (the department's) responses to the appellant's supplemental letters of appeal dated January 12, 2024 and January 26, 2024 regarding the Planning Department's general plan evaluation (GPE) determination under the San Francisco Housing Element 2022 Update Final Environmental Impact Report (Housing Element EIR) for the proposed 2395 Sacramento Street project (proposed project). In particular, this response addresses supplements to the appeal on the topic of **historic resources**. The Department's forthcoming supplemental appeal response 2 will address appellant's further concerns on the use of streamlined CEQA environmental review pursuant to CEQA section 21083.3 and CEQA Guidelines section 15183, the standard of review for GPE determinations, and rebuttal to the appellant claims for the project specific analysis. For ease of reference, the response numbering is continuous for the department's original response memorandum dated January 16, 2024.

Background

On December 15, 2023, the appellant submitted a copy of a formal nomination that the Health Sciences Library (City Landmark No. 115) be placed on the National Register of Historic Places (National Register) to the National Park Service's California State Historic Preservation Officer (SHPO). On January 12, 2024, the appellant supplemented the appeal with Exhibit B, Bridget Maley comments, dated January 10, 2024. On January 19, 2024, the appellant submitted correspondence from SHPO acknowledging receipt of the nomination of the 2395 Sacramento Street property to the National Register. On January 26, 2024, the appellant submitted additional comments from Ms. Maley related to the historic resource analysis for the project.

Planning Department Supplemental Responses: Historic Resources

There are several points in the appellant's January 12, 2024 and January 26, 2024 supplemental appeal letters for which the department herein provides supplemental response and clarification, specifically on the topic of historic resources. The primary arguments provided herein can be summarized as follows:

- The department appropriately conducted a project-level evaluation of potential impacts to the exterior, interior, and setting of the historic building (2395 Sacramento Street) through the preparation of a Historic Resource Evaluation Response, Part 2 (HRER 2) (Attachment B to the Department's January 16, 2024 Appeal Response).
- The Certificate of Appropriateness (COA) review is separate from and not pertinent to the adequacy of the CEQA historic resource impact analysis.
- The department appropriately considered the importance of the three reading room murals and their future treatment. The identification of the murals as an important contributing element to the historic building does not negate the department's commitment to racial and social equity.

Supplemental Response 9: The department prepared all appropriate project-level historic resource technical analyses necessary to evaluate project impacts relative to impacts identified in the HE EIR in conformance with CEQA, and to determine appropriate mitigation. These reports included a Historical Resource Evaluation, a Historic Resource Evaluation Response Part 1 (HRER 1), and a HRER Part 2. This is the same level of analysis and type of documentation that would have been prepared if the department had prepared a mitigated negative declaration instead of a general plan evaluation (GPE).

Background

Before examining the validity of the appellant's assertion that the department did not appropriately evaluate the project as a historic resource, it is important to clarify the two primary steps involved when evaluating impacts to a historic resource for the purposes of CEQA:

1. Determine whether the property is a "historical resource." (CEQA Guidelines Section 15064.5(a)).
2. If so, determine whether the proposed changes to the property would cause a "substantial adverse change in the significance of a historical resource." (CEQA Guidelines Section 15064.5(b)).

Under **Step 1**, when determining whether a historic resource is present, the department will typically request a consultant-prepared report, known as a Historic Resource Evaluation (HRE), which includes a history of the property and a preliminary evaluation of the property's significance. The department's preservation staff will then review the report and other available information to make a final determination of whether the property is a historic resource.¹ This document is known as a Historic Resource Evaluation Response, Part 1 (HRER).

An HRE or HRER is **not** required if the city, or other qualified agency (such as the state or federal government), has already determined that a historic resource is present. Such previously identified resources may include individual city landmarks (such as 2395 Sacramento Street), or a property listed on the National Register.

Step 2 is employed if an alteration or demolition is proposed at an identified historic property. The department's preservation staff will then determine whether a proposed project would result in potential impacts to a historic resource through a Historic Resource Evaluation Response, Part 2 (HRER 2). If impacts are identified, then an HRER 2 may also identify mitigation measures that would reduce impacts.

The Department Appropriately Identified the Historic Resource.

The appellant incorrectly asserts in the Supplemental Appeal document dated January 26, 2024, and in a letter prepared by Bridget Maley, dated January 10, 2024 (exhibit 8), that the department did not adequately identify historic resources nor evaluate impacts to historic resources, particularly to the interior of the building.² This is false. The department both identified the property as a historic resource, (considering both its exterior and interior) **and** evaluated impacts to the historic resource (exterior and interior) through the preparation of an HRER 2 (Attachment B to the Department's January 16, 2024 Appeal Response). As noted in the department's appeal response dated January 16, 2024:

... the department prepared all appropriate historical resource technical analyses necessary to evaluate project impacts relative to impacts identified in the HE EIR in conformance with CEQA, including a Historical Resource Evaluation and Historic Resource Evaluation Responses Part 1 (HRER) and Part 2 (HRER 2) ... The HRER 2 appropriately analyzed the project's significant historic resource impacts and identified feasible mitigation measures to reduce the impacts to less than significant.³

Further, the appellant contends that the Department incorrectly requested the preparation of a Historic Resource Evaluation which *only* evaluated the interiors of 2395 Sacramento Street, and not the exterior. The department did not request "a full HRE of the building"⁴ because it had sufficient information on the historic status of the exterior of the building through the landmark nomination form, but otherwise lacked a formal evaluation of the interior.

¹ All planning department preservation staff members meet and exceed the Secretary of the Interior's Professional Qualification Standards for Architectural History, History or Historic Architecture.

² Bridget Maley's letter dated January 10, 2024 is included in appellant's supplemental appeal document dated January 16, 2024 under Exhibit B and again in the supplemental appeal document dated January 24, 2024, under Exhibit 8.

³ *General Plan Evaluation Appeal: 2395 Sacramento Street*, San Francisco Planning Department, January 16, 2024. page 10.

⁴ Supplemental Appeal, Exhibit 8, page 2.

Ultimately, the appellant appears to misunderstand the department's available existing documentation on the building as an individual landmark building, and, therefore, the need for additional information to appropriately identify "the historic resource" for the purposes of CEQA. As further explained in the HRER:

2395 Sacramento Street is San Francisco City Landmark No. 115 under Article 10 of the San Francisco Planning Code.⁵ The Landmark Designation Ordinance for 2395 Sacramento Street was limited to the exterior of the subject property and did not formally designate any portions of the interior through the city landmark designation process.⁶

Therefore, in order to appropriately evaluate potential project impacts on the *whole* of the building, additional information was necessary to supplement the department's existing record through the preparation of an interior-focused HRE.

The appellant additionally contends that the HRE prepared for subject property was inadequate because it did not include historic drawings by Albert Pissis or specific interior photographs found by the appellant. However, the appellant fails to demonstrate that these documents provide new or compelling information that substantively changes the department's evaluation of the historic property. While additional resources that expand the understanding of a historic resource are appreciated, the information presented does not support a finding that the department's conclusions regarding the significance of the property are incorrect. In fact, the appellant and the department agree on those features that contribute to the significance of the historic building (commonly referred to as character defining features), both interior and exterior character defining features. There is no disagreement as to the historic nature and characteristics of the buildings as documented in the department's Landmark Nomination form⁷, HRE⁸, and HRER⁹ for the subject property.

The Identification of the Murals as an Important Contributing Element to the Historic Building Did Not Negate the Department's Commitment to Racial And Social Equity.

In the appeal letter dated January 26, 2024 and Exhibit 8, the appellant also misrepresents the department's discussion regarding the potentially harmful depiction of Native Americans in the murals as a dismissal of "[the mural's] importance to the building's overall significance or integrity."¹⁰ The department, like the appellant, found the murals to be character defining features of the former medical library. Further, the HRE and HRER also discussed Mathews' importance in the lexicon of California artists.¹¹

However, the identification of the murals as contributing features to the building does *not* negate the department's commitment to center its work on racial and social equity.¹² The department reaffirms its

⁵ Landmarks Preservation Advisory Board, "Landmark No. 115: Health Science Library, 2395 Sacramento Street" (January 6, 1979). https://sfplanninggis.org/docs/landmarks_and_districts/LM115.pdf

⁶ Historic Resource Evaluation Response, Part 1: 2395 Sacramento Street (dated November 8, 2022; updated August 18, 2023).

⁷ Landmarks Preservation Advisory Board, "Landmark No. 115: Health Science Library, 2395 Sacramento Street" (January 6, 1979). https://sfplanninggis.org/docs/landmarks_and_districts/LM115.pdf

⁸ Historic Resource Evaluation: 2395 Sacramento Street San Francisco, CA 94123, Richard Brandi, August 18, 2022.

⁹ Historic Resource Evaluation Response, Part 1: 2395 Sacramento Street (dated November 8, 2022; updated August 18, 2023).

¹⁰ Supplemental Appeal, Exhibit 8, page 3.

¹¹ Historic Resource Evaluation Response, Part 1: 2395 Sacramento Street (dated November 8, 2022; updated August 18, 2023).

¹² On July 15th, 2020, the San Francisco Historic Preservation Commission adopted Resolution No. 1127 centering Preservation Planning on racial and social equity.

finding the depiction of Native Americans in the murals to be derogatory and continues to support the recommendation that future treatment of the murals include “Native American Tribal notification and consultation, if requested, as part of any salvage, relocation, public interpretation or other treatment programs proposed for the murals.”¹³ The department stands by its conclusions that the murals require deeper community engagement with appropriate parties.¹⁴

The Department Prepared a Historic Resource Evaluation Response, Part 2, which Appropriately Evaluated the Interiors of the Historic Building.

The appellant’s supplemental appeal letters and other supporting documents consistently and incorrectly opine that the department failed to evaluate potential impacts of the project on the historic resource, specifically on the *interior* of the building. The appellant’s consultant Bridget Maley’s letter (Exhibit 8) further punctuates the apparent oversight of the department with the repeated (bolded) refrain:

Note: The Planning Department’s analysis of this Standard mentions nothing about impacts to interior spaces and features.

This claim is fundamentally incorrect. The department appropriately evaluated impacts to the interiors through the preparation of the Historic Resource Evaluation Response Part 2 (HRER 2), dated September 28, 2023. The HRER 2 evaluated potential impacts to the building as a whole, including not just the interiors, but interior and exterior finishes, volumes, massing, features, details, and setting through an analysis of the project using the Secretary of the Interior’s Standards for the Treatment of Historic Properties.¹⁵

Further, in Exhibit 8, page 2 of the supplemental appeal letter, Ms. Maley identifies the documents reviewed in support of the appeal:

I have reviewed the entire record for the proposed project at 2395 Sacramento Street and I have found deep flaws in the analysis put forward in the Historic Resource Evaluation (Revised August 18, 2022), the Historic Resource Evaluation Response [sic] (November 8, 2022 [sic]), the General Plan Analysis [sic] (October 23, 2023), the Certificate of Appropriateness Analysis (November 1, 2023), and the Conditional Use Authorization (November 8, 2023 [sic]).¹⁶

The appellant’s consultant appears to provide this list to demonstrate that they have reviewed *all* relevant documents, thereby concluding that the department did not adequately analyze potential impacts to the historic resource, particularly as it relates to the interior of the building. However, conspicuously absent from this list is the HRER 2, which as noted above, evaluated impacts to the interior, exterior, and setting.

As noted in the department’s appeal response:

¹³ Historic Resource Evaluation Response, Part 1: 2395 Sacramento Street (dated November 8, 2022; updated August 18, 2023). Page 7

¹⁴ For a contemporary description of the murals from 1912, see Historic Resource Evaluation Response, Part 1: 2395 Sacramento Street (dated November 8, 2022; updated August 18, 2023). Page 7.

¹⁵ The HRER 2 is publicly available on the department’s website (2395 Sacramento HRER Part 2) and a summary of the HRER 2 findings can be found in the department’s General Plan Evaluation Appeal Response dated January 16, 2024.

¹⁶ Corrections noted in Italics: Historic Resource Evaluation Response, *Part 1, updated August 18, 2023; General Plan Evaluation; Conditional Use Authorization published November 9, 2023.*

Portions of the library were publicly accessible and therefore, for the purposes of CEQA, the proposed interior alterations of the building were subject to review by the Department's Historic Preservation staff. Through the HRER, the department appropriately determined that 2395 Sacramento Street, both exterior and portions of the interior, is a historic resource for the purposes of CEQA. The HRER 2 appropriately analyzed the project's significant historic resource impacts and identified feasible mitigation measures to reduce the impacts to less than significant.¹⁷

The [2395 Sacramento HRER Part 2](#) is publicly available on the department's website and a summary of the HRER 2 findings can be found in the department's General Plan Evaluation Appeal Response dated January 16, 2024.

The Department Prepared a Historic Resource Evaluation Response, Part 2 Which Appropriately Evaluated the Setting of the Historic Building.

The appellant's January 24, 2024 supplemental appeal document included an additional letter (Exhibit 10) from Ms. Maley which incorrectly asserts that the planning department did not evaluate potential impacts to the surrounding setting of the historic building, including nearby historic resources. As noted above and summarized in the department's previous appeal response dated January 16, 2024, page 11:

...the department considered potential impacts to the building as a whole, evaluating impacts to **setting**, interior and exterior finishes, volumes, massing, features, and details. (emphasis added)

Again, the appellant and their consultant fail to acknowledge HRER 2, which included "Contextual Compatibility Analysis" (Attachment B to Department Appeal Response, HRER 2, pp. 6-7). In HRER Part 2, the department evaluated the overall project, including the proposed additions in relationship with the two adjacent historic properties, 2018-2020 Webster Street and 2266 California Street (Congregation Sherith-Israel), along with overall surroundings. As part of the HRER 2 analysis, the department considered the mixed character of the dense urban neighborhood and resources, which varies in height, style, and use. The department also looked at the scale of the addition in relation to scale of the subject property (which is 68-foot tall) along with the scale of the nearby institutional buildings, including medical buildings and Congregation Sherith-Israel.

The HRER 2 provides a thorough analysis of the surrounding context and ultimately concluded:

...Staff finds that the proposed southern and eastern additions are not fully referential in scale, materials, or massing to the small-scale late 19th century residential building at 2018 Webster Street nor to the monumental and detail-rich features of the Temple Sherith Israel. However, given the mixed character of the surrounding context and monumental height of 2395 Sacramento Street and 2266 California Street, the proposed additions would not be out of place within the overall context of the area. Therefore, staff finds that the proposed project would not significantly alter the setting nor overall integrity of 2018-2020 Webster Street nor 2266 California Street such that they would no longer express their significance as historic resources.

¹⁷ Ibid, page 10.

As detailed above and further clarified in the department's forthcoming supplemental responses 2, the department did not avoid environmental review necessary to identify significant impacts, including to historic resources. The two primary step process to evaluate impacts to a historic resource is in accordance with CEQA. The explanation and timing of this processes began at the start of the project's preliminary project assessment phase. The same level of technical analysis to appropriately identify the historic resource and whether a project would result in potential impacts to a historic resource, including the interiors of the historic building and the setting of the historic building, would have been prepared if the department had prepared a mitigated negative declaration instead of a GPE.

A Certificate of Appropriateness Review is a Similar, but Separate, Process from CEQA Review. The Appeal is Limited to CEQA Review and Does Not Pertain to the Certificate Of Appropriateness.

The appellant mistakenly conflates the Certificate of Appropriateness (COA) with CEQA review, and therefore incorrectly concludes that the department did not appropriately review the project. A COA is a planning code required approval for proposed alterations to city landmark sites and districts regulated under Article 10 of the planning code.¹⁸ The building at 2395 Sacramento Street is San Francisco City Landmark No. 115; therefore, the proposed project required a COA and a hearing before the Historic Preservation Commission (HPC).¹⁹ Although not under the purview of this appeal (which is limited to the CEQA determination), it is worth clarifying the role and purpose of a COA review in contrast to review of a historic property under CEQA.

Similar to the review of potential impacts to historic resources under CEQA, a COA analysis considers the effects of a project on a historic resource. However, the analysis prepared for a COA is limited to the portions of an Article 10 property specifically identified in the city landmark designation ordinance, *which in this case was limited to the exterior of the building*. When reviewing a COA, the HPC considers whether the proposed work complies with the Secretary of the Interior's Standards for Rehabilitation, and whether it "preserve[s], enhance[s] or restore[s], and [does] not damage or destroy, the exterior architectural features of the landmark and, *where specified in the designating ordinance* pursuant to Section 1004(c), its major interior architectural features. (emphasis added)"²⁰ The HPC must also consider whether the proposed work adversely affects "the special character or special historical, architectural or aesthetic interest or value of the landmark and its site, as viewed both in themselves and in their setting." (Id). Here, the HPC did just that, when it granted the COA on November 1, 2023, finding the proposed project would preserve the monumental form, massing, materials and details of the historic library building.²¹ COAs are appealable to the Board of Appeals or, if the project "requires Board of Supervisors approval or is appealed to the Board of Supervisors as a conditional use authorization, the decision shall not be appealed to the Board of Appeals but rather to the Board of Supervisors."²² Here, no one appealed the COA, and the time to bring that appeal has passed.²³ The adequacy of the COA, in other words, is not at issue in this appeal.

CEQA, on the other hand, evaluates impacts to the "environment," which in some cases, includes not only the exterior of a building, but also publicly accessible interiors. (*Martin v. City & Cnty. of San Francisco* (2005)

¹⁸ See Planning Code Section 1006: https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_planning/0-0-0-27964

¹⁹ San Francisco Historic Preservation Commission Hearing, Certificate of Appropriateness Motion No. 0472, Hearing Date November 1, 2023.

²⁰ See Planning Code Section 1006.6(c)

²¹ Ibid.

²² See Planning Code Section 1006.7(a)

²³ See Planning Code Section 1006.7(b)

135 Cal. App. 4th 392). As such, when evaluating projects for an Article 10 building, the COA analysis and CEQA analysis are often similar, but not always. Here, the CEQA analysis was broader in scope than what the HPC considered for the COA, because the COA focused only on the building exterior (as those were the building characteristics that had been landmarked) whereas the CEQA review considered both the interior and the exterior (because those were the areas that the HRER 2 concluded were part of the historic resource and contained character defining features).

Again, this appeal is limited to environmental review determination for the project, and the appellant did not file an appeal on the COA. Even so, it is worth clarifying that the COA analysis for the project was not “deeply flawed” because it did not include an evaluation of the interior.²⁴ As noted, the Article 10 Landmark Designation Ordinance for 2395 Sacramento Street is limited to the exterior of the subject property. Therefore, the Secretary of the Interior’s Standards analysis prepared by department staff for the COA, and approved by the HPC, appropriately evaluated the proposed project as it related to the exterior of the building in conformance with the Secretary of the Interior’s Standards for Rehabilitation.²⁵ As noted above, the department prepared a more comprehensive evaluation of the potential impacts to the whole of the building, including the interior, in the HRER 2, as required under CEQA.

The Level of Analysis and Type of Documentation regarding Historic Resource Impacts is the Same as if the CEQA Review resulted in a Mitigated Negative Declaration.

For the GPE initial study process, the department analyzes whether or not the project would result in any significant impacts not identified in the programmatic EIR that are either peculiar to the project site or project or are due to substantial new information. As a point of clarification, the department follows the same technical analysis regardless of whether the project qualifies for a GPE or some other environmental document. The analysis required is guided by the scope of the project and its location. For each topic area, the department follows the same evaluation procedures and applies the same analysis screening/scoping review, analysis methodologies, and significance thresholds regardless of the type of environmental document prepared. For projects whose significant impacts may be mitigated to less than significant as for the 2395 Sacramento Street project, the outcome of the environmental analysis (in terms of measures applied to the project to provide environmental protection) is the same under a GPE where all environmental impacts are mitigable as it would have been if a mitigated negative declaration were issued. The same historic resource evaluations and analysis would have been prepared for this project if the department had prepared a mitigated negative declaration instead of a GPE. As a result, the mitigation measures identified for the project in the GPE to reduce environmental impacts to less than significant are the same as those that would have resulted if the department had reviewed the project without a GPE.

Supplemental Response 10: The GPE appropriately dealt with the treatment of the murals through Project Mitigation Measure 3.

Exhibit 9 of the January 26, 2024 letter prepared by historic preservation consultant Richard Brandi incorrectly contends that the department’s mitigation measures in regards to treatment of the murals are inadequate and

²⁴ Appeal, Exhibit B, page 3

²⁵ San Francisco Planning Department, Certificate of Appropriateness, Motion No. 0472, Record No. 2022-004172COA, 2395 Sacramento Street.

result in “destruction by neglect”.

First, Mr. Brandi opines that “the safest place for the murals is to leave them where they are.” While retention of the murals in situ is appealing, it is unrealistic. The project proposes to rehabilitate 2395 Sacramento Street from a library building into a residential building, re-purposing the interior spaces into residential units. Therefore, the “safest” approach to the murals is not for them to be left in place. The murals in question have a greater chance of being lost or damaged if incorporated into the private residences than if they are removed and appropriately treated (as mitigated).

Second, Mr. Brandi asserts that the “project applicant should be held responsible for their well-being.” The department fully agrees and as such requires that the project sponsor sign an *Agreement to Implement Mitigation Monitoring and Reporting Program* (see Attachment A to this supplemental response). In accordance with this agreement, the project sponsor must prepare and submit a salvage and treatment plan for planning department review and approval before a building permit can be issued. This order of review and approvals is integrated into the Mitigation Monitoring and Reporting Program agreement document. The Planning Department will not sign off on the building construction permits until the salvage and treatment plan has been approved and carried out. Furthermore, the project sponsor has committed to appropriately removing and storing the murals. As noted in the first appeal response: “the murals will be removed by a qualified art conservator and correctly stored.”²⁶

Mr. Brandi further recommends an appropriate treatment plan for the murals, which should include viewing on site, if possible, interpretation, and outreach to institutions for re-sale if so desired. Mr. Brandi’s proposals are fully consistent with the department’s agreed upon mitigation measures for the project, specifically mitigation measure 3: Salvage Plan, which makes specific mention of the murals and their treatment:

...The project sponsor shall make a good faith effort to salvage and protect materials of historical interest to be used as part of the interpretative program (if required), incorporated into the architecture of the new building that will be constructed on the site, or offered to non-profit or cultural affiliated groups. If this proves infeasible, the sponsor shall attempt to donate significant character-defining features or features of interpretative or historical interest to a historical organization or other educational or artistic group... Additionally, the salvage plan shall include specifications for the removal and salvage of the Reading Room murals by a qualified art conservator and shall also include coordination and consultation with interested tribal groups and gather input on future treatment of the murals, including, but not limited to, public interpretation, donation to a non-profit or cultural association, or sale to a private entity.²⁷

Conclusion

The planning department conducted CEQA review for the project and prepared a 35-page GPE, including figures, and several project-specific technical studies and appendices supporting its conclusions. Specifically, as it relates to the topic of historic resources and potential impacts, the department conducted

²⁶ Memoranda: 2395 Sacramento Street Murals Removal, from Page & Turnbull to Reuben Junius & Rose, LLP, dated June 23, 2023. <https://citypln-m-extnl.sfgov.org/External/link.ashx?Action=Download&ObjectVersion=-1&vault={A4A7DACD-B0DC-4322-BD29-F6F07103C6E0}&objectGUID={1285CB09-367E-4D58-858C-A030BE02F1DE}&fileGUID={59F3C751-A5C3-4104-A43D-123F6BAED9C8}>

²⁷ General Plan Evaluation: 2395 Sacramento Street, Exhibit B: Agreement to Implement Mitigation Monitoring and Reporting Program, October 20, 2023.

the necessary and crucial analysis to both identify resources and evaluate potential impacts. In particular, the Historic Resource Evaluation Response, Part 2, provides a project-level evaluation of potential impacts to the exterior, interior, and setting of the historic landmark building (2395 Sacramento Street). As such, the department appropriately identified the subject building as a historic resource, determined exterior and interior character defining features, and evaluated potential impacts of the project on the exterior, interior and setting. Furthermore, the planning department's necessary project-specific analyses followed accepted methodologies, and as permitted under the referenced CEQA provisions, identified applicable mitigation measures from the Housing Element 2022 Update EIR for the project that avoid significant environmental impacts. These mitigation measures included salvage, storage, treatment, and interpretation of the contributing interior elements, including the murals in the former Reading Room. The Certificate of Appropriateness (COA) is separate from and not pertinent to the adequacy of the CEQA historic resource impact analysis. Ultimately, the department conducted thoughtful analysis of the proposed project under CEQA and evaluated potential impacts through a wholistic lens that considered the interior, exterior and setting of 2395 Sacramento Street. Therefore, the planning department respectfully recommends that the board of supervisors uphold the department's determination that the GPE conforms with the requirements of CEQA and reject the appeal.

Planning Dept Supplemental Appeal Response 1

Attachment A

General Plan Evaluation: 2395 Sacramento Street, Attachment B: Agreement to
Implement Mitigation Monitoring and Reporting Program

October 20, 2023

ATTACHMENT B: MITIGATION MONITORING AND REPORTING PROGRAM

AGREEMENT TO IMPLEMENT MITIGATION MONITORING AND REPORTING PROGRAM

Record No.: 2022-004172ENV
Project Title: 2395 Sacramento Street
BPA Nos: N/A
Zoning: Residential Mixed-Low Density (RM-1) Use District
 40-X Height and Bulk District

Block/Lot: 0637/016 and 015
Lot Size: 15,105 square feet
Project Sponsor: Eduardo Sagues, (203) 500-3766
Lead Agency: San Francisco Planning Department
Staff Contact: Kei Zushi, (628) 652-7495

The table below indicates when compliance with each mitigation measure must occur. Some mitigation measures span multiple phases. Substantive descriptions of each mitigation measure’s requirements are provided on the following pages in the Mitigation Monitoring and Reporting Program.

Adopted Mitigation Measure	Period of Compliance			Compliance with Mitigation Measure Completed?
	Prior to the Start of Construction*	During Construction**	Post-construction or Operational	
Project Mitigation Measure 1 (Modified Housing Element EIR Mitigation Measure M-CR-1b): Best Practices and Construction Monitoring Program for Historic Resources	X	X		
Project Mitigation Measure 2 (Modified Housing Element EIR Mitigation Measure M-CR-1d): Documentation	X			
Project Mitigation Measure 3 (Modified Housing Element EIR Mitigation Measure M-CR-1f): Salvage Plan	X	X		
Project Mitigation Measure 4 (Modified Housing Element EIR Mitigation Measure M-CR-1g): Interpretation	X	X		
Project Mitigation Measure 5 (Modified Housing Element EIR Mitigation Measure M-NO-3a): Protection of Adjacent Buildings/Structures and Vibration Monitoring During Construction	X	X		
Project Mitigation Measure 6 (Housing Element EIR Mitigation Measure M-AQ-3): Clean Construction Equipment	X			

NOTES:


* Prior to any ground disturbing activities at the project site.

** Construction is broadly defined to include any physical activities associated with construction of a development project including, but not limited to: site preparation, clearing, demolition, excavation, shoring, foundation installation, and building construction.

DS


I agree to implement the attached mitigation measure(s) as a condition of project approval.

DocuSigned by:


F20FA406AAE3432...

10/19/2023

Property Owner or Legal Agent Signature

Date

Note to sponsor: Please contact CPC.EnvironmentalMonitoring@sfgov.org to begin the environmental monitoring process prior to the submittal of your building permits to the San Francisco Department Building Inspection.

MITIGATION MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measure	Monitoring and Reporting Program ^a			
	Implementation Responsibility	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Actions/ Completion Criteria
MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR				
CULTURAL RESOURCES				
<p>Project Mitigation Measure 1 (Modified Housing Element EIR Mitigation Measure M-CR-1b): Best Practices and Construction Monitoring Program for Historic Resources.</p> <p>Prior to the issuance of demolition, building, or site permits, the project sponsor shall incorporate into contract specifications a requirement that the contractor(s) use all feasible means to protect and avoid damage to onsite and adjacent historic resources as identified by the department, including, but not necessarily limited to, staging of equipment and materials so as to avoid direct damage, maintaining a buffer zone when possible between heavy equipment and historic resources, or covering the roof of adjacent structures to avoid damage from falling objects, subject to overall cooperation by owners of any such adjacent structures, where applicable. Specifications shall also stipulate that any damage incurred to historic resources as a result of construction activities shall be reported to the environmental review officer within three days. Prior to the issuance of demolition, building, or site permits, the project sponsor shall submit to the department preservation staff for review and approval, a list of measures to be included in contract specifications to avoid damage to historic resources.</p> <p>If damage to a historic resource occurs during construction, the project sponsor shall hire a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate), as set forth by the Secretary of the Interior’s Professional Qualification Standards (36 Code of Federal Regulations, part 61). Damage incurred to the historic resource shall be repaired per the secretary’s standards in consultation with the qualified professional and department preservation staff. If directed by department preservation staff, the project sponsor shall engage a qualified preservation professional to undertake a monitoring</p>	Project sponsor, qualified historic professional	Prior to the issuance of demolition, building, or site permits for the list of measures to be included in contract specifications; during construction if damage to a historic resource occurs.	Planning Department (preservation and design staff)	Considered complete when Planning Department preservation staff approve a list of measures to be included in contract specifications to avoid damage to historic resources. If damage occurs, considered complete upon approval of repair to historic resource and/or monitoring plan by Planning Department preservation staff.

Adopted Mitigation Measure	Monitoring and Reporting Program ^a			
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program to ensure that best practices are being followed. If monitoring is required, the qualified preservation professional shall prepare a monitoring plan to direct the monitoring program that shall be reviewed and approved by department preservation staff.				
<p>Project Mitigation Measure 2 (Modified Housing Element EIR Mitigation Measure M-CR-1d): Documentation.</p> <p>Prior to the issuance of demolition, building, or site permits, the project sponsor shall submit to the department for review photographic and narrative documentation of the subject building, structure, object, material, and landscaping. Documentation shall focus on the elements of the property that the project proposes to demolish or alter. The documentation shall be funded by the project sponsor and undertaken by a qualified professional who meets the standards for history, architectural history, or architecture (as deemed appropriate by the department’s preservation staff), as set forth by the Secretary of the Interior’s Professional Qualification Standards (36 Code of Federal Regulations, part 61). The department’s preservation staff will determine the specific scope of the documentation depending upon the individual property’s character-defining features and reasons for significance. The documentation scope shall be reviewed and approved by the department prior to any work on the documentation. A documentation package shall consist of the required forms of documentation and shall include a summary of the historic resource and an overview of the documentation provided. The types and level of documentation will be determined by department staff and may include any of the following formats:</p> <ul style="list-style-type: none"> • <i>HABS/HALS-Like Measured Drawings</i> –A set of Historic American Building/Historic American Landscape Survey-like (HABS/HALS-like) measured drawings that depict the existing size, scale, and dimension of the subject property. The department’s preservation staff will accept the original architectural drawings or an as-built set of architectural drawings (plan, section, elevation, etc.). The department’s preservation staff will assist the consultant in determining the appropriate level of measured drawings. A cover sheet may be required that describes the historic significance of the property. • <i>HABS/HALS-Like Photographs</i> – Digital photographs of the interior and the exterior of the subject property. Large-format negatives are not required. The scope of the digital photographs shall be reviewed by the department’s preservation staff for concurrence, and all digital photography shall be 	Project sponsor, qualified historic consultant	Prior to the issuance of demolition, building, or site permits	Planning Department preservation staff	Considered complete upon distribution by the project sponsor of completed documentation approved by Planning Department preservation staff

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<p>conducted according to current National Park Service standards. The photography shall be undertaken by a qualified professional with demonstrated experience in HABS photography.</p> <ul style="list-style-type: none"> <p><i>HABS/HALS-Like Historical Report</i> – If the department determines that existing survey information or historic resource evaluations of a property do not sufficiently document the historic resources’ significant associations, a written historical narrative and report shall be provided in accordance with the HABS/HALS Historical Report Guidelines. The written history shall follow an outline format that begins with a statement of significance supported by the development of the architectural and historical context in which the structure was built and subsequently evolved. The report shall also include architectural description and bibliographic information.</p> <p><i>Print-on-Demand Book</i> – The Print-on-Demand book shall be made available to the public for distribution by the project sponsor. The project sponsor shall make the content from the historical report, historical photographs, HABS photography, measured drawings, and field notes available to the public through a preexisting print-on-demand book service. This service will print and mail softcover books containing the aforementioned materials to members of the public who have paid a nominal fee. The project sponsor shall not be required to pay ongoing printing fees once the book has been made available through the service.</p> <p><i>Digital Recordation</i> – In coordination with the department’s preservation staff, the project sponsor may be required to prepare some other form of digital recordation of the historic resource. The most commonly requested digital recordation is video documentation but other forms of digital recordation, include 3D laser scan models or 3D virtual tours, Gigapan/Matterpoint or other high-resolution immersive panoramic photography, time-lapse photography, photogrammetry, audio/olfactory recording, or other ephemeral documentation of the historic resource may be required. The purpose of these digital records is to supplement other recordation measures and enhance the collection of reference materials that would be available to the public and inform future research. This digital recordation could also be incorporated into the public interpretation program. Digital recordation shall be conducted by individuals with demonstrated experience in the requested type of digital recordation. If</p> 				

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<p>video documentation is required, it shall be conducted by a professional videographer with experience recording architectural resources. The professional videographer shall provide a storyboard of the proposed video recordation for review and approval by the department's preservation staff.</p> <ul style="list-style-type: none"> The project sponsor, in consultation with the department, shall conduct outreach to determine which repositories may be interested in receiving copies of the documentation. Potential repositories include but are not limited to, the San Francisco Public Library, the Environmental Design Library at the University of California, Berkeley, the Northwest Information Center, San Francisco Architectural Heritage, the California Historical Society, and Archive.org. The final approved documentation shall be provided in electronic form to the department and the interested repositories. The department will make electronic versions of the documentation available to the public for their use at no charge. The professional(s) shall submit the completed documentation for review and approval by the department's preservation staff. All documentation must be reviewed and approved by the department prior to the issuance of any demolition, building or site permit is approved for the proposed project. 				
<p>Project Mitigation Measure 3 (Modified Housing Element EIR Mitigation Measure M-CR-1f): Salvage Plan.</p> <p>Prior to the issuance of demolition, building, or site permits that would remove character-defining features of the project that would have a significant impact, the project sponsor shall consult with the department's preservation staff as to whether any such features may be salvaged, in whole or in part, during demolition or alteration. The project sponsor shall make a good faith effort to salvage and protect materials of historical interest to be used as part of the interpretative program (if required), incorporated into the architecture of the new building that will be constructed on the site, or offered to non-profit or cultural affiliated groups. If this proves infeasible, the sponsor shall attempt to donate significant character-defining features or features of interpretative or historical interest to a historical organization or other educational or artistic group. The project sponsor shall prepare a salvage plan for review and approval by the department's preservation staff prior to issuance of any site demolition permit. The salvage plan shall focus on salvage of architectural features, such as chandeliers and bookshelves as well as other character-defining</p>	Project sponsor, qualified historic consultant	Prior to the issuance of demolition, building, or site permits; prior to issuance of an occupancy permit for completed implementation of the salvage plan.	Planning Department preservation staff	Considered complete when Planning Department preservation staff approve the salvage plan and confirms project sponsor has completed all actions identified in the salvage plan

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features and features of historical interest. Additionally, the salvage plan shall include specifications for the removal and salvage of the Reading Room murals by a qualified art conservator and shall also include coordination and consultation with interested tribal groups and gather input on future treatment of the murals, including, but not limited to, public interpretation, donation to a non-profit or cultural association, or sale to a private entity.				
<p>Project Mitigation Measure 4 (Modified Housing Element EIR Mitigation Measure M-CR-1g): Interpretation.</p> <p>The project sponsor shall facilitate the development of a public interpretive program focused on the history of the project site, its identified historic resources, and its significant historic context. The interpretive program should be developed and implemented by a qualified design professional with demonstrated experience in displaying information and graphics to the public in a visually interesting manner, as well as a professionally qualified historian or architectural historian, or community group approved by the department. Through consultation with department preservation staff, coordination with local artists should occur. The primary goal of the program is to educate visitors and future residents about the property’s historical themes, associations, and lost contributing features within broader historical, social, and physical landscape contexts.</p> <p>The interpretive program shall be initially outlined in an interpretive plan subject to review and approval by the department’s preservation staff prior to approval of demolition, building, or site permits for the project. The plan shall include the general parameters of the interpretive program including the substance, media, and other elements of the interpretative program. The interpretive program shall include within publicly accessible areas of the project site permanent display(s) of interpretive materials concerning the history and design features of the affected historic resource, including both the site as a whole and the individual contributing buildings and features. The display shall be placed in a prominent, public setting within, on the exterior of, or in the vicinity of newly constructed buildings or other features within the project site. The interpretive material(s) shall be made of durable all-weather materials and may also include digital media in addition to a permanent display. The interpretive material(s) shall be of high quality and installed to allow for high public visibility. Content developed for other mitigation measures, as applicable, including the documentation programs, may be used to inform and</p>	Project sponsor, qualified design professional, qualified historian or architectural historian, or community group	Prior to approval of demolition, building, or site permits for interpretation plan; prior to issuance of an occupancy permit for installation and maintenance of interpretation program	Planning Department preservation staff	Considered complete when Planning Department preservation staff approve the installation of interpretation program; maintenance of interpretation program ongoing

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<p>provide content for the interpretive program. The interpretive program may also incorporate video documentation completed under project mitigation measure 3 (modified EIR mitigation measure M-CR-1f, Documentation), as applicable to provide a narrated video that describes the materials, construction methods, current condition, historical use, historic context and cultural significance of the historic resource.</p> <p>The detailed content, media, and other characteristics of such an interpretive program shall be coordinated and approved by the department’s preservation staff. The final components of the public interpretation program shall be constructed and an agreed upon schedule for their installation and a plan for their maintenance shall be finalized prior to issuance of a Temporary Certificate of Occupancy.</p> <p>The interpretive program shall be developed in coordination with the other interpretative programs as relevant, such as interpretation required under archeological resource mitigation measures and tribal cultural resource mitigation measures, Native American land acknowledgments, or other public interpretation programs.</p> <p>The department will also ensure that any information gathered through the interpretative program development is integrated with SF Survey and Citywide historic context statement summarized above.</p>				
NOISE AND VIBRATION				
<p>Project Mitigation Measure 5 (Modified Housing Element EIR Mitigation Measure M-NO-3a): Protection of Adjacent Buildings/Structures and Vibration Monitoring During Construction.</p> <p>This mitigation measure applies to the existing historic building at 2018 Webster Street and 2329 Sacramento Street (“Affected Buildings”). Prior to issuance of any demolition or building permit, the project sponsor shall submit a project-specific Pre-construction Survey and Vibration Management and Monitoring Plan to the ERO or the ERO’s designee for approval. The plan shall identify all feasible means to avoid damage to the Affected Buildings. The project sponsor shall ensure that the following requirements of the Pre-Construction Survey and Vibration Management and Monitoring Plan are included in contract specifications, as necessary.</p>	<p>Project sponsor, qualified historic preservation professional (for effects on historic buildings and/or structures) and/or structural engineer (for effects on historic and non-historic buildings and/or structures)</p>	<p>Prior to issuance of any demolition, building, or site permit and monitoring and reporting throughout construction, as necessary</p>	<p>Planning Department</p>	<p>Considered complete when the final Vibration Monitoring Results Report is approved by the Environmental Review Officer and following completion of all construction activities (including repairs of adjacent buildings damaged during construction)</p>

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<p>Pre-construction Survey. Prior to the start of any ground-disturbing activity, the project sponsor shall engage a consultant to undertake a pre-construction survey of the Affected Buildings, as the pre-construction survey is described below.</p> <p>Because two of the Affected Buildings are historic, the project sponsor shall engage a qualified historic preservation professional and a structural engineer or other professional with similar qualifications to undertake a pre-construction survey of the Affected Buildings. The pre-construction survey shall include descriptions and photograph of the Affected Buildings including all façades, roofs, and details of the character-defining features that are visible from public rights-of-way that could be damaged during construction, and shall document existing damage, such as cracks and loose or damaged features (as allowed by property owners). The report shall also include pre-construction diagrams (subject to an extent to the adjacent owner’s consent) that record the pre-construction condition of the building and identify cracks and other features to be monitored during construction. The qualified historic preservation professional shall be the lead author of the pre-construction survey since historic buildings and/or structures could be affected by the project. The pre-construction survey shall be submitted to the ERO for review and approval prior to the start of vibration-generating construction activity.</p> <p>Vibration Management and Monitoring Plan. The project sponsor shall undertake a monitoring plan to avoid or reduce project-related construction vibration damage to the Affected Buildings to ensure that any such damage is documented and repaired. Prior to issuance of any demolition or building permit, the project sponsor shall submit the Plan to the ERO for review and approval.</p> <p>The Vibration Management and Monitoring Plan shall include, at a minimum, the following components, as applicable:</p> <ul style="list-style-type: none"> • Maximum Vibration Level. Based on the anticipated construction and condition of the Affected Buildings, a qualified acoustical/vibration consultant in coordination with a structural engineer (or professional with similar qualifications) and a qualified historic preservation professional, shall establish a maximum vibration level that shall not be exceeded at the Affected Buildings, based on existing conditions, character-defining features, soil conditions, and anticipated construction practices (a peak particle velocity [PPV] of 0.25 inch per second for historic and some old buildings). 				

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<ul style="list-style-type: none"> ● Vibration-generating Equipment. The plan shall identify all vibration-generating equipment to be used during construction (including, but not limited to, site preparation, clearing, demolition, excavation, shoring, foundation installation, and building construction). ● Alternative Construction Equipment and Techniques. The plan shall identify potential alternative equipment and techniques that could be implemented if construction vibration levels are observed in excess of the established standard (e.g., smaller, lighter equipment could be used in some cases). ● Buffer Distances. The plan shall identify buffer distances to be maintained based on vibration levels and site constraints between the operation of vibration-generating construction equipment and the Affected Buildings to avoid damage to the extent possible. ● Vibration Monitoring. The plan shall identify the method and equipment for vibration monitoring to ensure that construction vibration levels do not exceed the established standards identified in the plan. <ul style="list-style-type: none"> – Should construction vibration levels be observed in excess of the standards established in the plan, the contractor(s) shall halt construction and put alternative construction techniques identified in the plan into practice, to the extent feasible. – The qualified historic preservation professional shall inspect the Affected Buildings (as allowed by property owners) in the event the construction activities exceed the vibration levels identified in the plan. – The historic preservation professional shall submit monthly reports to the ERO during vibration-inducing activity periods that identify and summarize any vibration level exceedances and describe the actions taken to reduce vibration. – Following incorporation of the alternative construction techniques and/or planning department review of the damage report, vibration monitoring shall recommence to ensure that vibration levels at the Affected Buildings are not exceeded. ● Periodic Inspections. The plan shall identify the intervals and parties responsible for periodic inspections. The qualified historic preservation professional shall 				

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<p>conduct regular periodic inspections of the Affected Buildings (as allowed by property owners) during vibration-generating construction activity on the project site. The plan will specify how often inspections shall occur.</p> <ul style="list-style-type: none"> Repair Damage. The plan shall also identify provisions to be followed should damage to the Affected Buildings occur due to construction-related vibration. The building shall be remediated to their pre-construction condition (as allowed by property owners) at the conclusion of vibration-generating activity on the site. Should damage occur to the Affected Buildings, the building shall be restored to its pre-construction condition in consultation with the qualified historic preservation professional and planning department preservation staff. <p>Vibration Monitoring Results Report. After construction is complete the project sponsor shall submit to the ERO a final report from the qualified historic preservation professional. The report shall include, at a minimum, collected monitoring records, building and/or structure condition summaries, descriptions of all instances of vibration level exceedance, identification of damage incurred due to vibration, and corrective actions taken to restore damaged buildings and structures. The ERO shall review and approve the Vibration Monitoring Results Report.</p>				
AIR QUALITY				
<p>Project Mitigation Measure 6 (Housing Element EIR Mitigation Measure M-AQ-3): Clean Construction Equipment.</p> <p>The project sponsor shall comply with the following:</p> <p>A. Engine Requirements:</p> <ol style="list-style-type: none"> All off-road equipment greater than 25 horsepower 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. EPA or air resources board Tier 4 Final off-road emission standards. Where access to alternative sources of power are available, portable diesel engines shall be prohibited. 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 	Project sponsor	<p>Prior to issuance of demolition, building, or site permits project sponsor to submit:</p> <ol style="list-style-type: none"> Construction emissions minimization plan for review and approval, and Signed certification statement 	Planning Department	<p>Considered complete upon Environmental Review Officer review and acceptance of construction emissions minimization plan, implementation of the plan, and submittal of final report summarizing use of construction equipment pursuant to the plan</p>

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<p>project sponsor 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. If the majority of the project sponsor’s construction staff speak a language other than these, then the signs shall be posted in that language as well.</p> <p>4. The project sponsor 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 manufacturers’ specifications.</p> <p>5. Any other best available technology in the future may be included, provided that the project sponsor submits documentation to the department demonstrating that (1) the technology would result in emissions reductions and (2) it would not increase other pollutant emissions or result in other additional impacts, such as noise. This may include new alternative fuels or engine technology for off-road or other construction equipment (such as electric or hydrogen fuel cell equipment) that is not available as of 2022.</p> <p>B. Waivers:</p> <p>The environmental review officer (ERO) may waive the requirement of subsection (A)(2) regarding an alternative source of power if an alternative source is limited or infeasible at the project site. If the ERO grants the waiver, the project sponsor must submit documentation that the equipment used for onsite power generation meets the engine requirements of subsection (A)(1).</p> <p>The ERO may waive the equipment requirements of subsection (A)(1) if a particular piece of Tier 4 Final off-road equipment is technically not feasible, the equipment would not produce the desired emissions reduction because of expected operating modes, or a compelling emergency requires the use off-road equipment that is not Tier 4 compliant. In seeking an exception, the project sponsor shall demonstrate that the project shall use the cleanest piece of construction equipment available and feasible and submit documentation that average daily construction emissions of ROG, NOx, PM2.5 would not exceed 54 pounds per day, and PM10 emissions would not exceed 82 pounds per day.</p> <p>C. Construction Emissions Minimization Plan:</p>				

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<p>Before starting onsite construction activities, the project sponsor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the project sponsor will meet the engine requirements of Section A.</p> <ul style="list-style-type: none"> 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 use and hours of operation. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used. The project sponsor shall ensure that all applicable requirements of the Plan have been incorporated into the project sponsor's contract specifications. The Plan shall include a certification statement that the project sponsor agrees to comply fully with the Plan. The project sponsor shall make the Plan available to the public for review onsite during working hours. The project sponsor 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 project sponsor 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>D. Monitoring:</p> <ul style="list-style-type: none"> After start of construction activities, the project sponsor shall submit reports every six months 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, duration of each construction phase, and the specific information required in the Plan. 				

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	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria

NOTES:

^a Definitions of MMRP Column Headings:

Adopted Mitigation and Improvements Measures: Full text of the mitigation measure(s) copied verbatim from the final CEQA document.

Implementation Responsibility: Entity who is responsible for implementing the mitigation measure. Project sponsor for a future development project consistent with the housing element update may also include the project's sponsor's contractor/consultant.

Mitigation Schedule: Identifies milestones for when the actions in the mitigation measure need to be implemented. Occupancy permit may refer to a temporary certificate and/or a final permit.

Monitoring/Reporting Responsibility: Identifies who is responsible for monitoring compliance with the mitigation measure and any reporting responsibilities. In most cases it is the planning department that is responsible for monitoring compliance with the mitigation measure. If a department or agency other than the planning department is identified as responsible for monitoring, there should be an expressed agreement between the planning department and that other department/agency. In most cases the project sponsor of the future development project consistent with the housing element update, their contractor, or their consultant is responsible for any reporting requirements.

Monitoring Actions/Completion Criteria: Identifies the milestone at which the mitigation measure is considered complete. This may also identify requirements for verifying compliance.