San Francisco Planning

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PLANNING COMMISSION MOTION NO. 21773

HEARING DATE: July 17, 2025

Record No.:	2024-007066PRJ/ENV/DVA/PCA/GPA/CUA/SHD/OFA
Project Name:	530 Sansome Mixed-Use Tower and Fire Station 13 Development Project (also known as the 447 Battery and 530 Sansome Street Project)
Project Address:	530 Sansome and 447 Battery Street (broadly)
Existing Zoning:	C-3-O (Downtown-Office)
Height/Bulk:	200-S
Proposed Zoning:	530 Sansome Mixed-Use Tower and Fire Station Special Use District
Proposed Height:	555-X
Block/Lot:	0206/002, 013, 014, & 017
Project Sponsor(s):	Jim Abrams, J. Abrams Law, P.C. On behalf of EQX Jackson Sq Holdco LLC 538 Hayes Street San Francisco, CA 94103 415.999.4402, jabrams@jabramslaw.com; Andrico Penick, San Francisco Real Estate Division andrico.penick@sfgov.org Assistant Deputy Chief Michael Mullin, San Francisco Fire Department michael.mullin@sfgov.org
Property Owner(s):	City and County of San Francisco Real Estate Division 25 Van Ness Avenue, Suite 400 San Francisco, CA 94102 EQX Jackson Sq Holdco LLC c/o Nicholas Witte, Related California 44 Montgomery Street, Suite 1300 San Francisco, CA 94104 Battery Street Holdings LLC c/o Nicholas Witte, Related California 44 Montgomery Street, Suite 1300 San Francisco, CA 94104
Staff Contact:	Jonathan Vimr - 628.652.7319 jonathan.vimr@sfgov.org Sherie George – 628.652.7558 sherie.george@sfgov.org

ADOPTING FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, INCLUDING FINDINGS OF FACT, FINDINGS REGARDING SIGNIFICANT AND UNAVOIDABLE IMPACTS, EVALUATION OF MITIGATION MEASURES AND ALTERNATIVES, AND A STATEMENT OF OVERRIDING CONSIDERATIONS RELATED TO APPROVALS FOR THE 530 SANSOME MIXED-USE TOWER AND FIRE STATION 13 DEVELOPMENTPROJECT LOCATED AT 530 SANSOME STREET, 425 AND 439-445 WASHINGTON STREET, AND 447 BATTERY STREET (APN NOS. 0206-002, -013, -014, AND -017). THE PROJECT WOULD DEMOLISH ALL EXISTING BUILDING IMPROVEMENTS ON THE SITE AND CONSTRUCT A NEW MIXED-USE TOWER REACHING A MAXIMUM HEIGHT OF 544' (574' INCLUSIVE OF ROOFTOP SCREENING/MECHANICAL) AND A NEW FIRE STATION REACHING A MAXIMUM HEIGHT OF 55'.

PREAMBLE

On August 5, 2024, EQX JACKSON SQ HOLDCO LLC (hereinafter "Developer") filed project application materials assigned to Planning Case No. 2024-007066PRJ and applicable supplemental materials in related records with the Planning Department (hereinafter "Department") to demolish all existing buildings on 425 Washington Street, 439-445 Washington Street, 530 Sansome Street, and 447 Battery Street (Assessor's Block 0206, Lots 002, 013, 014 and 017; the "Project Site"), including the existing Fire Station 13, and construct a mixed-use development at the Project Site, which would include a mixed-use high-rise building up to 41-stories tall on 425 Washington Street, 439-445 Washington Street, and 530 Sansome Street with three below-grade levels and a new fire station on 447 Battery Street with one below-grade level (the "Project").

The Department is the Lead Agency responsible for the implementation of the California Environmental Quality Act, California Public Resources Code Sections 21000 et seq. ("CEQA"), the Guidelines for Implementation of CEQA, 14 California Code of Regulations Sections 15000 et seq. ("CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31").

Pursuant to and in accordance with the requirements of Section 21094 of CEQA and Sections 15063 and 15082 of the CEQA Guidelines, on November 6, 2024, the Department published a Notice of Preparation of an Environmental Impact Report ("NOP") and initiated a 30-day public comment period. The period for public comment on the NOP ended on December 9, 2024.

On January 15, 2025, a draft of the proposed historic preservation alternatives for the Project was presented to the Historic Preservation Commission (HPC) for review and comment.

On March 11, 2025, the Planning Department published a Draft Environmental Impact Report ("Draft EIR") for the Project. The Department provided public notice in a newspaper of general circulation of the availability of the Draft EIR, including an initial study, for public review and comment, and provided the date and time of the Commission public hearing on the DEIR and the HPC public hearing on the DEIR; this notice was mailed or emailed to the Department's lists of persons requesting such notice and owners and occupants of sites within a 300-foot radius of the Project Site, and decision-makers. This notice was also posted at and near the Project Site by the Department's consultant on March 11, 2025.

On April 2, 2025, the HPC held a duly noticed public hearing on the Draft EIR, in order for the HPC and members of the public to provide comment on the DEIR for consideration by the Planning Commission.

On April 17, 2025, the Commission held a duly noticed public hearing on the Draft EIR, at which opportunity for public comment was given, and public comment was received on the Draft EIR. The period for commenting on the Draft EIR ended on April 28, 2025. At the request of a member of the Commission, the Environmental Review Officer allowed members of the Commission to send written comments until May 16, 2025, the day after the Commission held an informational hearing on the Project.

The Department prepared responses to comments on environmental issues received during the public review period for the Draft EIR, prepared revisions to the text of the Draft EIR in response to comments received or based on additional information that became available during the public comment period, and corrected clerical errors in the Draft EIR.

On July 2, 2025, the Planning Department published a Responses to Comments document (RTC) that was distributed to the Commission, other decisionmakers, and all parties who commented on the Draft EIR, and made available to others who requested the RTC from the Department.

The Department prepared a final environmental impact report (hereinafter "Final EIR"), consisting of the Draft EIR, any consultations and comments received during the Draft EIR review process, any additional information that became available, and the RTC, all as required by law.

On July 17, 2025, the Commission reviewed and considered the Final EIR and found that the contents of said report and the procedures through which the Final EIR was prepared, publicized, and reviewed comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31. The Final EIR was certified by the Commission on July 17, 2025, by adoption of Motion No. 21771.

WHEREAS, the Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

WHEREAS, the Commission reviewed and considered the Final EIR for the Project and found the Final EIR to be adequate, accurate, and objective, thus reflecting the independent analysis and judgment of the Department and the Commission, and that the RTC presented no new environmental issues not addressed in the Draft EIR, and approved the Final EIR for the Project in compliance with CEQA, the CEQA Guidelines, and Chapter 31.

WHEREAS, the Department prepared the CEQA Findings, attached to this Motion as Attachment A and incorporated fully by this reference, regarding the alternatives, mitigation measures, improvement measures, and environmental impacts analyzed in the Final EIR, the overriding considerations for approving the Project, and the proposed mitigation monitoring and reporting program ("MMRP") attached as Attachment B and incorporated fully by this reference, which includes mitigation measures. The Commission has reviewed the entire record, including Attachments A and B, which material was also made available to the public.

MOVED, that the Commission hereby adopts findings under the California Environmental Quality Act, including findings rejecting alternatives as infeasible and setting forth a Statement of Overriding Considerations, attached to this Motion as Attachment A, and adopts the Mitigation Monitoring and Reporting

Program, attached as Attachment B, both fully incorporated into this Motion by reference, based on substantial evidence in the entire record of this proceeding.

The Department Commission Secretary is the Custodian of Records; all pertinent documents are located in the File for Case No. 2024-007066ENV/DVA/GPA/PCA/CUA/SHD/OFA, at the Planning Department, 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

I hereby certify that the foregoing Motion was ADOPTED by the Commission at its regular meeting on July 17, 2025.

Jonas P Ionin Digitally signed by Jonas P Ionin
Date: 2025.07.25 11:20:44 -07'00'

Jonas P. Ionin
Commission Secretary

AYES:	Campbell, McGarry, Braun, Imperial, So
NAYS:	None
ABSENT:	Williams
EXCUSED:	Moore
ADOPTED:	July 17, 2025

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ATTACHMENT A

530 Sansome Mixed-Use Tower and Fire Station 13 Development Project (also known as 447 Battery and 530 Sansome Street Project) California Environmental Quality Act Findings: Findings of Fact, Evaluation of Mitigation Measures and Alternatives, and Statement of Overriding Considerations SAN FRANCISCO PLANNING COMMISSION

PREAMBLE

In determining to approve the project described in Section I, below, the ("Project"), the San Francisco Planning Commission (the "Commission") makes and adopts the following findings of fact and decisions regarding the Project description and objectives, significant impacts, significant and unavoidable impacts, mitigation measures, and alternatives, and a statement of overriding considerations, based on substantial evidence in the whole record of this proceeding and pursuant to the California Environmental Quality Act, California Public Resources Code Section 21000 *et seq.* ("CEQA"), particularly Section 21081 and 21081.5, the Guidelines for Implementation of CEQA, 14 California Code of Regulations Section 15000 *et seq.* ("CEQA Guidelines"), Section 15091 through 15093, and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"). The Commission adopts these findings in conjunction with the Approval Actions described in Section I(c), below, as required by CEQA, separate and apart from the Commission's certification of the Project's Final EIR, which the Commission certified prior to adopting these CEQA findings.

These findings are organized as follows:

Section I provides a description of the proposed Project, the environmental review process for the Project, the City approval actions to be taken, and the location and custodian of the record.

Section II lists the Project's less-than-significant impacts that do not require mitigation.

Section III identifies potentially significant impacts that can be avoided or reduced to less-than-significant levels through mitigation and describes the disposition of the mitigation measures.

Section IV identifies significant project-specific or cumulative impacts that would not be eliminated or reduced to a less-than-significant level and describes any applicable mitigation measures as well as the disposition of the mitigation measures. The Final EIR identified mitigation measures to address these impacts, but implementation of the mitigation measures will not reduce the impacts to a less-than-significant level.

Sections III and IV set forth findings as to the mitigation measures proposed in the Final EIR. (The Draft Environmental Impact Report ("Draft EIR") and the Comments and Responses document ("RTC") together comprise the "Final EIR," or "FEIR.") Attachment B to the Planning Commission Motion contains the Mitigation Monitoring and Reporting Program ("MMRP"), which provides a table setting forth the full text of each mitigation measure listed in the Final Environmental Impact Report that is required to reduce a significant adverse impact.

Section V identifies the project alternatives that were analyzed in the Final EIR and discusses the reasons for their rejection.

Section VI sets forth the Commission's Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093.

The MMRP (Attachment B) is required by CEQA Section 21081.6 and CEQA Guidelines Section 15091. The MMRP also specifies the party responsible for implementation of each mitigation measure and establishes monitoring actions and a monitoring schedule.

These findings are based upon substantial evidence in the entire record before the Commission. The references set forth in these findings to certain pages or sections of the Draft EIR or the RTC, which together comprise the Final EIR, are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings.

Section I. Project Description and Procedural Background

A. Project Description

The San Francisco Fire Department, the San Francisco Real Estate Division, and EQX JACKSON SQ HOLDCO LLC (project sponsors) propose to redevelop the 24,830-square-foot project site located on the block bound by Sansome Street to the west, Washington Street to the north, Battery Street to the east, and Merchant Street to the south. The proposed 530 Sansome Street Mixed-Use Tower and Fire Station 13 Development Project (proposed project) would involve demolition of the existing 17,800-square-foot, 3-story commercial building at 425 Washington Street (Block/Lot 0206/014), and the 12,862-square-foot, 2-story commercial building at 439–445 Washington Street (Block/Lot 0206/013) owned by EQX JACKSON SQ HOLDCO LLC; the 20,154-square-foot, 3-story commercial building at 447 Battery Street (Block/Lot 0206/002) owned by Battery Street Holdings LLC; and the 18,626-square-foot fire station at 530 Sansome Street (Block/Lot 0206/017) owned by the City and County of San Francisco. Prior to demolition of 530 Sansome Street and during construction of the proposed project, Fire Station 13 operations (including personnel and firetrucks) would temporarily relocate to nearby offsite existing San Francisco Fire Department facilities until construction of a replacement fire station is completed. No construction or tenant improvements would be required for temporary relocation. No interruption of fire department service would occur and relocated fire department operations would continue to serve the Financial District neighborhood and the city in general.

The project sponsors propose to construct a 4-story replacement fire station and a separate high-rise building up to 41 stories tall. The replacement fire station would be located on the 447 Battery Street parcel and would include approximately 31,200 square feet (including one basement level with 18 vehicle parking

spaces and four class 1 bicycle spaces) in a 4-story, approximately 55-foot-tall building (60 feet total to the roof, including amenity space on the fourth floor and rooftop mechanical equipment) on the eastern portion of the project site. The high-rise building, approximately 544 feet tall (574 feet total, including rooftop mechanical equipment), would be located on the remaining three parcels and would include approximately 27,030 square feet of retail uses (café, restaurant, and ballroom/pre-function/meeting spaces on levels 1 through 3); between approximately 372,580 and 417,770 square feet of office space; and between approximately 128,010 and 189,130 square feet of hotel space for approximately 100 to 200 hotel rooms. There would be three below-grade levels under the high-rise building, which would provide approximately 74 vehicle parking spaces, 81 Class 1 bicycle parking spaces, and utility rooms. The proposed project would provide 20 class 2 bicycle parking spaces on streets adjacent to the project site, and one passenger loading zone on Sansome Street, subject to San Francisco Municipal Transportation Agency (SFMTA) and San Francisco Public Works approval.

The proposed project would improve the entirety of Merchant Street between Battery and Sansome streets with privately maintained public open space that would be maintained by project sponsor for the life of the proposed project.

B. Project Objectives

The project sponsor seeks to achieve the following objectives through implementation of the proposed project:

1. Leverage new commercial development to provide City with a new state-of-the-art fire station and financial contributions to support new affordable housing production.

2. Build a new commercial development to generate both daytime and nighttime activity in the City's Financial District and provide employment opportunities and demand for area businesses in a transit rich and walking-friendly area of the City.

3. Build the City a new fire station in a separate structure that meets the City's Fire Department programmatic and design requirements for a state-of-the-art facility, while accommodating the contemplated commercial development on a distinct portion of the project site.

4. Improve Merchant Street between Sansome and Battery streets to complete a pedestrian-oriented connection between Maritime Plaza and Transamerica Redwood Park.

5. Build adequate parking and vehicular and loading access to serve the needs of project workers and visitors.

6. Create a new luxury hotel catering to tourists and businesses.

7. Create new office space meeting the programmatic and locational needs of financial service firms.

8. Allow flexibility in the allowable amount of office and hotel uses to be developed to meet the future and evolving needs in San Francisco's downtown area.

C. Project Approvals

The following is a preliminary list of anticipated approvals for the proposed project and is subject to change.[1]These approvals may be considered by City decision-makers in conjunction with the required environmental review, but they may not be granted until completion of the environmental review.

Local Agencies
San Francisco Board of Supervisors

- Approval of a Development Agreement for the proposed project and legislation creating the 530 Sansome Mixed-Use Tower and Fire Station Special Use District, including a conditional use review and approval process allowing streamlined approval and exceptions from certain Planning Code and Administrative Code provisions (see Board File Nos. 250698 and 250697).

- Approval of General Plan Amendment to the Downtown Area Plan to permit construction of a building that is approximately 600 feet tall.

- Approval of a zoning map amendment for height and bulk district reclassification.

- Approval of Amendment to Conditional Property Exchange Agreement between City and EQX JACKSON SQ HOLDCO LLC regarding transfers of land to facilitate project implementation.

- Adoption of findings under the California Environmental Quality Act (CEQA).

San Francisco Planning Commission

- Recommend to the Board of Supervisors approval of a Development Agreement and amendments to the Planning Code.

- Recommend to the Board of Supervisors approval of a General Plan Amendment to the Downtown Area Plan to permit construction of a building that is approximately 600-feet tall.

- Recommend to the Board of Supervisors approval of Zoning Map Amendment for the Height and Bulk District. Reclassification: The building height of the proposed project would exceed the height limit of the existing 200-S Height and Bulk District. The Board of Supervisors would need to approve an amendment to the Zoning Map Height and Bulk Districts pursuant to Planning Code section 302 to permit construction of an approximately 600-foot-tall building.

- Approval of shadowing on publicly accessible open space under the jurisdiction of the Recreation and Park Commission (Maritime Plaza, Willie “Woo Woo” Wong Playground, Washington Square Park, and Sue Bierman Park) after consultation with the Recreation and Parks Commission (Planning Code section 295).

- Approval of a single Conditional Use Authorization pursuant to the Development Agreement and

[1] The Board will take other actions implementing the project in a non-regulatory capacity.

Planning Code legislation to approve the project including certain Planning Code modifications.

- Approval of an allocation of office square footage under Planning Code sections 320–325.
- Adoption of CEQA findings under the California Environmental Quality Act.

San Francisco Historic Preservation Commission
- Recommend to the Board of Supervisors approval of an ordinance to permit conditional rescission of the landmark designation for 447 Battery Street building.

San Francisco Recreation and Park Commission
- Recommend to the Planning Commission approval of increase to annual cumulative shadow limit for Maritime Plaza and Sue Bierman Park.

San Francisco Planning Department
- Issuance of Pre-Construction Environmental Compliance letter.

San Francisco Department of Building Inspection
- Approval of demolition, grading, and building permit(s).

San Francisco Municipal Transportation Agency
- Approval of permits for streetscape modifications and color curb designations in the public right-of-way.
- Approval of parking and traffic changes including fire station striping on Battery Street and color curb zones.
- Approval of change to the transportation code for the conversion of the northbound lane on eastern side of Sansome Street adjacent to Project Site to an accessible passenger loading zone (approximately 75 feet in length) and daylighting zone (approximately 20 feet in length) at the approach of Washington Street.
- Approval of permits for construction within public right-of-way.

San Francisco Public Works
- Approval of permits for streetscape modifications in the public right-of-way.
- Approval of new, removed, or relocated street trees.
- Approval of any situations involving construction that would need to extend beyond normal hours (i.e., between 8 p.m. and 7 a.m.), which could include concrete pours, crane and hoist erection and adjustment activities, site maintenance activities and material delivery and handling.
- Approval of major encroachment permit for improvements to Merchant Street.

San Francisco Department of Public Health
- Approval of site mitigation plan pursuant to Maher Ordinance.

- Approval of a construction dust control plan, in accordance with San Francisco Health Code article 22B (Construction Dust Control Ordinance).

Bay Area Air Quality Management District

- Issuance of permits for the installation and operation, and testing of individual air pollution sources, such as emergency generators.

San Francisco Public Utilities Commission

- Approval of the use of groundwater wells during dewatering associated with construction.
- Approval of landscape and irrigation plans to extent project installs or modifies 5,000 square feet or more of landscape area.
- Approval of any changes to water and sewer lateral connections.
- Approval of erosion sediment control plans prior to commencing construction, pursuant to the Construction Site Runoff Ordinance.
- Approval of the project Water Supply Assessment.

San Francisco Arts Commission

- Civic Design Review and approval of the design of the replacement Fire Station 13.
- Visual Arts Committee review of relocation plan for Untitled artwork.

Approval Action

- Approval of the Conditional Use Authorization by the Planning Commission would constitute the approval action.

D. Environmental Review

On August 5, 2024, EQX JACKSON SQ HOLDCO LLC (hereinafter "Developer") filed project application materials assigned to Planning Case No. 2024-007066PRJ and applicable supplemental materials in related records with the Planning Department (hereinafter "Department") to demolish all existing buildings on 425 Washington Street, 439-445 Washington Street, 530 Sansome Street, and 447 Battery Street (Assessor's Block 0206, Lots 002, 013, 014 and 017; the "Project Site"), including the existing Fire Station 13, and construct a mixed-use development at the Project Site, which would include a mixed-use high-rise building up to 41-stories tall on 425 Washington Street, 439-445 Washington Street, and 530 Sansome Street with three below-grade levels and a new fire station on 447 Battery Street with one below-grade level (the "Project").

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The Department prepared a final environmental impact report (hereinafter "Final EIR"), consisting of the Draft EIR, any consultations and comments received during the Draft EIR review process, any additional information that became available, and the RTC, all as required by law.

On July 17, 2025, the Commission reviewed and considered the Final EIR and found that the contents of said report and the procedures through which the Final EIR was prepared, publicized, and reviewed comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31. The Final EIR was certified by the Commission on July 17, 2025, by adoption of Motion No. xxxxx.

E. Content and Location of Record

The record upon which all findings and determinations related to the adoption of the Project are based include the following:

- The Final EIR, consisting of the Draft EIR, the RTC document, and all documents referenced in or relied upon by the Final EIR;
- All information (including written evidence and testimony) provided by city staff members to the Planning Commission related to the Final EIR, the Project, the project approvals and entitlements, and the alternatives set forth in the Final EIR;
- All information (including written evidence and testimony) presented to the Planning Commission, or incorporated into reports presented by the Planning Department, the environmental consultant, and subconsultants who prepared the Final EIR;
- All information (including written evidence and testimony) presented to the city from other public agencies relating to the Project or the Final EIR;
- All applications, letters, testimony, and presentations provided to the city by the Department and its consultants in connection with the Project;
- All information (including written evidence and testimony) presented at any public hearing or workshop related to the Final EIR;
- The MMRP; and
- All other documents composing the record pursuant to Public Resources Code section 21167.6(e).

The public hearing transcripts and audio files, a copy of all letters regarding the Final EIR received during the public review period, the administrative record, and background documentation for the Final EIR are located at the San Francisco Planning Department, 49 South Van Ness Avenue, Suite 1400, San Francisco. The San Francisco Planning Commission Secretary is the custodian of these documents and materials.

F. Findings about Environmental Impacts and Mitigation Measures

The following Sections II, III, and IV set forth the Planning Commission's findings about the Final EIR's determinations regarding significant environmental impacts and the mitigation measures proposed to address them. These findings provide the written analysis and conclusions of the Planning Commission regarding the environmental impacts of the Project and the mitigation measures included as part of the Final EIR and adopted by the Planning Commission as part of the Project. To avoid duplication and redundancy, and because the Planning Commission agrees with, and hereby adopts, the conclusions in the Final EIR, these findings will not repeat the analysis and conclusions in the Final EIR, but instead incorporate them by reference and rely upon them as substantial evidence supporting these findings.

In making these findings, the Planning Commission has considered the opinions of the Department and other city staff members and experts, other agencies, and members of the public. The Planning Commission finds that (i) the determination of significance thresholds is a judgment decision within the discretion of the city; (ii) the significance thresholds used in the Final EIR are supported by substantial evidence in the record, including the expert opinion of the Final EIR preparers and city staff members; and (iii) the significance thresholds used in the Final EIR provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the proposed project. Thus, although, as a legal matter, the Planning Commission is not bound by the significance determinations in the Final EIR (see Public Resources Code

section 21082.2, subdivision [e]), the Planning Commission finds them persuasive and hereby adopts them as its own.

These findings do not attempt to describe the full analysis of each environmental impact contained in the Final EIR. Instead, a full explanation of these environmental findings and conclusions can be found in the Final EIR, and these findings hereby incorporate by reference the discussion and analysis in the Final EIR supporting the determination regarding the proposed project's impacts and mitigation measures designed to address those impacts. In making these findings, the Planning Commission ratifies, adopts, and incorporates in these findings the determinations and conclusions of the Final EIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings, and relies upon them as substantial evidence supporting these findings.

As set forth below, the Planning Commission adopts and incorporates the mitigation measures for the proposed project set forth in the Final EIR, which are set forth in the attached MMRP, to reduce the significant and unavoidable impacts of the Project. The Planning Commission intends to adopt the mitigation measures proposed in the Final EIR that are within its jurisdiction and urges other city agencies and departments that have jurisdiction over other mitigation measures proposed in the Final EIR, and set forth in the MMRP, to adopt those mitigation measures. Accordingly, in the event a mitigation measure recommended in the Final EIR has inadvertently been omitted in these findings or the MMRP, such mitigation measure is hereby adopted and incorporated in the findings below by reference. In addition, in the event the language describing a mitigation measure set forth in these findings or the MMRP fails to accurately reflect the mitigation measures in the Final EIR due to a clerical error, the language of the policies and implementation measures as set forth in the Final EIR shall control. The impact numbers and mitigation measure numbers used in these findings reflect the information contained in the Final EIR.

These findings are based upon substantial evidence in the entire record before the Planning Commission. The references set forth in these findings to certain pages or sections of the Draft EIR or responses to comments in the Final EIR are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings.

SECTION II. IMPACTS OF THE PROJECT FOUND TO BE LESS THAN SIGNIFICANT AND THUS NOT REQUIRING MITIGATION

Under CEQA, no mitigation measures are required for impacts that are less than significant (Public Resources Code section 21002; CEQA Guidelines sections 15126.4, subdivision [a][3], 15091). Based on the evidence in the entire record of this proceeding, the Planning Commission finds that the Project will not result in any significant impacts in the following areas and that these impact areas therefore do not require mitigation.

Land Use (Draft EIR p. S-15)

- All impacts

Population and Housing (Draft EIR p. S-15)

- All impacts

Transportation and Circulation (Draft EIR p. S-35)
- All impacts

Greenhouse Gas Emissions (Draft EIR p. S-44)
- All impacts

Shadow (Draft EIR p. S-45)
- All impacts

Recreation (Draft EIR p. S-46)
- All impacts

Utilities and Service Systems (Draft EIR p. S-46)
- All impacts

Public Services (Draft EIR p. S-48)
- All impacts

Biological Resources (Draft EIR p. S-48)
- All impacts

Hydrology and Water Quality (Draft EIR p. S-56)
- All impacts

Hazards and Hazardous Materials (Draft EIR p. S-57)
- All impacts

Mineral Resources (Draft EIR p. S-58)
- All impacts

Energy (Draft EIR p. S-59)
- All impacts

Historic Architectural Resources (Draft EIR p. S-9)
- Impact C-CR-1 – In combination with cumulative projects, result impact on historical resources

Air Quality (Draft EIR p. S-9)
- Impact AQ-1 – Result in cumulatively considerable net increase in a criteria air pollutant for which the project region is in nonattainment status under applicable federal, state, or regional ambient air quality standard

- Impact AQ-2 – During project operation, result in cumulatively considerable net increase in a criteria air pollutant for which the project region is in nonattainment status under applicable federal, state, or regional ambient air quality standard

- Impact AQ-4 – Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people

- Impact AQ-5 – Result in conflict with or obstruct implementation of the 2017 Clean Air Plan
- Impact C-AQ-2 -- In combination with cumulative projects, result in other emissions (such as those leading to odors) adversely affecting a substantial number of people

Geology and Soils (Draft EIR p. S-49)

- Impact GE-1 – Result in exacerbation of potential to expose people or structures to potential substantial adverse effects involving rupture of a known earthquake fault, strong seismic ground shaking, liquefaction, seismically induced ground failure, or landslides
- Impact GE-2 – Result in soil erosion or the loss of topsoil
- Impact GE-3 – Result in project located on geologic unit or soil that is unstable or could become unstable as result of project
- Impact GE-4 – Result in creating substantial risk to life or property as a result of being located on expansive soil
- Impact GE-5 – Result in directly or indirectly destroying a unique geologic feature
- Impact C-GE-1 -- In combination with cumulative projects, result in significant cumulative impact on geology and soils

SECTION III. FINDINGS OF POTENTIALLY SIGNIFICANT IMPACTS OF THE PROJECT THAT CAN BE AVOIDED OR REDUCED TO A LESS-THAN-SIGNIFICANT LEVEL THROUGH MITIGATION

CEQA requires agencies to adopt mitigation measures that would avoid or substantially lessen a project's identified significant impacts or potential significant impacts if such measures are feasible. The findings in this Section III concern mitigation measures set forth in the EIR to mitigate the potentially significant impacts of the Project. These mitigation measures are included in the MMRP, which is included as Attachment B to the Planning Commission motion adopting these findings.

The project sponsor has agreed to implement the following mitigation measures to address the potential Cultural Resources, Tribal Cultural Resources, Noise, Wind, and Geology and Soils impacts identified in the EIR. As authorized by CEQA section 21081 and CEQA Guidelines sections 15091, 15092, and 15093, based on substantial evidence in the whole record of this proceeding, the Planning Commission finds that, unless otherwise stated, the Project will be required to incorporate mitigation measures identified in the EIR into the Project to mitigate or avoid significant or potentially significant environmental impacts. These mitigation measures will reduce or avoid the potentially significant impacts described in the EIR, and the Planning Commission finds that these mitigation measures are feasible to implement and are within the responsibility and jurisdiction of the city to implement or enforce. In addition, the required mitigation measures are fully enforceable and will be included as conditions of approval for project approvals under the Project, as applicable, and also will be enforced through conditions of approval in building permits issued for the Project by the San Francisco Department of Building Inspection, as applicable. With the required mitigation measures, these Project impacts would be avoided or reduced to a less-than-significant level.

Cultural Resources (Draft EIR p. S-16)

Impacts CR-2, CR-3, and C-CR-2: With mitigation, the proposed project would not cause, nor in combination with cumulative projects cause, a substantial adverse change in the significance of an archeological resource or disturb human remains.

Any ground-disturbing activities during project construction—particularly excavation, grading, and foundation work—could have the potential to uncover terrestrial prehistoric archeological resources, submerged prehistoric archeological resources, historic archeological resources, and/or human remains.

Mitigation Measure M-CR-2a: Archeological Testing requires project sponsor to engage an archaeological consultant to undertake an archeological testing program, which program would include the preparation and submission of certain archaeological reports to the Environmental Review Officer. The archaeological consultant shall be available to conduct an archaeological monitoring and/or data recovery program if required.

Mitigation Measure M-CR-2b: Treatment of Submerged and Deeply Buried Resources creates treatment and recovery procedures in the event of the discovery of a submerged or deeply buried resource during archaeological testing, archaeological monitoring, or soil disturbing construction activities.

As such, implementation of Mitigation Measures M-CR-2a and M-CR-2b would impose requirements related to archaeological resource identification, monitoring, and protection, and thereby ensure that the project's impacts on archaeological resources, human remains, and tribal cultural resources would be less than significant.

Tribal Cultural Resources (Draft EIR p. S-33)

Impacts TCR-1 and C-TCR-1: With mitigation, the proposed project would not cause, nor in combination with cumulative projects cause, a substantial adverse change in the significance of a tribal cultural resource.

Any ground-disturbing activities during project construction—particularly excavation, grading, and foundation work—could have the potential to uncover tribal cultural resources.

Mitigation Measure M-TCR-1: Tribal Cultural Resources Program requires the project sponsor to consult with the Environmental Review Officer and California Native American tribes traditionally and culturally affiliated with the geographic area of the proposed project in the event of the identification or discovery of a tribal cultural resource during construction. This would include collaboration and review of any potential preservation plan proposed for the identified resource.

Mitigation Measure M-CR-2a: Archeological Testing provides that a California Native American tribe traditionally and culturally affiliated with a geographic area of the project may, at their discretion, provide a Native American cultural sensitivity training to all project contractors and may provide monitoring of the archaeological testing for Native American archeological resources.

Mitigation Measure M-CR-2b: Treatment of Submerged and Deeply Buried Resources creates treatment and recovery procedures in the event of the discovery of a submerged or deeply buried resource (including Native American archeological resources) during archaeological testing, archaeological monitoring, or soil disturbing construction activities.

As such, implementation of Mitigation Measures M-TCR-1, M-CR-2a, and M-CR-2b would create a process for identifying, treating, and recovering Native American archaeological resources, and thereby ensure that the project's impacts on tribal cultural resources would be less than significant.

Noise (Draft EIR p. S-36)

Impacts NO-1 and C-NO-1: With mitigation, the proposed project would not generate, nor in combination with cumulative projects generate, substantial temporary or periodic increases in ambient noise levels in the project vicinity.

Project construction could expose people to or generate noise levels in excess of standards in the Noise Ordinance (Article 29 of the San Francisco Police Code) or applicable standards of other agencies. Mitigation Measure M-NO-1: Construction Noise Control requires submission of a construction noise control plan to the Environmental Review Officer that identifies noise control measures to meet the daytime and nighttime performance targets for construction activities at noise-sensitive receptors and commercial receptors. As such, implementation of Mitigation Measure M-NO-1 would impose measures to reduce noise levels generated by project construction, and thereby ensure that the project's construction-related noise impacts would be less than significant.

Impact NO-2: With mitigation, operation of the proposed project would not generate substantial temporary or periodic increases in ambient noise levels in the project vicinity.

Operation of stationary mechanical equipment could expose people to or generate noise levels in excess of standards in the Noise Ordinance (Article 29 of the San Francisco Police Code) or applicable standards of other agencies. Mitigation Measure M-NO-2: Noise Analysis and Attenuation for Stationary Mechanical Equipment requires preparation of a project-specific stationary mechanical equipment analysis. All recommendations from the analysis are necessary to ensure that noise sources would meet applicable requirements of the noise ordinance and/or not result in substantial increases in ambient noise levels shall be incorporated into the building design and operations. As such, implementation of Mitigation Measure M-NO-2 would impose measures to reduce noise generated by stationary mechanical equipment, and thereby ensure that the project's operation-related noise impacts would be less than significant.

Impact NO-3: With mitigation, construction of the proposed project would not generate excessive groundborne vibration or groundborne noise levels.

Project construction could result in groundborne vibration with the potential to damage adjacent buildings and structures. Mitigation Measure M-NO-3: Protection of Adjacent Buildings/Structures and Vibration Monitoring During Construction requires preparation of a Pre-construction Survey and Vibration Management and Monitoring Plan that identifies (and imposes) feasible means to avoid project-related construction vibration damage to potentially affected buildings. As such, implementation of Mitigation

Measure M-NO-3 would reduce groundborne vibration generated during project construction, and thereby ensure that the project's impacts on adjacent buildings and structures would be less than significant.

Wind (Draft EIR, p. S-45)

Impacts WI-1 and C-WI-1: With mitigation, the proposed project would not result, nor in combination with cumulative projects result, in a net increase in wind hazards in publicly accessible areas of substantial pedestrian use.

The proposed project could result in a net increase in wind hazards in publicly accessible areas of substantial pedestrian use. Mitigation Measure M-WI-1: Tree Planting and Maintenance requires project sponsor to plant and maintain a number of street trees along the frontages of the project site. As such, implementation of Mitigation Measure M-WI-1 would reduce wind hazards in publicly accessible areas of substantial pedestrian use, and thereby ensure that the project's impacts would be less than significant.

Geology and Soils (Draft EIR, p. S-49)

Impact GE-6: With mitigation, the proposed project would not directly or indirectly destroy a unique paleontological geologic feature.

Any ground-disturbing activity (e.g., excavation, utility installation) during project construction could have the potential to directly or indirectly destroy unique paleontological geologic features.

Mitigation Measure M-GE-6a: Worker Environmental Awareness Training Construction requires project sponsor to engage a qualified paleontologist to train all project construction workers regarding how to recognize paleontological resources.

Mitigation Measure M-GE-6b: Discovery of Unanticipated Paleontological Resources During Construction requires that, in the event of an unanticipated paleontological resource during construction, ground disturbing activities be temporarily halted within 25 feet of the find until the discovery is examined by a qualified paleontologist, and if the resource is determined to be of scientific importance, additional measures will be taken to limit construction effects on such resource.

Mitigation Measure M-GE-6c: Preconstruction Paleontological Evaluation for Projects located in Class 3 (Moderate) Sensitivity Areas requires preparation of a site-specific Preconstruction Paleontological Resources Evaluation prior to commencing soil-disturbing activities on the project site. The purpose of the evaluation is to identify early the potential presence of significant paleontological resources on the project site.

As such, implementation of Mitigation Measures M-GE-6a through -6c would create processes for identifying, examining, and protected paleontological resources, and thereby would ensure that the project's construction impacts would be less than significant.

SECTION IV. SIGNIFICANT IMPACTS OF THE PROJECT THAT CANNOT BE AVOIDED OR REDUCED TO A LESS-THAN-SIGNIFICANT LEVEL

Based on substantial evidence in the whole record of these proceedings, the Planning Commission finds that there are significant Project-specific and cumulative impacts that would not be eliminated or reduced to an insignificant level by the mitigation measures listed in the MMRP. The Final EIR identifies significant impacts in Historic Architectural Resource and Air Quality significant impact topic areas that would remain significant and unavoidable, even with implementation of mitigation measures; those impacts topics and the mitigation measures that reduce the impacts, although not to a less-than-significant level, are listed below.

The Planning Commission further finds based on the analysis contained within the Final EIR, other considerations in the record, and the significance criteria identified in the Final EIR, that feasible mitigation measures are not available to reduce the significant Project impacts to less-than-significant levels, and thus those impacts remain significant and unavoidable

The following significant impacts on the environment, as reflected in the Final EIR, are unavoidable. But, as more fully explained in Section VII, below, under Public Resources Code section 21081(a)(3) and (b) and CEQA Guidelines sections 15091(a)(3), 15092(b)(2)(B), and 15093, the Planning Commission finds that these impacts are acceptable in light of the legal, environmental, economic, social, technological and other benefits of the Project. This finding is supported by substantial evidence in the record of this proceeding.

A. Impacts That Remain Significant and Unavoidable After Implementation of Mitigation Measures

Historic Architectural Resources (Draft EIR, p. S-5)

Impact CR-1: The proposed project would cause a substantial adverse change in the significance of an individually eligible historical resource as defined in CEQA Guidelines section 15064.5, including those resources listed in article 10 or article 11 of the planning code.

The proposed project would demolish the existing building at 447 Battery Street, which is a designated Planning Code Article 10 landmark, a significant and unavoidable impact. Further, the proposed project would relocate the sculpture *Untitled* from the Washington Street façade of the existing fire station at 530 Sansome Street. Implementation of Mitigation Measure M-CR-1d will ensure the potential impact on *Untitled* is reduced to a less-than-significant level; however, while implementation of Mitigation Measures related to the demolition of the existing building at 447 Battery Street would reduce the severity of the impacts, it would not be to a less-than-significant level because only avoidance of demolition of, or substantial adverse change would reduce the impact to a less-than-significant level.

Full preservation of the existing building at 447 Battery Street is analyzed in Chapter 5 of the Draft EIR, rather than through development of a mitigation measure. Therefore, the impact on individual historic architectural resources would be significant and unavoidable even with identified mitigation.

Mitigation Measure M-CR-1a: Documentation of the 447 Battery Street Building

Mitigation Measure M-CR-1b: Salvage Plan

Mitigation Measure M-CR-1c: Public Interpretive Program

Mitigation Measure M-CR-1d: Interpretation and Relocation Plan for the Sculpture Untitled

Air Quality (Draft EIR, p. S-9)

Impacts AQ-3 and C-AQ-1: The proposed project, including in combination with cumulative projects, would result in emissions of fine particulate matter ($PM_{2.5}$) and toxic air contaminants that could expose sensitive receptors to substantial pollutant concentrations.

Construction of the proposed project has the potential to create air quality impacts from the use of heavy-duty off-road construction equipment, construction worker's vehicle trips, and vendor truck trips resulting in emissions of $PM_{2.5}$ and toxic air contaminants (TACs) such as diesel particulate matter. Additionally, long-term operational emissions from the project's stationary sources would include $PM_{2.5}$ and TACs. Implementation of Mitigation Measures M-AQ-3a and M-AQ-3b would reduce operational emissions to a less-than-significant impact level at full buildout operations; however, exposure of sensitive receptors to $PM_{2.5}$ during construction plus operations, would remain a significant and unavoidable air quality impact.

Though the timing of cumulative projects is unknown at this time, even with implementation of Mitigation Measures M-AQ-3a and M-AQ-3b, the proposed projects contribution to the annual average $PM_{2.5}$ concentration due to exposure during construction plus operations would exceed the significance threshold, resulting in a considerable contribution to a significant and unavoidable cumulative air quality impact.

Mitigation Measure M-AQ-3a: Clean Off-Road Construction Equipment

Mitigation Measure M-AQ-3b: Operational Truck Emissions Reduction

SECTION V. Evaluation of Project Alternatives

This section describes the EIR alternatives and the reasons for rejecting the alternatives as infeasible. CEQA mandates that an EIR evaluate a reasonable range of alternatives to the proposed project or the project location that would feasibly attain most of the project's basic objectives, but that would avoid or substantially lessen any identified significant adverse environmental effects of the project. An EIR is not required to consider every conceivable alternative to a proposed project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. CEQA requires that every EIR also evaluate a "no project" alternative. Alternatives provide a basis of comparison to the proposed project in terms of their significant impacts and their ability to meet project objectives. This comparative analysis is used to consider reasonable, potentially feasible options for minimizing environmental consequences of the Project.

A. Alternatives Analyzed in the Final EIR

The Department considered a range of alternatives in draft EIR Chapter 5, Alternatives. The Final EIR analyzed the Project compared to four CEQA alternatives and considered but rejected six other alternatives:

- Alternative A: The No Project Alternative (Draft EIR, p. 5-10). This alternative consists of no new construction on the project site and retention of all existing buildings, including the existing building at 447 Battery Street, and no modifications to the sculpture *Untitled* at 530 Sansome Street. However, this alternative would not preclude development of the site by another project in the future. This alternative would not include any improvements to Merchant Street.

- Alternative B: A 41-Story Full Preservation Alternative (Draft EIR, p. 5-11). This alternative would retain the historic 447 Battery Street building, while the existing buildings on the remainder project site would be demolished and a 4-story replacement fire station and 41-story, mixed-use building would be constructed. The fire station would be integrated into the 41-story building. The 447 Battery Street building would be adaptively reused for purposes unrelated to the proposed project and would not be under the control of the project sponsor. This alternative would include improvements to Merchant Street, but not in the portion adjacent to 447 Battery Street.

- Alternative C: A 19-Story Full Preservation Alternative (Draft EIR, p. 5-16). This alternative is the 19-story mixed-use project that was previously approved by the City with a Mitigated Negative Declaration (Case No. 2019-07481ENV). This alternative would retain the historic 447 Battery Street building, while the existing buildings on the remainder project site would be demolished and a 4-story replacement fire station and 19-story, mixed-use building would be constructed. The fire station would be integrated into the 19-story building. The 447 Battery Street building would be adaptively reused for purposes unrelated to the proposed project and would not be under the control of the project sponsor. This alternative would include improvements to Merchant Street, but not in the portion adjacent to 447 Battery Street.

- Alternative D: A Partial Preservation Alternative (Draft EIR, p. 5-21). This alternative would modify the building at 447 Battery Street to house the relocated fire station, with the existing buildings on the remainder of the project site demolished and replaced by a 41-story high-rise building as under the proposed project. To accommodate the new fire station, the east and south exterior walls of the existing building at 447 Battery Street would be retained, and the ground floor of the Battery Street façade would be modified to include four openings that would be taller and wider, with headers reaching just below the sills of the second-floor windows. On Merchant Street, three new pedestrian entrances would be added and a new vehicular opening would be cut into the southwest corner to provide access to the new fire station below-grade parking. A new structural system for the existing building at 447 Battery Street would be required, with only the south and east facades maintained, but no longer load-bearing. All interior floors and walls would be removed and replaced. Modifications to the third-floor window openings would make the windows partially blind where new structural elements pass the openings. This alternative would complete the improvements to Merchant Street as under the proposed project.

- Partial Preservation Alternative 1 (Draft EIR, p. 5-39). To accommodate the new fire station, the east and south exterior walls of the 447 Battery Street building would be retained, and the ground floor of the Battery Street façade would be modified to accommodate fire trucks. Interior floors and walls

would be removed and replaced under this alternative. The structural columns would be retained or replaced in the same location as the existing building. To provide enough floor-to-ceiling height and to meet building code requirements, the new third floor would be higher than the existing third floor. On Battery Street, the three existing recessed storefronts would be modified to be taller and wider, with headers reaching to just below the sills of the second-floor windows. On Merchant Street, three new pedestrian entrances would be added, and a new vehicular opening would be cut into the southwest corner to provide access to the replacement fire station.

This alternative was considered but rejected because of the limitations of keeping the existing interior building columns in the current location, which would mean there would not be enough between to accommodate the required four entrance bays for the new fire station, which is a primary project objective.

- Partial Preservation Alternative 2 (Draft EIR, p. 5-39). This alternative would consist of the same work as described in Partial Preservation Alternative 1, with the exception of the east façade. Under this alternative, the east façade would be raised such that the new structural elements would not be visible from the third floor window openings and more masonry would be preserved between the top of the existing openings and the bottom of the second-floor windows. In lieu of the metal cladding introduced to conceal the brick support structure at the top of the bays for Alternative D considered in this draft EIR, a new concrete base approximately 3 feet high would be added below the existing brick.

  This alternative was considered but also rejected because of the limitations of keeping the existing interior building columns in the current location, which would mean there would not be enough between to accommodate the required four entrance bays for the new fire station, which is a primary project objective.

- Offsite Alternative (Draft EIR, p. 5-39). An alternative would avoid demolition of the existing building at 447 Battery Street by finding an alternative off-site location for the new fire station was rejected because the project objectives are specific to the project site and fire station's service area, and because the project sponsor does not have control of a comparable site of sufficient size to develop a project that would achieve the project objectives.

- Cantilever Over 447 Battery Street (Draft EIR, p. 5-40). This alternative considered the possibility of retaining the 447 Battery Street building and cantilevering the proposed building over it to increase the usable footprint of the hotel and office floors of the high-rise building. The additional space would begin 15 feet to the south of the existing adjacent building and run along the southern lot line of the 447 Battery Street parcel, and with a cantilever of approximately 20 feet would add approximately 1,200 square feet per floor. Since the elevators, stairs, and mechanical infrastructure of the tower would still need to connect to the ground level, this additional space would have limitations on the ground floor, western, and southern sides of the proposed building and would not meet functional requirements. The added floor areas above would increase the amount of square footage of the new structure that would be directly above the replacement fire station, thereby exacerbating the engineering and construction challenges. This alternative was therefore considered but rejected.

- Use 447 Battery Street for Building Core (Draft EIR, p. 5-40). This alternative considered the possibility of retaining the existing 530 Sansome Street fire station and 447 Battery Street building facades, constructing the high-rise building on the remaining two parcels and providing the entry to the high-rise building through the 447 Battery Street building. This alternative would not preserve the character-defining features of the 447 Battery Street building with the exception of the east and south façades. These facades would be diminished by the presence of the 550-foot-tall vertical walls, which would be largely opaque, and set back a few feet behind the retained building walls. The existing fenestration would not relate to the space behind it, which would be primarily unoccupied stairs and elevator shafts. This alternative was therefore considered but rejected.

- Relocation of the 447 Battery Street (Response to Comments, pg.4-6). This alternative would involve relocating the existing 447 Battery Street building in its entirety to another location. This alternative is infeasible and was rejected, because the 447 Battery Street building is wider than the existing surrounding streets and would require partial or complete disassembly for the path of travel to another site. This process is likely to result in substantial damage to the character-defining project window sills, segmental arch window headers, and cornice, including the bricks, which are compromised on account of having been sandblasted. Additionally, there are no suitable vacant lots within the current neighborhood, meaning the building would have to relocated to another part of the city. Removing the building from downtown San Francisco would significantly impact its association with post-earthquake redevelopment. Further the building is part of a warehouse and coffee context that is strongly associated with its current location and historical significance.

B. Evaluation of Project Alternatives

CEQA provides that alternatives analyzed in an EIR may be rejected if "specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible ... the project alternatives identified in the EIR" (CEQA Guidelines section 15091[a][3]). The Planning Commission has reviewed each of the alternatives to the Project as described in the Final EIR that would reduce or avoid the impacts of the Project and finds that there is substantial evidence of specific economic, legal, social, technological, and other considerations that make these alternatives infeasible, for the reasons set forth below.

In making these determinations, the Planning Commission is aware that CEQA defines "feasibility" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors." The Planning Commission is also aware that under CEQA case law, the concept of "feasibility" encompasses (i) the question of whether a particular alternative promotes the underlying goals and objectives of a project, and (ii) the question of whether an alternative is "desirable" from a policy standpoint to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors.

The following Project alternatives and Project were fully considered and compared in the Final EIR.

- Alternative A: The No Project Alternative (Draft EIR, p. 5-10). Under Alternative A, none of the impacts associated with the proposed project as described in Chapter 3 and the initial study (Appendix B) of this draft EIR would occur. The existing project site would be retained in its current condition and no

construction or demolition would occur. Under Alternative A, the existing Fire Station 13 would remain at 530 Sansome Street and the project site would not be developed with a replacement fire station and 41-story high-rise mixed use building. Alternative A would have no significant impacts related to historic architectural resources and air quality. Therefore, the No Project Alternative would avoid the significant and unavoidable impacts of the proposed project.

Because the project would not be implemented, Alternative A would not achieve any of the project objectives for the proposed project, as shown in Table S-5, p. S-71 of the Draft EIR. Objectives to leverage new commercial development to provide a new state-of-the-art fire station and financial contributions to support new affordable housing production; generate daytime and nighttime activity in the city's Financial District and provide employment opportunities and demand for area businesses through commercial development; build a state-of-the-art new fire station in a separate structure while accommodating commercial development on a distinct portion of the site; improve Merchant Street to complete a pedestrian-oriented connection between Maritime Plaza and Transamerica Redwood Park; build adequate parking and vehicular and loading access; create a new luxury hotel catering to tourists and businesses; create new office space meeting the needs of financial service firms; and allow flexibility in the allowable amount of office and hotel uses to be developed to meet the future and evolving needs would not be achieved.

The Commission concurs with the findings of the Final EIR, and, in accordance with California Public Resources Code Sections 21002 and 21081, rejects Alternative A as infeasible because it would fail to meet the basic project objectives. For this reason, the Commission rejects Alternative A in favor of the proposed project.

- Alternative B: A 41-Story Full Preservation Alternative (Draft EIR, p. 5-11). Alternative B would avoid one significant and unavoidable impact identified for the proposed project. This alternative would reduce the proposed project's impact on historic architectural resources from significant and unavoidable with mitigation to less than significant, as the existing building at 447 Battery Street would not be demolished. However, this alternative would not substantially reduce the proposed project's significant and unavoidable project-level and cumulative health risk impacts, which would be similar to those of the proposed project because the construction program and proximity to sensitive receptors would be similar. Alternative B contribution to construction-related health risk would exceed thresholds, and the impacts would remain significant and unavoidable even with mitigation. Significant impacts that could be mitigated to less than significant that were identified for the proposed project and would still apply to Alternative B include impacts related to: archeological resources and human remains; tribal cultural resources; project and cumulative construction-related increases in ambient noise levels to sensitive receptors; operational noise levels of stationary equipment; project and cumulative construction-related vibration impacts; wind; and paleontological resources.

  Alternative B would meet some, but not all, of the project objectives, as shown in Table S-5, p. S-71 of the Draft EIR. In particular, objectives to generate daytime and nighttime activity in the city's Financial District and provide employment opportunities and demand for area businesses through commercial development; create a new luxury hotel catering to tourists and businesses; and allow flexibility in the allowable amount of office and hotel uses to be developed to meet future and

evolving needs would be met. However, under Alternative B, the 447 Battery Street frontage would not be under the control of the project sponsor. Therefore, only the portion of Merchant Street west of the 447 Battery Street building along the high-rise building would be improved as a privately maintained public open space and this alternative would partially meet the objective to complete a pedestrian-oriented connection between Maritime Plaza and Transamerica Redwood Park. Alternative B would provide less ballroom/pre-function/meeting space, less retail/restaurant space, and fewer vehicular and bicycle parking spaces as compared to the proposed project. Since the 447 Battery Street building would not be adaptively reused for a fire station, the replacement fire station would be integrated into the 41-story building. Therefore, the alternative would not meet the requirement that the new fire station would be built in a separate structure and accommodate the contemplated commercial development on a distinct portion of the project site. Integrating the fire station into the 41-story building would reduce the size of the replacement fire station by approximately 18 percent compared to the proposed project and reduce the overall development to under 650,0000 square feet as compared to the proposed project. This would result in less rentable floor area and, given the required size of the building core to meet building code requirements, the alternative's floor plates would be smaller and less efficient than the project and other major office buildings. Therefore, Alternative B would partially meet the objective to create new office space meeting the needs of financial service firms. Alternative B would not fully meet the objectives related to leveraging new commercial development to provide a new state-of-the-art fire station and financial contributions to support new affordable housing production.

The Commission concurs with the findings of the Final EIR, and, in accordance with California Public Resources Code Sections 21002 and 21081, rejects Alternative B as infeasible because it (1) fail to avoid one of the significant and unavoidable impacts of the proposed project and (2) would fail to some several of the basic project objectives. For these reasons, each of which is independently sufficient, the Commission rejects Alternative B in favor of the proposed project.

- Alternative C: A 19-Story Full Preservation Alternative (Draft EIR, p. 5-16). Alternative C would avoid all of the significant and unavoidable impacts identified for the proposed project, reducing them from significant and unavoidable with mitigation to less than significant. Specifically, the proposed project's significant and unavoidable impact on a historic architectural resource (demolition of 447 Battery Street building) would be avoided and the proposed project's significant and unavoidable project-level and cumulative health risk impacts would be reduced to less than significant with mitigation. Significant impacts that could be mitigated to less than significant that were identified for the proposed project and would still apply to Alternative C include impacts related to: archeological resources and human remains; tribal cultural resources; project and cumulative construction-related vibration impacts; and paleontological resources. However, unlike the proposed project, impacts related to construction-related increases in ambient noise levels at sensitive receptors and operational noise levels of stationary equipment would be less than significant and would not require Mitigation Measures M-NO-1 and M-NO-2. Similarly, unlike the proposed project, impacts related to wind would be less than significant and not require Mitigation Measure M-WI-1.

  Alternative C would meet some, but not all of the project objectives, as shown in Table S-5, p. S-71 of the Draft EIR. In particular, objectives to generate daytime and nighttime activity in the city's Financial District and provide employment opportunities and demand for area businesses through

commercial development; and create a new luxury hotel catering to tourists and businesses would be met.

Under Alternative C, the 447 Battery Street frontage would not be under the control of the project sponsor. Therefore, only the portion of Merchant Street west of the 447 Battery Street building along the high-rise building would be improved as a privately maintained public open space and this alternative would partially meet the objective to complete a pedestrian-oriented connection between Maritime Plaza and Transamerica Redwood Park. Alternative C would provide 40,490 square feet of office space (approximately 90 percent fewer square feet) and fewer vehicular and bicycle parking spaces compared to the proposed project. Therefore, this alternative would partially meet the objectives to build adequate parking and vehicular and loading access. Since the 447 Battery Street building would not be adaptively reused for a fire station, the replacement fire station would be integrated into the 41-story building. Therefore, the alternative would not meet the requirement that the new fire station would be built in a separate structure and accommodate the contemplated commercial development on a distinct portion of the project site. Integrating the fire station into the 19-story building would reduce the size of the replacement fire station by approximately 17 percent compared to the proposed project. Alternative C would also reduce the overall development to under 325,0000 square feet (or approximately 53 percent less than the proposed project's total building area). This would result in less rentable floor area. Additionally, Alternative C would generate less than half of the commercial development contemplated under the proposed project.

Alternative C would not meet the objectives related to leveraging new commercial development to provide a new state-of-the-art fire station and financial contributions to support new affordable housing production; building a state-of-the-art new fire station in a separate structure while accommodating commercial development on a distinct portion of the site; and allowing flexibility in the allowable amount of office and hotel uses to be developed to meet future and evolving needs. As a result, Alternative C would meet fewer of the project objectives than Alternative B.

The Commission concurs with the findings of the Final EIR, and, in accordance with California Public Resources Code Sections 21002 and 21081, rejects Alternative C as infeasible because it would fail to meet several of the project objectives. For this reason, the Commission rejects Alternative C in favor of the proposed project.

- Alternative D: A Partial Preservation Alternative (Draft EIR, p. 5-21). The proposed project's significant and unavoidable impacts would not be substantially reduced under this alternative. Although Alternative D would retain more character-defining features of the 447 Battery Street building than the proposed project, Alternative D would still cause material impairment to the historical resource, resulting in an impact that would be significant and unavoidable with mitigation, same the proposed project. Further, significant and unavoidable project-level and cumulative health risk impacts would be similar to those of the proposed project because the construction program and proximity to sensitive receptors would be similar. This alternative's contribution to construction-related health risk would exceed thresholds, and the impacts would remain significant and unavoidable even with mitigation.

  Significant impacts that could be mitigated to less than significant that were identified for the proposed project and would still apply to Alternative D include impacts related to: archeological

resources and human remains; tribal cultural resources; project and cumulative construction-related increases in ambient noise levels to sensitive receptors; operational noise levels of stationary equipment; project and cumulative construction-related vibration impacts; wind; and paleontological resources.

Alternative D would meet most of the project objectives, as shown in Table S-5, p. S-71 of the Draft EIR. In particular, objectives to generate daytime and nighttime activity in the city's Financial District and provide employment opportunities and demand for area businesses through commercial development; improve Merchant Street to complete a pedestrian-oriented connection between Maritime Plaza and Transamerica Redwood Park; build adequate parking and vehicular and loading access; create a new luxury hotel catering to tourists and businesses; create new office space meeting the needs of financial service firms; and allow flexibility in the allowable amount of office and hotel uses to be developed to meet the future and evolving needs would be met. Alternative D would reduce the size and height of the replacement fire station by approximately 17 percent and 5 feet, respectively, compared to the proposed project. Therefore, this alternative would partially meet the objectives to leveraging new commercial development to provide a new state-of-the-art fire station and financial contributions to support new affordable housing production; build a state-of-the-art new fire station in a separate structure while accommodating commercial development on a distinct portion of the site; and build adequate parking and vehicular and loading access.

The Commission concurs with the findings of the Final EIR, and, in accordance with California Public Resources Code Sections 21002 and 21081, rejects Alternative D as infeasible because it (1) would fail to substantially reduce the significant and unavoidable impacts of the proposed project and (2) would fail to meet several of the project objectives. For these reasons, each of which is independently sufficient, the Commission rejects Alternative D in favor of the proposed project.

SECTION VI. STATEMENT OF OVERRIDING CONSIDERATIONS

The Planning Commission finds that, notwithstanding the imposition of all feasible mitigation measures, three significant impacts related to historic architectural resources and air quality would remain significant and unavoidable with mitigation, as described in more detail above.

Pursuant to CEQA section 21081 and CEQA Guidelines section 15093, the Planning Commission hereby finds, after consideration of the Final EIR and the evidence in the record, that each of the specific overriding economic, legal, social, technological, and other benefits of the Project as set forth below independently and collectively outweighs these significant and unavoidable impacts and is an overriding consideration warranting approval of the Project. Any one of the reasons for approval cited below is sufficient to justify approval of the Project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the Planning Commission will stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found below, and in the record of proceedings.

On the basis of the above findings and the substantial evidence in the whole record of this proceeding, the Planning Commission specifically finds that there are significant benefits of the Project to support approval of the Project in spite of the unavoidable significant impacts, and therefore makes this statement of overriding considerations. The Planning Commission further finds that, as part of the process of obtaining

Project approvals, significant effects on the environment from implementation of the Project have been eliminated or substantially lessened, where feasible. All mitigation measures identified in the EIR and MMRP are adopted as part of the Approval Actions described in Section I, above.

Furthermore, the Planning Commission has determined that any remaining significant effects on the environment found to be unavoidable are acceptable due to the following specific overriding economic, technological, legal, social, and other considerations. The Project would meet all of the objectives, as described in the Final EIR.

The Project would have the following benefits:

- Provide the City with a new state-of-the-art fire station in a separate structure serving Downtown San Francisco, replacing an existing fire station that the City has determined no longer meets the programmatic and resiliency requirements of the City's Fire Department.
- Complete the improvements to Merchant Street between Sansome and Battery streets, completing a pedestrian-oriented connection between Maritime Plaza and Transamerica Redwood Park.
- Provide the City with financial contributions to support new affordable housing production.
- As set forth in the Development Agreement (Board of Supervisors File No. 250698), comply with a Workforce Agreement during project construction and operation.
- As set forth in the Development Agreement (Board of Supervisors File No. 250698), the proposed project is anticipated to create an annual average of approximately 388 jobs during the construction period and, upon completion, support approximately 1,608 net new permanent on-site jobs.
- As set forth in the Development Agreement (Board of Supervisors File No. 250698), the proposed project would generate impact fees including approximately $8 million in transportation funding, and approximately $13.5 million in annual net new General Fund revenue to the City.
- Build a new commercial development generating both daytime and nighttime activity in the City's Financial District, supporting its recovery from the COVID-19 pandemic and providing employment opportunities and demand for area businesses in a transit-rich and walking-friendly area of the City.
- Create a new luxury hotel catering to tourists and businesses.

Having considered the above, and in light of evidence contained in the FEIR and in the record, the Planning Commission finds that the benefits of the Project outweigh the unavoidable adverse environmental effects identified in the FEIR and/or Initial Study, and that those adverse environmental effects are therefore acceptable.

ATTACHMENT B – AGREEMENT TO IMPLEMENT MITIGATION MONITORING AND REPORTING PROGRAM (MMRP) and MMRP

AGREEMENT TO IMPLEMENT MITIGATION MONITORING AND REPORTING PROGRAM

San Francisco Planning

EXHIBIT B

Record No.:	**2024-007066ENV**	*Block/Lot:*	0206/Lots 002, 013, 014, 017
Project Title:	**447 Battery and 530 Sansome Street Project**	*Lot Size:*	24,830 square feet
		Project Sponsors:	James Abrams, J. Abrams Law, P.C. on behalf of EQX JACKSON SQ HOLDCO LLC 415.999.4402, jabrams@jabramslaw.com Andrico Penick, San Francisco Real Estate Division 415.554.9850, andrew.penick@sfgov.org Michael Mullin, San Francisco Fire Department 415.674.5066, michael.mullin@sfgov.org
BPA Nos:	TBD		
Zoning:	C-3-O (Downtown Office) Use District 200-S Special Height and Bulk District		
		Lead Agency:	San Francisco Planning Department
		Staff Contact:	Sherie George, 628.652.7558

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.

Please note that the City will not approve the building permit application for this project until a Pre-Construction Environmental Compliance Letter has been issued. If you have questions about the monitoring status of your project, please contact the staff listed above, or email CPC.EnvironmentalMonitoring@sfgov.org. Generally, if the mitigation measure has prior to the start of construction requirements (see the Period of Compliance Table below), these measures will require compliance prior to the issuance of the Pre-Construction Environmental Compliance Letter.

Adopted Mitigation Measure	Period of Compliance			Compliance with MM Completed?
	Prior to the Start of Construction*	During Construction**	Post-construction or Operational	
Mitigation Measure M-CP-1a: Documentation of the 447 Battery Street Building	X			
Mitigation Measure M-CR-1b: Salvage Plan	X			
Mitigation Measure M-CR-1c: Public Interpretative Program	X		X	
Mitigation Measure M-CR-1d: Interpretation and Relocation Plan for the Sculpture *Untitled*	X		X	
Mitigation Measure M-AQ-3a: Clean Off-Road Construction Equipment	X	X		
Mitigation Measure M-AQ-3b: Operational Truck Emissions Reduction			X	
Mitigation Measure M-CR-2a: Archeological Testing	X	X	X	
Mitigation Measure M CR 2b: Treatment of Submerged and Deeply Buried Resources		X	X	
Mitigation Measure M-TCR-1: Tribal Cultural Resources Program		X	X	
Mitigation Measure M-NO-1: Construction Noise Control	X	X		
Mitigation Measure M-NO-2: Noise Analysis and Attenuation for Stationary Mechanical Equipment	X			
Mitigation Measure M-NO-3: Protection of Adjacent Buildings/ Structures and Vibration Monitoring during Construction	X	X		
Mitigation Measure M-GE-6a: Worker Environmental Awareness Training Construction	X			
Mitigation Measure M-GE-6b: Discovery of Unanticipated Paleontological Resources during Construction		X		
Mitigation Measure M-GE-6c: Preconstruction Paleontological Evaluation for Projects Located in Class 3 (Moderate) Sensitivity Areas	X			

* Prior to the Pre-Construction Environmental Compliance letter issuance and 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.

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

Jonathan Shum | Jonathan Shum | 6/25/2025

Property Owner or Legal Agent (Signature) | Printed Name | 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. **Note:** A building permit application cannot be approved for this project until a Pre-Construction Environmental Compliance letter has been issued.

Adopted Mitigation Measures	Monitoring and Reporting Program [a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/ Completion Criteria
MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR				
Historic Architectural Resources				
Mitigation Measure M-CR-1a: Documentation of the 447 Battery Street Building. Prior to issuance of the Pre-Construction Environmental Compliance Letter, the project sponsor shall submit to the department for review photographic and narrative documentation of 447 Battery Street building. 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 considering the individual property's character-defining features and reasons for significance identified in Impact CR-1. 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: • *HABS/HALS-Like Measured Drawings* –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	Project sponsor, qualified historic consultant	Prior to issuance of the Pre-Construction Environmental Compliance Letter	Planning Department preservation staff	Considered complete upon distribution by the project sponsor of completed documentation approved by Planning Department preservation staff

Adopted Mitigation Measures	Monitoring and Reporting Program [a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/ Completion Criteria
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. • *HABS/HALS-Like Photographs* – 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 conducted according to current National Park Service standards. The photography shall be undertaken by a qualified professional with demonstrated experience in HABS photography. • *HABS/HALS-Like Historical Report* – 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. • 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.				

Adopted Mitigation Measures	Monitoring and Reporting Program [a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/ Completion Criteria
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 the Pre-Construction Environmental Compliance Letter for a proposed project.				
Mitigation Measure M-CR-1b: Salvage Plan. Prior to the issuance of the Pre-Construction Environmental Compliance Letter, the project sponsor shall consult with the department's preservation staff as to whether any character-defining building materials 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 such character-defining building materials to be used as part of the interpretive 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 interpretive or historical interest to a historical organization or other educational or artistic group and, should no such organization or group desire the materials, to one or more architectural salvage companies for reuse. The project sponsor shall prepare a salvage plan for review and approval by the department's preservation staff prior to issuance of the Pre-Construction Environmental Compliance Letter.	Project sponsor and qualified preservation consultant at the direction of the ERO	Prior to issuance of the Pre-Construction Environmental Compliance Letter; prior to issuance of an occupancy permit for completed implementation of the salvage plan.	Planning Department	Considered complete after salvage program is complete
Mitigation Measure M-CR-1c: Public Interpretative Program. The project sponsor shall facilitate the development of a public interpretive program focused on the history of the 447 Battery Street building 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. The primary goal of the program	Project sponsor, qualified design professional, qualified historian or architectural historian, or community group	Prior to issuance of the Pre-Construction Environmental Compliance Letter; 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

Adopted Mitigation Measures	Monitoring and Reporting Program [a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/ Completion Criteria
is to educate visitors of the building's historical themes, associations, and broader historical, social, and physical landscape contexts. The interpretive program shall be initially outlined in an interpretive plan subject to review and approval by the department's preservation staff prior to issuance of the Pre-Construction Environmental Compliance Letter for the project. The plan shall include the general parameters of the interpretive program including the substance, media, and other elements of the interpretive 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 447 Battery Street building, The display shall be placed in a prominent, public setting within, on the exterior of, or in the vicinity of the 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 oral history and documentation programs, may be used to inform and provide content for the interpretive program. The interpretive program may also incorporate video documentation completed under M-CR-1a, Documentation of the 447 Battery Street Building, 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. 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				interpretation program ongoing

Adopted Mitigation Measures	Monitoring and Reporting Program [a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/ Completion Criteria
maintenance shall be finalized prior to issuance of a Temporary Certificate of Occupancy. The interpretive program shall be developed in coordination with other interpretive programs as relevant/applicable, such as interpretation required under Mitigation Measure M-CR-1d, Interpretation and Relocation Plan for the Sculpture *Untitled*, archeological resource mitigation measures, tribal cultural resource mitigation measures, Native American land acknowledgments, or other public interpretation programs. The department will also ensure that any information gathered through the interpretive program development is integrated with SF Survey and Citywide historic context statement summarized above.				
Mitigation Measure M-CR-1d: Interpretation and Relocation Plan for the Sculpture *Untitled*. *Interpretation for the Sculpture* Untitled. The project sponsor shall facilitate the development of an interpretive program focused on the history and design of the sculpture *Untitled*. The primary goal of the program is to educate the public about the sculpture, the work of artist Henri Marie-Rose, and the historical association of the sculpture with the Embarcadero Center and Fire Station 13. The interpretive program shall be developed, approved, and implemented under the standards described in Mitigation Measure M-CR-1c, Public Interpretative Program.	Project sponsor, qualified design professional, qualified historian or architectural historian	Prior to issuance of the Pre-Construction Environmental Compliance Letter; 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
Relocation Plan for the Sculpture Untitled. Prior to issuance of the architectural addendum to the site permit, the project sponsor shall provide a relocation plan to be reviewed and approved by planning department preservation staff to ensure that the sculpture will be removed from the building, transported, and stored during construction in a manner that will protect the historical resource. The relocation plan shall identify the storage location for the sculpture and storage and monitoring protocols. The sculpture shall be relocated to the exterior of the new fire station portion of the project, either	Project sponsor and qualified historian or architectural historian	Prior to issuance of the architectural addendum to the site permit and prior to issuance of temporary certificate of occupancy	Planning Department Preservation Staff	Considered complete upon approval of Relocation Plan by Planning Department Preservation Staff

Adopted Mitigation Measures	Monitoring and Reporting Program [a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/ Completion Criteria
along its east (Battery Street) or south (Merchant Street) façade; or, if approved by planning department preservation staff, to another prominent publicly accessible location on the project site. The relocation plan shall also include an initial reinstallation plan and maintenance plan for the sculpture and schedule for reviewing and finalizing those plans in consultation with planning department preservation staff prior to issuance of the temporary certificate of occupancy.				
Air Quality				
Mitigation Measure M-AQ-3a: Clean Off-Road Construction Equipment. The project sponsor shall comply with the following: 1. *Engine Requirements.* All off-road equipment shall meet the following requirements: a. All air compressors, cement and mortar mixers, concrete/industrial saws, fixed cranes, pumps, and welders shall be electric. If grid electricity is not available at the site, propane or natural gas for these off-road equipment shall be used until electricity is available. These equipment pieces shall not be gasoline or diesel powered. b. Zero-emission off-road equipment shall be used for all off-road equipment used during each construction phase and activity, if commercially available. Available technologies currently include battery-electric and hydrogen fuel cell technologies. Portable equipment shall be powered by grid electricity if available. If grid electricity is not available, a portable electric charging station shall be used to power electric equipment. Forklifts shall be powered by propane if electric versions are not commercially available. c. All engines that cannot be electrically powered must meet or exceed either U.S. Environmental Protection Agency or California Air Resources Board (air board) Tier	Project sponsor and construction contractor	Prior to issuance of the Pre-Construction Environmental Compliance Letter project sponsor to submit each phase of construction, project sponsor to submit: 1. Construction emissions minimization plan for review and approval, and 2. Signed certification statement	Planning Department	Considered complete upon planning department 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

Adopted Mitigation Measures	Monitoring and Reporting Program [a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/ Completion Criteria
4 Final off-road emission standards. This adherence shall be verified through submittal of an equipment inventory and Certification Statement to the ERO. The Certification Statement must state that each contractor agrees to compliance and acknowledges that a significant violation of this requirement shall constitute a material breach of the contractor's agreement and/or the general contract with the project applicant. d. For purposes of this mitigation measure, zero-emission off-road equipment shall ordinarily be considered "commercially available" if the vehicle is capable of serving the intended purpose and is included in the California Air Resources Board's Advanced Clean Equipment (ACE) List, https://ww2.arb.ca.gov/our-work/programs/msei/off-road-advance-clean-equipment, included in California Air Resources Board's Clean Off-Road Equipment Voucher Incentive Project (CORE) catalog, https://californiacore.org/equipmentcatalog/, or listed as available in the US on the Global Commercial Vehicle Drive to Zero Off-Road Zero-Emission Technology Inventory (ZETI) inventory, https://globaldrivetozero.org/tools/zeti-offroad/. 2. *Waivers.* a. The ERO may waive the electric engine requirement of item 1.b if electric power is limited or infeasible at the project site or if equipment is not commercially available, as defined above. The ERO shall be responsible for the final determination of commercial availability, based on all the facts and circumstances at the time the determination is made. For the ERO to make a determination that such vehicles are commercially unavailable, the operator must submit documentation from a minimum of three (3) zero-emission off-road equipment dealers identified on the ACE or CORE websites demonstrating the inability to obtain the				

Adopted Mitigation Measures	Monitoring and Reporting Program [a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/ Completion Criteria
required zero-emission off-road equipment needed within 6 months. If the ERO grants the waiver, the contractor must submit documentation that the equipment used for on-site power generation meets the requirements of item 1.c. b. The ERO may waive the equipment requirements of item 1.c if (1) the contractor does not have the required type of equipment within its current available inventory or has ordered such equipment at least 60 days in advance and has made a good faith effort to lease or rent such equipment but it is not available; (2) a particular piece of Tier 4 final off-road equipment is technically or financially infeasible; (3) the equipment would not produce desired emissions reduction due to expected operating modes; or (4) there is a compelling emergency need to use off-road equipment that is not Tier 4 Final compliant. If the ERO grants the waiver, the contractor must use the next cleanest piece of off-road equipment that is commercially available, or another alternative that results in comparable reductions of DPM emissions. 3. *Construction Emissions Minimization Plan.* 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 contractor will meet the requirements of item 1. a. 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, expected fuel type (e.g., diesel, gasoline, electric, propane, natural gas), and hours of operation.				

Adopted Mitigation Measures	Monitoring and Reporting Program [a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/ Completion Criteria
b. The project sponsor shall make the Plan available to the public for review on-site during working hours. The contractor shall post a notice summarizing the Plan. The notice 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. 4. *Reporting.* After start of construction activities, the project sponsor shall submit annual reports to the ERO documenting compliance with the Plan. Within six months of the completion of construction activities, 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. 5. *Certification Statement and Onsite Requirements.* Prior to commencing construction activities, the project sponsor shall certify that all applicable requirements of the Plan have been incorporated into contract specifications. The effectiveness of Mitigation Measure M-AQ-3a was evaluated in the health risk assessment. Mitigation Measure M-AQ-3a would reduce TAC emissions associated with off-road construction equipment by requiring electric and U.S. EPA Tier 4 Final engines. Tier 4 Final off-road engines emit approximately 71 percent less DPM and exhaust $PM_{2.5}$ than default fleet construction equipment.				

Adopted Mitigation Measures	Monitoring and Reporting Program [a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/ Completion Criteria
Mitigation Measure M-AQ-3b: Operational Truck Emissions Reduction. The project sponsor shall incorporate the following measures into the project design and construction contracts (as applicable) to reduce emissions associated with operational trucks, along with the potential health risk caused by exposure to TACs. These features shall be submitted to the planning department ERO for review and approval prior to the issuance of building permits and shall be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City. Emissions from project-related diesel trucks shall be reduced by implementing the following measures: 1. Prohibit trucks from idling for more than two minutes, and post "no idling" signs at the site entry point, at all loading locations, and throughout the project site. 2. Equip all truck delivery bays with electrical hook-ups for diesel trucks at loading docks to accommodate plug-in electric truck transport refrigeration units (TRUs) or auxiliary power units during project operations. 3. Encourage the use of trucks equipped with diesel TRUs to meet U.S. Environmental Protection Agency Tier 4 emission standards. 4. Prohibit TRUs from operating at loading docks for more than thirty minutes, and post signs at each loading dock presenting this TRU limit.	Project sponsor	Prior to issuance of the Pre-Construction Environmental Compliance Letter.	Planning Department	Considered complete when the measures are included in the project drawings and approved by the Environmental Review Officer (ERO).
Cultural Resources				
Mitigation Measure M-CR-2a: Archeological Testing. *Archeological Testing Program.* The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes a historical resource under CEQA. The project sponsor shall retain the services of an archeological consultant from the rotational Qualified	Project sponsor and ERO	Prior to issuance of the Pre-Construction Environmental Compliance Letter	Planning Department/ project sponsor	Complete when project sponsor retains qualified archeological consultant.

Adopted Mitigation Measures	Monitoring and Reporting Program [a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/ Completion Criteria
Archeological Consultants List (QACL) maintained by the planning department. After the first project approval action or as directed by the Environmental Review Officer (ERO), the project sponsor shall contact the department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological testing program as specified herein. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the ERO. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment and shall be considered draft reports subject to revision until final approval by the ERO. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less-than-significant level potential effects on a significant archeological resource as defined in CEQA Guidelines section 15064.5(a)(c). A California Native American tribe traditionally and culturally affiliated with a geographic area of the project at their discretion shall provide a Native American cultural sensitivity training to all project contractors. A California Native American tribe traditionally and culturally affiliated with a geographic area of the project at their discretion shall provide monitoring of the archeological testing for Native American archeological resources.				

Adopted Mitigation Measures	Monitoring and Reporting Program [a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/ Completion Criteria
Archeological Testing Plan. The archeological testing program shall be conducted in accordance with the approved Archeological Testing Plan (ATP). The archeological consultant and the ERO shall consult on the scope of the ATP, which shall be approved by the ERO prior to any project-related soils disturbing activities commencing. The ATP shall be submitted first and directly to the ERO for review and comment and shall be considered a draft subject to revision until final approval by the ERO. The archaeologist shall implement the testing as specified in the approved ATP prior to and/or during construction. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, lay out what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ATP shall also identify the testing method to be used, the depth or horizonal extent of testing, and the locations recommended for testing and shall identify archeological monitoring requirements for construction soil disturbance as warranted.	Project sponsor's qualified archeological consultant and construction contractor	Prior to any project-related soils disturbing activities commencing	Planning Department/ project sponsor	Considered complete after implementation of ATP approved by ERO.
Paleoenvironmental Analysis of Paleosols. When a submerged paleosol is identified, irrespective of whether cultural material is present, samples shall be extracted and processed for dating, flotation for paleobotanical analysis, and other applicable special analyses pertinent to identification of possible cultural soils and for environmental reconstruction. The results of analysis of collected samples shall be reported on in the results report that is submitted to planning as described in Archeological Resources Report section below.	Archeological consultant	During construction	Planning Department/ project sponsor	Considered complete when samples are collected, processed, analyzed, and reported

Adopted Mitigation Measures	Monitoring and Reporting Program [a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/ Completion Criteria
Discovery Treatment Determination. At the completion of the archeological testing program, the archeological consultant shall submit a written summary of the findings to the ERO. The findings memo shall describe and identify each resource and provide an initial assessment of the integrity and significance of encountered archeological deposits. If the ERO in consultation with the archeological consultant determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, the ERO, in consultation with the project sponsor, shall determine whether preservation of the resource in place is feasible. If so, the proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource and the archeological consultant shall prepare an archeological resource preservation plan (ARPP), which shall be implemented by the project sponsor during construction. The consultant shall submit a draft ARPP to the planning department for review and approval. If preservation in place is not feasible, a data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible. The ERO in consultation with the archeological consultant shall also determine if additional treatment is warranted, which may include additional testing and/or construction monitoring.	Archaeological consultant	During construction	Archaeological consultant provides summary to ERO. ERO consults with the project sponsor to determine if preservation in place is possible. If so, consultant prepares ARPP. If not, ERO consults with archeological consultant to determine if additional treatment is needed.	Considered completed after review and approval of archeological testing results memo by ERO; or ARPP is approve; or it's determined that treatment is needed
Archeological Sensitivity Training. If it is determined that the project would require ongoing archeological monitoring, the archaeological consultant shall provide a training to the prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils-disturbing activities within the project site. The training shall advise all project contractors to be on the alert for evidence of the presence of the expected archeological resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the	Archeological consultant	Prior to any soils-disturbing activities	Planning Department/ project sponsor	Considered complete when training is provided

Adopted Mitigation Measures	Monitoring and Reporting Program [a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/ Completion Criteria
event of apparent discovery of an archeological resource by the construction crew.				
Consultation with Descendant Communities. On discovery of an archeological site associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A California Native American tribes traditionally and culturally affiliated with a geographic area of the project or appropriate representative of the descendant group at their discretion shall provide a cultural sensitivity training to all project contractors. The ERO and project sponsor shall work with the tribal representative or other representatives of descendant communities to identify the scope of work to fulfill the requirements of this mitigation measure, which may include participation in preparation and review of deliverables (e.g., plans, interpretive materials, artwork). Representatives shall be compensated for their work as identified in the agreed upon scope of work. A copy of the Archeological Resources Report (ARR) shall be provided to the representative of the descendant group.	Archeological consultant, descendant group, project sponsor, and ERO	After discovery of significant resource associated with a descendant group	Archaeological consultant contacts descendant group(s). Archeological consultant, ERO, and project sponsor, and representative(s) determine scope of work for deliverables. Project sponsor is responsible for compensating descendant(s) for work in preparation and review of deliverables. Archaeological consultant sends ARR to descendant(s).	Considered completed after descendant group has received ARR and been compensated for work on deliverables.
Archeological Data Recovery Plan. An archeological data recovery program shall be conducted in accordance with an Archeological Data Recovery Plan (ADRP) if all three of the following apply: (1) a resource has potential to be significant, (2) preservation in place is not feasible, and (3) the ERO determines that an archeological data recovery program is warranted. The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to	Project sponsor's qualified archeological consultant	Upon ERO's determination that data recovery is required in the event an archaeological resource is discovered	Planning Department/ project sponsor	Considered complete approval of Final Archeological Results Report by ERO

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preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical. The scope of the ADRP shall include the following elements: • *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations. • *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures. • *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies. • *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities. • *Final Report.* Description of proposed report format and distribution of results. • *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.				

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Coordination of Archaeological Data Recovery Investigations. In cases in which the same resource has been or is being affected by another project for which data recovery has been conducted, is in progress, or is planned, in order to maximize the scientific and interpretive value of the data recovered from both archeological investigations, the following measures shall be implemented: a. In cases where archeological investigation have not begun for both of the projects, both archeological consultants and the ERO shall consult on coordinating and collaboration on archeological research design, data recovery methods, analytical methods, reporting, curation, and interpretation to ensure consistent data recovery and treatment of the resource. b. In cases where archeological data recovery investigation is already under way or has been completed for a prior project, the archeological consultant for the subsequent project shall consult with the prior archeological consultant, if available; review prior treatment plans, findings and reporting; and inspect and assess existing archeological collections/inventories from the site prior to preparation of the archaeological treatment plan for the subsequent discovery, and shall incorporate prior findings in the final report of the subsequent investigation. The objectives of this coordination and review of prior methods and findings will be to identify refined research questions; determine appropriate data recovery methods and analyses; assess new findings relative to prior research findings; and integrate prior findings into subsequent reporting and interpretation.	Archeological consultant in consultation with ERO	At initiation of preparation of ADRP	Planning Department/project sponsor	Considered complete approval of Final Archeological Results Report
Human Remains and Funerary Objects. The treatment of human remains and funerary objects discovered during any soil-disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Office of the Chief Medical Examiner of the City and County of	Project sponsor/ archeological consultant in consultation with the ERO, Medical	In the event that human remains are uncovered during the construction period	Medical Examiner, NAHC and MLD as warranted, Planning Department and project sponsor	Considered complete on finding by ERO that all State laws regarding human remains/burial objects

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San Francisco (Medical Examiner). The ERO also shall be notified immediately upon the discovery of human remains. In the event of the Medical Examiner's determination that the human remains are Native American remains, the Medical Examiner shall notify the California State Native American Heritage Commission (NAHC), which will appoint a Most Likely Descendant (MLD). The MLD will complete his or her inspection of the remains and make recommendations or preferences for treatment within 48 hours of being granted access to the site (Public Resources Code section 5097.98(a)). The landowner may consult with the project archeologist and project sponsor and shall consult with the MLD and ERO on preservation in place or recovery of the remains and any scientific treatment alternatives. The landowner shall then make all reasonable efforts to develop an Agreement with the MLD, as expeditiously as possible, for the treatment and disposition, with appropriate dignity, of human remains and funerary objects (as detailed in CEQA Guidelines section 15064.5(d)). Per PRC 5097.98 (b)(1), the Agreement shall address and take into consideration, as applicable and to the degree consistent with the wishes of the MLD, the appropriate excavation, removal, recordation, scientific analysis, custodianship prior to reinterment or curation, and final disposition of the human remains and funerary objects. If the MLD agrees to scientific analyses of the remains and/or funerary objects, the archeological consultant shall retain possession of the remains and funerary objects until completion of any such analyses unless otherwise specified in the Agreement, after which the remains and funerary objects shall be reinterred or curated as specified in the Agreement. Both parties are expected to make a concerted and good faith effort to arrive at an Agreement, consistent with the provisions of PRC 5097.98. However, if the landowner and the MLD are unable to reach an Agreement, the landowner, ERO, and project sponsor shall ensure that the remains and/or mortuary	Examiner, NAHC, and MLD as warranted			have been adhered to, consultation with MLD is completed as warranted, approval of Archeological Results Report, and disposition of human remains has occurred as specified in Agreement.

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materials are stored securely and respectfully until they can be reinterred on the property, with appropriate dignity, in a location not subject to further or future subsurface disturbance, consistent with state law. Treatment of historic-period human remains and of associated or unassociated funerary objects discovered during any soil-disturbing activity, additionally, shall follow protocols laid out in the project's archeological treatment documents, and in any related agreement established between the Medical Examiner and the ERO. The project archeologist shall retain custody of the remains and associated materials while any scientific study scoped in the treatment document is conducted and the remains shall then be curated or respectfully reinterred by arrangement on a case-by-case basis.				
Cultural Resources Public Interpretation Plan. The project archeological consultant shall submit a Cultural Resources Public Interpretation Plan (CRPIP) if a significant archeological resource is discovered during a project. As directed by the ERO, a qualified design professional with demonstrated experience in displaying information and graphics to the public in a visually interesting manner, local artists, or community group may also be required to assist the project archeological consultant in preparation of the CRPIP. If the resource to be interpreted is a tribal cultural resource, the CRPIP shall be prepared in consultation with and developed with the participation of Ohlone tribal representatives. The CRPIP shall describe the interpretive product(s), locations or distribution of interpretive materials or displays, the proposed content and materials, the producers or artists of the displays or installation, and a long-term maintenance program. The CRPIP shall be sent to the ERO for review and approval. The CRPIP shall be implemented prior to occupancy of the project.	Archeological consultant at the direction of the ERO will prepare CRPIP. Measure laid out in CRPIP are implemented by sponsor and consultant.	Following completion of treatment and analysis of significant archeological resource by archeological consultant.	Planning Department/ project sponsor	CRPIP is complete on review and approval of ERO. Interpretive program is complete on notification to ERO from the project sponsor that program has been implemented.

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Archeological Resources Report. Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the testing program to the ERO. The archeological consultant shall submit a draft Archeological Resources Report (ARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological, historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken, and if applicable, discusses curation arrangements. Formal site recordation forms (CA DPR 523 series) shall be attached to the ARR as an appendix. Once approved by the ERO, copies of the ARR shall be distributed as follows: California Archeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the ARR to the NWIC. The environmental planning division of the planning department shall receive one (1) bound hardcopy of the ARR. Digital files that shall be submitted to the environmental division include an unlocked, searchable PDF version of the ARR, GIS shapefiles of the site and feature locations, 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. The PDF ARR, GIS files, recordation forms, and/or nomination documentation should be submitted via USB or other stable storage device. If a descendant group was consulted during archeological treatment, a PDF of the ARR shall be provided to the representative of the descendant group.	Archeological consultant at the direction of the ERO.	Following completion of treatment by archeological consultant as determined by the ERO.	Planning Department/ project sponsor	Complete on certification to ERO that copies of the approved ARR have been distributed

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Curation. Significant archeological collections and paleoenvironmental samples of future research value shall be permanently curated at an established curatorial facility or Native American cultural material shall be returned to local Native American tribal representatives at their discretion. The facility shall be selected in consultation with the ERO. Upon submittal of the collection for curation the sponsor or archeologist shall provide a copy of the signed curatorial agreement to the ERO.	Project archeologist prepares collection for curation and project sponsor pays for curation costs.	In the event a significant archeological resource is discovered and upon acceptance by the ERO of the ARR	Planning Department/ project sponsor	Considered complete upon acceptance of the collection by the curatorial facility
Mitigation Measure M-CR-2b: Treatment of Submerged and Deeply Buried Resources. This measure applies to projects that would include subgrade excavation to depths that would penetrate to native soil or below Young Bay Mud, or entail the use of piles, soil improvements or other deep foundations in landfill areas within former creeks, ponds, bay marshes or waters of the bay that may be sensitive for submerged or buried historical or Native American archeological resources; and shall be implemented in the event of the discovery of a submerged or deeply buried resource during archeological testing, archeological monitoring, or soil-disturbing construction activities that occur when an archeologist is not present. In addition to the measures detailed below, for any project during which a significant archeological resource is identified, a preservation or treatment determination shall be made consistent with the provisions of Mitigation Measure M-CR-2a. The following shall be undertaken upon discovery of a potentially significant deeply buried or submerged resource to minimize significant effects from deep project excavations, soil improvements, pile construction, or construction of other deep foundation systems, in cases where the environmental review officer (ERO) has determined through consultation with the project sponsor, and with tribal representatives as applicable, that preservation-in-place—the preferred mitigation—is not a feasible or effective option.	Project sponsor, tribal representative (as applicable), archaeological consultant	In the event that a potentially significant deeply buried or submerged resource is discovered during the construction period.	Project Head Foreman or sponsor shall contact the ERO in the event of discovery. Archaeological consultant to conduct data recovery in accordance with Mitigation Measure M-CR-2. If physical access is constrained, ERO, project sponsor, project archeologist, and tribal representative (for Native American archeological resources) to implement treatment options or compensatory treatment.	Considered complete when treatment determination has been approved by the ERO and treatment has been completed in consultation with ERO.

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Submerged or Buried Resource Treatment Determination. If the resource cannot feasibly or adequately be preserved in place, documentation and/or archeological data recovery shall be conducted, as described in Mitigation Measure M-CR-2. However, by definition, submerged or deeply buried resources sometimes are located deeper than the maximum anticipated depth of project excavations, such that the resource would not be exposed for investigation, and/or under water or may otherwise pose substantial access, safety or other logistical constraints for data recovery; or the cost of providing archeological access to the resource may demonstrably be prohibitive. In circumstances where the constraints identified above limit physical access for documentation and data recovery, the ERO, project sponsor, project archeologist, and tribal representative (for Native American archeological resources), shall consult to explore alternative documentation and treatment options to be implemented in concert with any feasible archeological data recovery. The appropriate treatment elements, which would be expected to vary with the type of resource and the circumstances of discovery, shall be identified by the ERO based on the results of consultation from among the treatment measures listed below. Additional treatment options may be developed and agreed upon through consultation if it can be demonstrated that they would be equally or more effective in recovering or amplifying the value of the data recovered from physical investigation of the affected resources by addressing applicable archeological research questions and in disseminating data and meaningfully interpreting the resource to the public. The project archeologist shall document the results of the treatment program consultation with respect to the agreed upon scope of treatment in a treatment program memo, for ERO review and approval. Upon approval by the ERO, the project sponsor shall ensure that treatment program is				

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implemented prior to and during construction, as applicable. Reporting, interpretive, curation and review requirements are the same as delineated under the other cultural resources mitigation measures that are applicable to the project, as noted above. The project sponsor shall be responsible for ensuring the implementation of all applicable mitigation measures, as identified in the treatment program memo. *Treatment Options* • *Remote Archeological Documentation.* Where a historic feature cannot be recovered or adequately accessed in place by the archeologist due to size, bulk or inaccessibility, the archeologist shall conduct all feasible remote documentation methods, such as 3-D photography using a remote access device, remote sensing (e.g., ground penetrating radar with a low range (150 or 200 MHz) antenna), or other appropriate technologies and methods, to document the resource and its context. The project sponsor and contractor shall support remote archeological documentation as needed, by assisting with equipment access (e.g., drone, lights and camera or laser scanner mounted on backhoe); providing personnel qualified to enter the excavation to facilitate remote documentation; and accommodating training of construction personnel by the project archeologist so that they can assist in measuring or photographing the resource from inside the excavation in cases when the archeologist cannot enter. • *Modification of Contractor's Excavation Methods.* At the request of the ERO, the project sponsor shall consult with the project archeologist and the ERO to identify potential modifications to the contractor's excavation and shoring methods to facilitate data recovery to prevent damage to the resource before it has been documented, to assist in exposure and facilitate observation and documentation, and to assist in data recovery. Examples include improved dewatering during excavation, use of a smaller excavator				

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bucket or toothless bucket, providing a location where spoils can be spread out and examined by the archeologist prior to being offhauled, and phasing or benching of deep excavations to facilitate observation and/or deeper archeological trenching. • *Data Recovery through Open Excavation.* If a project will include mass excavation to the depth of the buried/submerged deposit, archeological data recovery shall include manual (preferred) or controlled mechanical sampling of the deposit. If project construction would not include mass excavation to the depth of the deposit but would impact the deposit through deep foundation systems or soil improvements, the ERO and the project sponsor shall consult to consider whether there are feasible means of providing direct archeological access to the deposit (e.g., excavation of portion of the site that overlies the deposit to the subject depth so that a sample can be recovered). The feasibility consideration shall include an estimate of the project cost of excavating to the necessary depth and of providing shoring and dewatering sufficient to allow archeological access to the deposit for manual or mechanical recovery. • *Mechanical Recovery.* If site circumstances limit access by archeologists to the find, the ERO, project archeologist, and project sponsor shall consult on the feasibility of mechanically removing the feature/ deposit or portion of it intact for off-site documentation and analysis, preservation, and interpretive use. The consultation above shall include consideration as to whether such recovery is logistically feasible and can be accomplished without major data loss. The specific means and methods and the type and size of the sample shall be identified, and the recovery shall be implemented as determined feasible by the ERO. The project sponsor shall assist with mechanical recovery and transport and curation of recovered materials and shall provide for an				

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appropriate and secure off-site location for archeological documentation and storage as needed. • *Salvage of Historic Materials.* Samples or sections of historical features that cannot be preserved in place (e.g., structural members of piers or wharves, sections of wooden sea wall, rail alignments, or historic utility or paving features of particular data value or interpretive interest) shall be tested for contamination and, if not contaminated, shall be salvaged for interpretive use or other reuse, such as display of a reconstructed resource; use of timbers or planks for site furniture and signage structures; installation in publicly accessible open spaces; or other uses of public interest. Historic wood and other salvageable historic structural material not used for interpretation shall be recovered for reuse, consistent with the San Francisco Ordinance No. 27-06, which requires recycling or reuse of all construction and demolition debris material removed from a project. If the project has the potential to encounter such features, the project sponsor shall plan in advance for reuse of salvaged historic materials to the greatest extent feasible, including identification of a location for interim storage and identification of potential users and reuses. • *Data Recovery Using Geoarcheological Cores.* If it is deemed infeasible to expose a significant deposit resource for archeological data recovery, geoarcheological coring of the identified deposit shall be conducted at horizontal grid intervals of no greater than 15 feet within areas that will be impacted by project construction. The maximum feasible core diameter shall be used for data recovery coring. The objective of coring is to obtain a minimum of a five percent sample of the estimated total volume of the resource within areas that will impacted by project construction. However, due to the small size of each core, this method alone generally cannot recover a 5 percent sample volume or a sufficient quantity of data to adequately characterize the range of activities that took place at the site. For this reason,				

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if the coring sample constitutes less than five percent of the estimated total volume of the archeological deposit that will be directly impacted by project construction, the project sponsor may elect implementation of one or more of the following additional compensatory measures to amplify the value of the recovered data. *Compensatory Treatment Measures:* • *Scientific Analysis of Data from Comparable Archeological Sites/"Orphaned Collections."* The ERO and the project archeologist shall consult to identify a known archeological site or historical feature, or curated collections or samples recovered during prior investigation of similar sites or features are available for further analysis; and for which site-specific or comparative analyses would be expected to provide data relevant to the interpretation or context reconstruction for the affected site. Examples would include reanalysis or comparative analysis of artifacts or archival records; faunal or paleobotanical analyses; dating; isotopes studies; or such other relevant studies based on the research design developed for the affected site and on data sets available from the impacted resource and comparative collections. The scope of analyses shall be determined by the ERO based on consultation with the project archeologist, the project sponsor and, for sites of Native American origin Native American representatives. *Additional Off-Site Data Collection and/or Analysis for Historical and Paleoenvironmental Reconstruction.* The ERO and project archeologist shall identify existing geoarcheological data and geotechnical coring records on file with the city; and/or cores extracted and preserved during prior geotechnical or geoarcheological investigations that could contribute to reconstruction of the environmental setting in the vicinity of the identified resource, to enhance the historical and scientific value of recovered data by providing additional data about Native American archeological environmental setting and				

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stratigraphic sensitivity; and/or provide information pertinent to the public interpretation of the significant resource. Relevant data may also be obtained through geoarcheological coring at accessible sites identified by the ERO through consultation with San Francisco public agencies and private project sponsors.				
Tribal Cultural Resources				
Mitigation Measure M-TCR-1: Tribal Cultural Resources Program. *Preservation in Place.* In the event of the identification or discovery of a tribal cultural resource, the Environmental Review Officer (ERO), the project sponsor, and California Native American tribes traditionally and culturally affiliated with a geographic area of the project shall consult to determine whether preservation in place would be feasible and effective. The planning department shall notice California Native American tribes traditionally and culturally affiliated with a geographic area who will be given the opportunity to opt in to coordination regarding tribal cultural resources. This would include collaboration and review of the preservation plan proposed for the resource. If it is determined that preservation-in-place of the tribal cultural resource would be both feasible and effective, then the project sponsor in consultation with local Native American representatives and the ERO shall prepare a tribal cultural resource preservation plan (TCRPP). If the tribal cultural resource is an archeological resource of Native American origin, the archeological consultant shall prepare an archeological resource preservation plan (ARPP) in consultation with the local Native American representative, which shall be implemented by the project sponsor during construction. The consultant shall submit a draft ARPP to Planning for review and approval.	Project sponsor archeological consultant, and ERO, in consultation with California Native American tribes traditionally and culturally affiliated with a geographic area of the project	Prior to issuance of the Pre-Construction Environmental Compliance Letter or during construction if TCR is identified during construction	Planning Department/ project sponsor	Considered complete upon completion and approval of TCRPP and ARPP, as required, and project redesign if required.
Interpretive Program. The project sponsor, in consultation with California Native American tribes traditionally and culturally affiliated with a geographic area of the project, shall prepare a	Project sponsor in consultation with California Native	TCRIP prior to issuance of the Pre-Construction	Planning Department/ project sponsor	TCRIP is complete on review and approval of ERO. Interpretive

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Tribal Cultural Resources Public Interpretation Plan (TCRIP) to guide Tribal Cultural Resource interpretive program. The TCRIP may be prepared in tandem with the Cultural Resources Public Interpretation Plan (CRPIP) if required. The TCRIP shall be submitted to ERO for review and approval prior to implementation of the program. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long-term maintenance program. The interpretive program may include artist installations, preferably by local Native American artists, oral histories with local Native Americans, cultural displays, educational panels, or other interpretive elements agreed upon by the ERO, sponsor, and local Native American representatives. Upon approval of the TCRIP and prior to project occupancy, the interpretive program shall be implemented by the project sponsor. The ERO and project sponsor shall work with the tribal representative to identify the scope of work to fulfill the requirements of this mitigation measure, which may include participation in preparation and review of deliverables (e.g., plans, interpretive materials, artwork). Tribal representatives shall be compensated for their work as identified in the agreed upon scope of work.	American tribes traditionally and culturally affiliated with a geographic area of the project	Environmental Compliance Letter or during construction if tribal cultural resource is identified during construction; prior to issuance of an occupancy permit for installation and maintenance of interpretation program		program is complete on notification to ERO by the project sponsor that program has been implemented
Noise				
Mitigation Measure M-NO-1: Construction Noise Control. Prior to issuance of the Pre-Construction Environmental Compliance Letter, the project sponsor shall submit a construction noise control plan to the Environmental Review Officer (ERO) or the ERO's designee for approval. The construction noise control plan shall be prepared by a qualified acoustical engineer, with input from the construction contractor, and include all feasible measures to reduce construction noise. The construction noise control plan shall identify noise control measures to meet the daytime and nighttime performance targets for construction	Project sponsor, Project sponsor's qualified acoustical consultant and construction contractor	Prior to issuance of the Pre-Construction Environmental Compliance Letter	Planning Department	Considered complete upon implementation of Planning Department approved project-specific construction noise control plan and following completion of all construction activities

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activities as identified below at noise sensitive receptors (residences and hotels) and commercial receptors. The project sponsor shall ensure that requirements of the construction noise control plan are included in the contract specifications. If nighttime construction is required, the plan shall include specific measures to reduce nighttime construction noise. The plan shall include specific measures to reduce daytime construction noise to a performance target of 90 dBA exterior noise level and less than 10 dBA over ambient noise levels at noise sensitive receptors; nighttime construction noise to a performance target of 80 dBA at nighttime noise-sensitive uses, less than 5 dBA increase over the ambient noise level at the property line and an interior noise level of 45 dBA; and daytime construction noise to a performance target of 100 dBA exterior noise level at commercial receptors. The plan shall also include measures for notifying the public of construction activities, complaint procedures, and a plan for monitoring construction noise levels in the event complaints are received. The construction noise control plan shall include the following measures to the degree feasible, or other effective measures necessary to reduce construction noise levels, as required: • Use construction equipment that is in good working order, and inspect mufflers for proper functionality; • Select “quiet” construction methods and equipment (e.g., improved mufflers, use of intake silencers, engine enclosures); • Use construction equipment with lower noise emission ratings whenever possible, particularly for air compressors; • Prohibit the idling of inactive construction equipment for more than five minutes; • Locate stationary noise sources (such as compressors) as far from nearby noise sensitive receptors as possible, muffle				

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such noise sources, and construct barriers around such sources and/or the construction site. • Avoid placing stationary noise-generating equipment (e.g., generators, compressors) within noise-sensitive buffer areas (as determined by the acoustical engineer) immediately adjacent to neighbors. • Enclose or shield stationary noise sources from neighboring noise-sensitive properties with noise barriers to the extent feasible. To further reduce noise, locate stationary equipment in pit areas or excavated areas, if feasible; and • Install temporary barriers, barrier-backed sound curtains and/or acoustical panels around working powered impact equipment and, if necessary, around the project site perimeter. When temporary barrier units are joined together, the mating surfaces shall be flush with each other. Gaps between barrier units, and between the bottom edge of the barrier panels and the ground, shall be closed with material that completely closes the gaps, and dense enough to attenuate noise. The construction noise control plan shall include the following measures for notifying the public of construction activities, complaint procedures and monitoring of construction noise levels: • Designation of an on-site construction noise manager for the project; • Notification of neighboring noise sensitive receptors within 300 feet of the project construction area at least 30 days in advance of high-intensity noise-generating activities (e.g., activities that may generate noise levels greater than 90 dBA at noise sensitive receptors or 100 dBA at commercial receptors) about the estimated duration of the activity; • A sign posted on-site describing noise complaint procedures and a complaint hotline number that shall always be answered during construction;				

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• A procedure for notifying the planning department of any noise complaints within one week of receiving a complaint; • A list of measures for responding to and tracking complaints pertaining to construction noise. Such measures may include the evaluation and implementation of additional noise controls at sensitive receptors; and • Conduct noise monitoring (measurements) at the beginning of major construction phases (e.g., demolition, grading, excavation) and during high-intensity construction activities to determine the effectiveness of noise attenuation measures and, if necessary, implement additional noise control measures. The project sponsor shall notify the ERO or their designee and The Gateway's (550 Battery Street) General Manager of any night noise permit application filed with the Department of Building Inspection on the day of filing and any emergency/unanticipated activity with the potential to exceed standards as soon as possible. The project sponsor shall implement the following noise reduction technique to reduce nighttime construction noise: • Provide acoustically rated shielding around the concrete pump engine. This measure would be expected to reduce noise levels by 5 to 10 dBA depending on the proximity of shielding to the pump engine.				
Mitigation Measure M-NO-2: Noise Analysis and Attenuation for Stationary Mechanical Equipment. Prior to issuance of any building permit, the project sponsor shall engage a qualified acoustical engineer to prepare a project-specific stationary mechanical equipment acoustical analysis based on the final design, equipment selection and locations for the high-rise building and replacement fire station. The analysis shall show compliance with the standards in section 2909(b) and 2909(d) for the mixed-use high-rise building and replacement fire station. Attenuation requirements for compliance and specifications for the acoustical screens shall be identified, if	Project sponsor	Noise analysis completed and the specifications of noise attenuation design incorporated into the final design prior to issuance of any building permit.	Planning Department	Considered complete upon installation of mechanical equipment that has been demonstrated to meet the noise ordinance requirements.

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needed. All recommendations from the acoustical analysis necessary to ensure that noise sources would meet applicable requirements of the noise ordinance and/or not result in substantial increases in ambient noise levels shall be incorporated into the building design and operations. The project sponsor shall submit this analysis with the final mechanical equipment design to the ERO or the ERO's designee for approval.				
Vibration				
Mitigation Measure M-NO-3: Protection of Adjacent Buildings/ Structures and Vibration Monitoring during Construction. Prior to issuance of the Pre-Construction Environmental Compliance Letter, the project sponsor shall submit a 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 potentially affected building at 401 Washington Street. 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. *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 potentially affected building at 401 Washington Street. Since the potentially affected building is not historic, a structural engineer or other professional with similar qualifications shall document and photograph the existing conditions of the building. The project sponsor shall submit the survey to the ERO or the officer's designee for review and approval prior to the start of vibration-generating construction activity. *Vibration Management and Monitoring Plan.* The project sponsor shall undertake a monitoring plan to avoid or reduce project-related construction vibration damage to adjacent buildings and/or structures and to ensure that any such damage is	Project sponsor, qualified structural engineer	Prior to issuance of the Pre-Construction Environmental Compliance Letter the project sponsor team to submit for review and approval a Pre-Construction Survey and Vibration Management and Monitoring Plan. Project sponsor team monitor for building damage during construction and submit damage reports as necessary.	Planning Department	Considered complete when the final Vibration Monitoring Results Report is approved by the ERO and following completion of all construction activities (including repairs of adjacent buildings damaged during construction)

Adopted Mitigation Measures	Monitoring and Reporting Program [a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/ Completion Criteria
documented and repaired. Prior to issuance of the Pre-Construction Environmental Compliance Letter, the project sponsor shall submit the Plan to the ERO for review and approval. The Vibration Management and Monitoring Plan shall include, at a minimum, the following components, as applicable: • *Maximum Vibration Level.* Based on the anticipated construction and condition of the affected building at 401 Washington Street, a qualified acoustical/vibration consultant in coordination with a structural engineer (or professional with similar qualifications) shall establish a maximum vibration level that shall not be exceeded at this building, based on existing conditions, character-defining features, soil conditions, and anticipated construction practices (common standards are a peak particle velocity [PPV] of 0.25 inch per second for historic and some old buildings, a PPV of 0.3 inch per second for older residential structures, and a PPV of 0.5 inch per second for new residential structures and modern industrial/commercial buildings). • *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., drilled shafts [caissons] could be substituted for driven piles, if feasible, based on soil conditions, or 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				

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equipment and the potentially affected building and/or structure 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. – 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 structural engineer or other professional with similar qualifications (for effects on non-historic buildings and/or structures) shall inspect each affected building and/or structure (as allowed by property owners) in the event the construction activities exceed the vibration levels identified in the plan. – The structural engineer or other professional with similar qualifications 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. – If vibration has damaged nearby buildings and/or structures that are not historic, the structural engineer or other professional with similar qualifications shall immediately notify the ERO and prepare a damage report documenting the features of the building and/or structure that has been damaged. – If vibration has damaged nearby buildings and/or structures that are not historic, the structural engineer or other professional with similar qualifications shall immediately notify the ERO and prepare a damage report documenting the features of the building and/or structure that has been damaged.				

Adopted Mitigation Measures	Monitoring and Reporting Program [a]			
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– 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 each affected building and/or structure on adjacent properties are not exceeded. • *Periodic Inspections.* The plan shall identify the intervals and parties responsible for periodic inspections. The qualified structural engineer or other professional with similar qualifications (for effects on historic and non-historic buildings and/or structures) shall conduct regular periodic inspections of each affected building and/or structure on adjacent properties (as allowed by property owners) during vibration-generating construction activity on the project site. The plan will specify how often inspections shall occur. *Repair Damage.* The plan shall also identify provisions to be followed should damage to any building and/or structure occur due to construction-related vibration. The building(s) and/or structure(s) shall be remediated to their pre-construction condition (as allowed by property owners) at the conclusion of vibration-generating activity on the site. *Vibration Monitoring Results Report.* After construction is complete the project sponsor shall submit to the ERO a final report from the qualified structural engineer or other professional with similar qualifications. 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.				

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Wind				
Mitigation Measure M-WI-1: Tree Planting and Maintenance. In order to reduce wind hazard exceedances on and around the project site the project sponsor must plant and maintain in perpetuity a minimum of 14 street trees along the frontages of the project site; including seven on the south side of Washington Street, two on the east side of Sansome Street, and five on the north side of Merchant Street. The project sponsor shall also prepare a maintenance plan for review and approval by the planning department to ensure maintenance in perpetuity of the streetscape features required pursuant to this measure. The maintenance plan shall also be reviewed and approved by public works with respect to streetscape features (landscaping) in the public right-of-way.	Project sponsor, qualified wind consultant	Prior to issuance of the Pre-Construction Environmental Compliance Letter the sponsor team to submit maintenance plan for streetscape features in the public right-of-way	Planning Department, Public Works	Considered complete upon approval of streetscape designs
Geology and Paleontology				
Mitigation Measure M-GE-6a: Worker Environmental Awareness Training Construction. Prior to commencing construction, and ongoing throughout ground-disturbing activities (e.g., excavation, utility installation), the property sponsor and/or their designee shall engage a qualified paleontologist meeting the standards specified by the Society of Vertebrate Paleontology (Society of Vertebrate Paleontology 2010) to train all project construction workers regarding how to recognize paleontological resources and on the contents of the paleontological resources alert sheet, as provided by the department. The Paleontological Resources Alert Sheet shall be prominently displayed at the construction site during ground-disturbing activities for reference regarding potential paleontological resources. In addition, the paleontologist shall inform the project sponsor, contractor, and construction personnel of the immediate stop work procedures and other procedures to be followed if bones or other potential fossils are unearthed at the project site. Should new workers that will be involved in ground-disturbing	Project sponsor, qualified paleontologist	Prior to the start of construction	Planning Department	Considered complete once the ERO receives and approves the affidavit of training.

Adopted Mitigation Measures	Monitoring and Reporting Program [a]			
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activities begin employment after the initial training has occurred, the construction supervisor shall ensure that they receive the worker awareness training as described above. The paleontologist shall complete the standard form/affidavit confirming the timing of the worker awareness training and submit it to the environmental review officer (ERO). The affidavit shall confirm the project's location, the date of training, the location of the informational handout display, and the number of participants. The affidavit shall be transmitted to the ERO within five business days of conducting the training.				
Mitigation Measure M-GE-6b: Discovery of Unanticipated Paleontological Resources during Construction. In the event of the discovery of an unanticipated paleontological resource during project construction, ground-disturbing activities shall temporarily be halted within 25 feet of the find until the discovery is examined by a qualified paleontologist as recommended by the Society of Vertebrate Paleontology standards (Society of Vertebrate Paleontology 2010) and best practices in mitigation paleontology (Murphey et al. 2019). The paleontologist shall consult the ERO. Work within the sensitive area shall resume only when deemed appropriate by the qualified paleontologist in consultation with the ERO. The qualified paleontologist shall determine (1) if the discovery is scientifically significant; (2) the necessity for involving other responsible or resource agencies and stakeholders, if required or determined applicable; and (3) methods for resource recovery. If a paleontological resource assessment results in a determination that the resource is not scientifically important, this conclusion shall be documented in a Paleontological Evaluation Letter to demonstrate compliance with applicable statutory requirements (e.g., Federal Antiquities Act of 1906, CEQA Guidelines section 15064.5, California Public Resources Code chapter 17, section 5097.5, Paleontological Resources Preservation Act 2009). The Paleontological Evaluation Letter shall be submitted to the ERO for review within 30 days of the discovery.	Project sponsor, qualified paleontologist	Ongoing throughout ground-disturbing activities	Planning Department	Considered complete once ground disturbing activities are complete or once the ERO approves the Paleontological Impact Reduction Program.

Adopted Mitigation Measures	Monitoring and Reporting Program [a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/ Completion Criteria
If the qualified paleontologist determines that a paleontological resource is of scientific importance, and there are no feasible measures to avoid disturbing this paleontological resource, the qualified paleontologist shall prepare a Paleontological Impact Reduction Program (impact reduction program). The impact reduction program shall include measures to fully document and recover the resource of scientific importance. The qualified paleontologist shall submit the impact reduction program to the ERO for review and approval. The impact reduction program shall be submitted to the ERO for review within 10 business days of the discovery. Upon approval by the ERO, ground-disturbing activities in the project area shall resume and be monitored as determined by the qualified paleontologist for the duration of such activities. The mitigation program shall include (1) procedures for construction monitoring at the project site; (2) fossil preparation and identification procedures; (3) curation of paleontological resources of scientific importance into an appropriate repository; and (4) preparation of a Paleontological Resources Report (report or paleontology report) at the conclusion of ground-disturbing activities. The report shall include dates of field work, results of monitoring, fossil identifications to the lowest possible taxonomic level, analysis of the fossil collection, a discussion of the scientific significance of the fossil collection, conclusions, locality forms, an itemized list of specimens, and a repository receipt from the curation facility. The project sponsor shall be responsible for the preparation and implementation of the mitigation program, in addition to any costs necessary to prepare and identify collected fossils, and for any curation fees charged by the paleontological repository. The paleontology report shall be submitted to the ERO for review within 30 business days from conclusion of ground-disturbing activities, or as negotiated following consultation with the ERO.				

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Mitigation Measure M-GE-6c: Preconstruction Paleontological Evaluation for Projects Located in Class 3 (Moderate) Sensitivity Areas. The project site is located in San Francisco in Moderate Sensitivity Area (class 3), which require ground disturbance activities deeper than 5 feet and would include the removal of more than 2,500 cubic yards of soil. The property owner shall engage a qualified paleontologist to complete a site-specific Preconstruction Paleontological Resources Evaluation (paleontology preconstruction evaluation) prior to commencing soil-disturbing activities occurring on the project site. Prior to issuance of any demolition or building permit, the property owner shall submit the Preconstruction Paleontological Evaluation to the ERO for approval. The purpose of the site-specific preconstruction evaluation is to identify early the potential presence of significant paleontological resources on the project site. At a minimum, the study shall include: 1. Project Description 2. Regulatory Environment – outline applicable federal, state and local regulations. 3. Summary of Sensitivity Classification 4. Research Methods, including but not limited to: 4.1. Field studies conducted by the approved paleontologist to check for fossils at the surface and assess the exposed sediments 4.2. Literature Review to include an examination of geologic maps and a review of relevant geological and paleontological literature to determine the nature of geologic units in the project area 4.3. Locality Search to include outreach to the University of California Museum of Paleontology in Berkeley	Project sponsor and qualified paleontologist	Prior to issuance of demolition or any building permit, qualified paleontologist to prepare a Preconstruction Paleontological Evaluation.	Planning Department	Considered complete once the Environmental Review Officer approves the Preconstruction Paleontological Evaluation.

Adopted Mitigation Measures	Monitoring and Reporting Program [a]			
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5. Results: To include a summary of literature review and finding of potential site sensitivity for paleontological resources; and depth of potential resources if known. 6. Recommendations for any additional measures that could be necessary to avoid or reduce any adverse impacts to recorded and/or inadvertently discovered paleontological resources of scientific importance, in addition to paleontology standard requirements for Worker Environmental Awareness Training during Construction (M GE 6a) and Discovery of Unanticipated Paleontological Resources during Construction (M GE 6b). Such measures could include: 6.1 Avoidance: If the cost of fossil recovery or other impact reduction options is determined to be too high, or permanent damage to the resource caused by surface disturbance is considered to be unavoidable, given the proposed construction, it may be necessary to "avoid" or "reroute" the portion of the project that intersects the fossil locality in order to prevent adverse impacts on the resource. Avoidance should also be considered if a known fossil locality appears to contain critical scientific information that should be left undisturbed for subsequent scientific evaluation. Avoidance for later scientific research is the typical mitigation recommendation made for scientifically significant extensive paleontological discoveries. 6.2 Fossil Recovery: If isolated small-, medium-, or large-sized fossils are discovered within a project area during field surveys or construction monitoring, and they are determined to be scientifically significant, they should be recovered. Fossil recovery may involve simply collecting a fully exposed fossil from the ground surface, or may involve a systematic excavation, depending upon the size and complexity of the fossil discovery. Fossil excavations should be designed in such a way as to minimize construction delays while properly collecting				

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the fossil and associated data according to professional paleontological standards. 6.3 Sampling: Scientifically significant microfossils (vertebrate, invertebrate, plant, or trace fossils) may be identified in rock matrix during surveys or monitoring, or, if they are known to occur elsewhere in the same geologic unit or type of deposit in the general area, a determination of their presence or absence may require the use of test sampling of rock matrix for screen-washing in a paleontological laboratory. In some cases, depending upon the geologic unit involved, test sampling may be appropriate even if microfossils are not visible in the field. The fossils found, if any, will then be inspected and evaluated to determine their significance and whether additional steps are necessary to reduce paleontological impacts. Such steps may include collection of additional matrix for screen-washing. The decision to sample may not be made until monitoring is occurring, because it is usually triggered by conditions in the field. 6.4 Monitoring: If scientifically important paleontological resources are known to be present in an area, or if there is a moderate or high likelihood that subsurface fossils are present in geologic units or members thereof within a given project area based on prior field surveys, museum records, or scientific or technical literature, paleontological monitoring of construction excavations would be required. Monitoring involves systematic inspections of graded cut slopes, trench sidewalls, spoils piles, and other types of construction excavations for the presence of fossils, and the fossil recovery and documentation of these fossils before they are destroyed by further ground-disturbing actions. Standard monitoring is typically used in the most paleontologically sensitive geographic areas/geologic units (moderate, high and very high potential); while spot-check monitoring is typically used in geographic				

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areas/geologic units of moderate or unknown paleontological sensitivity (moderate or unknown potential). The goal of monitoring is to identify scientifically significant subsurface fossils as soon as they are unearthed in order to minimize damage to them and remove them and associated contextual data from the area of ground disturbance, thereby resulting in subsurface paleontological clearance. Microfossil sampling, macrofossil recovery, and avoidance of fossils may all occur during any monitoring program.				

a. Definitions of MMRP Column Headings:

- **Adopted Mitigation 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. In most cases this is the project sponsor and/or project's sponsor's contractor/consultant and at times under the direction of the planning department.
- **Mitigation Schedule:** Identifies milestones for when the actions in the mitigation measure need to be implemented.
- **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 who 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, their contractor, or consultant are 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.

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