



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Motion No. 20714

HEARING DATE: MAY 21, 2020

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*Record No.:* 2017-008051ENV  
*Project Address:* 30 VAN NESS AVENUE  
*Zoning:* C-3-G (Downtown General Commercial) Zoning District  
120/400-R-2 // 140/520-R-2 Height and Bulk District  
Van Ness & Market Residential Special Use District  
Downtown and Market & Octavia Plan Areas  
*Block/Lot:* 0835/004  
*Project Sponsor:* 30 Van Ness Development, LLC  
c/o: Samidha Thakral  
111 Sutter Street, 18th Floor  
San Francisco, CA 94104  
*Property Owner:* 30 Van Ness Development, LLC  
111 Sutter Street, 18th Floor  
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**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 PROJECT ("PROJECT"), LOCATED AT 30 VAN NESS AVENUE, ON LOT 004 OF ASSESSOR'S BLOCK 0835.**

### PREAMBLE

On June 23, 2017, 30 Van Ness Development, LLC ("Project Sponsor") submitted an Environmental Evaluation Application with the Planning Department ("Department"), and thereafter submitted a revised Application on June 12, 2018. The application packet was deemed accepted on July 10, 2017 and assigned Case Number 2017-008051ENV. The Department is the Lead Agency responsible for the implementation of the California Environmental Quality Act, California Public Resources Code Section 21000 et seq., ("CEQA"), the Guidelines for Implementation of CEQA, 14 California Code of Regulations Section 15000 et seq. ("CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31").

On or after October 17, 2018, the Project Sponsor submitted the following applications with the Department: Downtown Project Authorization; Conditional Use Authorization; Office Allocation; Shadow Analysis; and Transportation Demand Management to facilitate the alteration of the existing 5-story commercial office building and construction of a 47-story, up to 520 foot tall building (plus an additional 20 feet for rooftop mechanical features) with ground-floor retail space, 8 floors of office space, and approximately 33

floors of residential space with up to 610 residential units located on a 38,100 square-foot lot (the “Project”). The application packets were accepted on or after October 19, 2018 and assigned to Case Numbers: 2017-008051DNX; 2017-008051CUA; 2017-008051OFA; 2017-008051SHD; and 2017-008051TDM, respectively.

The Department determined that an environmental impact report (“EIR”) was required. Environmental review for the Project, as well as a separate private development project at 98 Franklin Street, was coordinated with environmental review of the City’s Hub Plan, which would amend the 2008 Market and Octavia Area Plan of the San Francisco General Plan for the easternmost portions of the Market and Octavia Area Plan, including the Project site. On May 23, 2018, the Department published a Notice of Preparation of an Environmental Impact Report and Notice of Public Scoping Meeting (“NOP”) for the Hub Plan, 30 Van Ness Avenue Project, 98 Franklin Street Project, and Hub Housing Sustainability District. Publication of the NOP initiated a 30-day public review and comment period that ended on June 22, 2018. On June 12, 2018, the Department held a public scoping meeting regarding the Project.

On July 24, 2019, the Department published the Draft Environmental Impact Report (“DEIR”) and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment and of the date and time of the Planning Commission (“Commission”) public hearing on the DEIR; this notice was mailed to the Department’s list of persons requesting such notice. Notices of availability of the DEIR and the date and time of the public hearing were posted near the project site by the Project Sponsor on July 24, 2019.

The EIR contains both analysis at a “program-level” pursuant to CEQA Guidelines section 15168 for adoption and implementation of the Hub Plan, and “project-level” environmental review for the Hub Plan streetscape and street network improvements, the Project, and the individual development project at 98 Franklin Street. This EIR also evaluates the designation of portions or all of the Hub Plan area as a housing sustainability district (“HSD”), in accordance with Assembly Bill 73 (Government Code sections 66202 to 66210 and Public Resources Code sections 21155.10 and 21155.11). Designation of an HSD, through adoption of an ordinance by the San Francisco Board of Supervisors, would allow the City and County of San Francisco (“City”) to exercise streamlined ministerial approval of residential and mixed-use development projects meeting certain requirements within the HSD.

On July 24, 2019, copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, and to government agencies, the latter both directly and through the State Clearinghouse. A notice of completion was filed with the State Secretary of Resources via the State Clearinghouse on July 24, 2019.

The Historic Preservation Commission held a duly advertised hearing on said DEIR on August 8, 2018 at which the Historic Preservation Commission formulated its comments on the DEIR.

The Commission held a duly advertised public hearing on said DEIR on August 29, 2019 at which opportunity for public comment was given, and public comment was received on the DEIR. The period for acceptance of written comments ended on September 9, 2019.

The Department prepared responses to comments on environmental issues received during the 46 day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments

received or based on additional information that became available during the public review period, and corrected clerical errors in the DEIR. This material was presented in a responses to comments document, published on March 12, 2020, distributed to the Commission and all parties who commented on the DEIR, and made available to others upon request at the Department.

The Department prepared a final EIR ("FEIR") consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, the responses to comments document, and an Errata document dated April 20, 2020, all as required by law.

On February 13, 2020, the Planning Commission adopted Resolutions 20653 through 20656 to initiate legislation entitled (1) Ordinance amending the General Plan to amend the Market and Octavia Plan, (2) Ordinance amending the planning code to update the Market and Octavia Area Plan, (3) Ordinance amending the zoning map to change the land use, zoning, and height and bulk classifications in the Hub Plan area, respectively, and (4) Ordinance amending the Business and Tax Regulations and Planning Code to create the HUB Housing Sustainability District.

On May 21, 2020, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting regarding (1) the General Plan Amendment to amend the Market and Octavia Plan; (2) the ordinance amending the Planning Code to update the Market and Octavia Area Plan; (3) the Ordinance amending the zoning map to change the land use, zoning, and height and bulk classifications in the Hub Plan area, respectively; (4) the Ordinance amending the Business and Tax Regulations and Planning Code to create the Hub Housing Sustainability District; and (5) an Implementation Program, consisting of the Market and Octavia Area Plan: Hub Public Benefits Document and the Market and Octavia Community Improvements Program. At that meeting the Commission adopted Resolutions Nos. 20709 through 20713 to recommend that the Board of Supervisors approve these five items.

On May 21, 2020, the Commission reviewed and considered the information contained in the FEIR and found that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code, which findings are incorporated by reference as though fully set forth herein. The FEIR was certified by the Commission on May 21, 2020, by adoption of Motion No. 20707.

On May 21, 2020, through Motion No. 20707, the Commission approved findings required by CEQA, including adoption of a Mitigation Monitoring and Reporting Program (MMRP), under Case Nos. 2015-000940ENV, 2017-008051ENV, and 2016-014802ENV, for approval of the Hub Plan ("Hub Plan CEQA Findings"), which findings are found in Attachment C to this Motion No. 20714 and incorporated by reference as though fully set forth herein.

On May 21, 2020, the Planning Commission and the Recreation and Park Commission held a duly noticed joint public hearing on and adopted Planning Commission Resolution No. 20715 and Recreation and Park Commission Resolution No. 2005-009 raising the Absolute Cumulative Shadow Limit ("ACL") for Civic Center Plaza, property under the jurisdiction of the Recreation and Parks Department that would be shadowed by the Project.

At the same hearing on May 21, 2020, the Recreation and Park Commission recommended that the General Manager of the Recreation and Parks Department recommend to the Planning Commission that the shadows cast by the Project on six (6) properties under the jurisdiction of the Recreation and Parks Department would not be adverse to the use of these properties, and that the Planning Commission allocate to the Project allowable shadow from the absolute cumulative shadow limits for Civic Center Plaza (where such limits have been adopted) (Case No. 2017-008051SHD). As part of this recommendation, the Recreation and Park Commission adopted environmental findings in accordance with CEQA, along with a Mitigation Monitoring and Reporting program for the Project (Recreation and Park Commission Resolution No. 2005-010).

On May 21, 2020, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Case Nos. 2017-008051DNX, 2017-008051CUA, 2017-008051OFA, 2017-008051SHD, and 2017-008051ENV to consider the various approvals for the Project, including the Downtown Project Authorization, the Conditional Use Authorization, the Office Allocation. At that meeting the Commission adopted Motions 20714 through 20719 to approve the Project. 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 Project, Department staff, expert consultants, and other interested parties.

The Planning Department Commission Secretary is the Custodian of Records for the Planning Department materials, located in the File for Case No. 2017-008051ENV, at 1650 Mission Street, Fourth Floor, San Francisco, California.

The City and County of San Francisco, acting through the Department, fulfilled all procedural requirements of the California Environmental Quality Act, the State CEQA Guidelines, and Chapter 31.

The Department prepared the California Environmental Quality Act Findings, attached to this Motion as Attachment A and incorporated fully by this reference, regarding the alternatives, mitigation measures, improvement measures, environmental impacts analyzed in the FEIR and overriding considerations for approving the Project, and the proposed MMRP attached as Attachment B and incorporated fully by this reference, which includes both mitigation measures and improvement 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 Planning Commission hereby adopts findings under CEQA, including rejecting alternatives as infeasible and adopting a Statement of Overriding Considerations, as further set forth in Attachment A hereto, and adopts the mitigation measures set forth for the Project in the MMRP attached as Attachment B, based on the findings attached to this Motion as Attachment A, as though fully set forth in this Motion, and based on substantial evidence in the entire record of this proceeding.

I hereby certify that the Commission ADOPTED the foregoing Motion at its regular meeting on May 21, 2020.



Jonas P. Ionin  
Commission Secretary

AYES: Diamond, Fung, Imperial, Koppel, Johnson, Moore

NAYS: None

ABSENT: None

ADOPTED: May 21, 2020

# ATTACHMENT A

## 30 VAN NESS AVENUE MIXED-USE PROJECT

### California Environmental Quality Act findings:

### FINDINGS OF FACT, EVALUATION OF MITIGATION MEASURES AND ALTERNATIVES, AND STATEMENT OF OVERRIDING CONSIDERATIONS

### SAN FRANCISCO PLANNING COMMISSION

May 21, 2020

#### PREAMBLE

In determining to approve the Project described in Section I, Project Description below, the San Francisco Planning Commission ("Commission") makes and adopts the following findings of fact and decisions regarding the significant and unavoidable impacts of the Project, and mitigation measures and alternatives, and adopts the 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"), particularly Sections 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.D., 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 also separate and apart from, and incorporate by reference, the CEQA findings previously adopted by the Commission in support of its approval of the Hub Plan, Hub Housing Sustainability District, and related streetscape and street network improvements.

These findings are organized as follows:

- **Section I** provides a description of the proposed project at 30 Van Ness Avenue (hereinafter, the "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** identifies 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.
- **Section V** evaluates the different Project alternatives and the economic, legal, social, technological, and other considerations that support approval of the Project and the rejection of the alternatives, or elements thereof.
- **Section VI** presents a statement of overriding considerations pursuant to CEQA Guidelines Section 15093 that sets forth specific reasons in support of the Commission's actions and its rejection of the alternatives not incorporated into the Project.

The Mitigation Monitoring and Reporting Program ("MMRP") for the mitigation measures that have been proposed for adoption is attached with these findings as **Attachment B** to Planning Commission Motion No. 20714. The MMRP is required by CEQA Section 21081.6 and CEQA Guidelines Section 15091. The MMRP provides a table setting forth each mitigation measure listed in the FEIR that is required to reduce or avoid a significant adverse impact. Attachment B also specifies the agency responsible for implementation of each measure and establishes monitoring actions and a monitoring schedule. The full text of the mitigation measures is set forth in Attachment B.

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 Environmental Impact Report (Draft EIR) or Responses to Comments Document (RTC) 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. The Hub Plan**

The project sponsor for the Hub Plan and the Hub HSD, the San Francisco Planning Department (department), proposes to implement the Hub Plan, which would amend the 2008 Market and Octavia Area Plan of the San Francisco General Plan for the easternmost portions of the Market and Octavia Area Plan. The Hub Plan would encourage housing and safer and more walkable streets, as well as welcoming and active public spaces and increased transportation options by changing current zoning controls applicable to the area and implementing public realm improvements. In addition, the department proposes the designation of all or portions of the Hub Plan area as an HSD to allow the City of San Francisco (City) to exercise streamlined ministerial approval of residential and mixed-use development projects meeting certain requirements.

The Hub Plan would change current zoning controls in the Hub Plan area to meet plan objectives. This would include changes to height and bulk districts for select parcels to allow more housing, including more affordable housing. Modifications to land use zoning controls would also allow more flexibility for development of nonresidential uses, specifically office, institutional, art, and public uses. Under the proposed zoning, there would be two zoning districts, Downtown General Commercial (C-3-G) and Public (P), and the Van Ness and Market Downtown Residential Special Use District ("SUD") (Planning Code

Section 249.33) would be expanded to encompass the entire Hub Plan area. A portion of the Veterans Commons SUD (Planning Code Section 249.46) would be changed to the Van Ness and Market Downtown Residential SUD. All sites in the Hub Plan area would continue to be zoned for residential and active commercial uses on the ground floor. In addition, the existing prohibition on certain nonresidential uses above the fourth floor would be eliminated. Further, the SUD residential-to-nonresidential ratio would increase to three square feet of residential use for every one square foot of nonresidential land use (i.e., a 3:1 ratio), with arts, institutional, replacement office, and public uses exempt from this requirement. In addition, requirements for micro retail would encourage a mix of retail sizes and uses and decrease off-street vehicular parking capacity within the Hub Plan area, a transit-rich location, by reducing the currently permitted off-street vehicular parking maximums. The Hub Plan also calls for public-realm improvements to streets and alleys within and adjacent to the Hub Plan area, such as sidewalk widening, streetlight upgrades, median realignment, road and vehicular parking reconfiguration, tree planting, the elimination of one segment of travel on Duboce Avenue, and the addition of bulb-outs.

The Hub Plan seeks to increase the space available for housing through changes to the planning code and zoning map to allow the development of a taller, larger, denser, and more diverse array of buildings and heights on select parcels within the Hub Plan area. The proposed zoning under the Hub Plan would allow for additional height at the two major intersections at Market Street and Van Ness Avenue and Mission Street and South Van Ness Avenue, with towers ranging from 250 to 650 feet. This proposed zoning would allow increases in heights for 18 sites. If all of these sites were to be developed to the proposed maximum height limit, the changes would result in approximately 8,530<sup>1</sup> new residential units (approximately 16,540 new residents). This estimate also assumes a 15 percent increase in the number of units to account for potential density bonuses allowed by either state or local regulations.

The Hub Plan area, which is irregular in shape and approximately 84 acres, is spread across various city neighborhoods, such as the Downtown/Civic Center, South of Market (SoMa), Western Addition, and Mission neighborhoods. The Hub Plan area is entirely within the boundaries of the Market and Octavia Area Plan. In addition to the streets in the Hub Plan area, adjacent streets such as Lily Street between Gough Street and Franklin Street, Minna Street between 10<sup>th</sup> Street and Lafayette Street, and Duboce Avenue between Valencia Street and Mission Street are included in the project.

## **B. Project Description**

The site for the 30 Van Ness Avenue Project encompasses an approximately 38,100-square-foot lot on Assessor's Block 0835/Lot 004. It is fully developed with an approximately 75-foot-tall, five-story building that includes a variety of office and retail uses, City government offices, an optometrist office, a café, and a retail and pharmacy use doing business as Walgreens. There is currently approximately 180,330 square feet of general office space, including 15,850 square feet for vehicular parking, 12,790 square feet of pharmacy use, and 1,050 square feet of restaurant use. The project site is trapezoidal and bounded by 164 feet of frontage on Fell Street to the north, 39 Fell Street and 1446 Market Street buildings to the east (Assessor's Block 0835/Lot 003), 197 feet of frontage on Market Street to the south, and 275 feet of frontage on Van Ness Avenue to the west. The entire project site is covered with impervious hardscape; the topography (at

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<sup>1</sup> This represents the number of new housing units that could be built. This number does not represent capacity of housing units under the proposed zoning.



approximately 45 feet above sea level) slopes down slightly from Van Ness Avenue and Fell Street toward Van Ness Avenue and Market Street.

The project site at 30 Van Ness Avenue is in the Downtown/Civic Center neighborhood, within the Downtown General Commercial (C-3-G) zoning district and the Van Ness and Market Downtown Residential SUD. The first two stories of the building were constructed in 1908; the remaining three stories were built in 1964. There are approximately 42 ground-floor vehicular parking spaces in the building, which are accessed via a curb cut from Fell Street and reserved for office tenants. Passenger and commercial loading is available along a yellow curb on Van Ness Avenue. Sidewalks are present on all sides of all streets surrounding the project site. The main entrance for people walking to the office lobby is on Van Ness Avenue. The optometrist office and café also have access for people walking off of Van Ness Avenue. There is an entrance to the Walgreens on the corner of Van Ness Avenue and Market Street. In addition to ground-floor retail entrances, there are five other secondary entrances for people walking along Van Ness Avenue, four on Fell Street and three on Market Street. There are approximately 670 office employees and approximately 40 retail employees within the existing building. There are currently five street trees along the building's Van Ness Avenue frontage and four along the Market Street frontage; there are no trees along the Fell Street frontage.

The proposed project at 30 Van Ness Avenue would include a 9-story podium, consisting of ground-floor retail and 8 floors of office space (levels 2 through 9). It would also include a residential amenity floor on level 10 and a residential tower with at least 333 but possibly up to 610 residential units on approximately 37 floors (levels 10 through 47), reaching a height of approximately 520 feet, with an additional 20 feet to the top of the rooftop mechanical features, as permitted by the planning code. The building podium would have a trapezoidal shape, with frontages along Market and Fell streets and Van Ness Avenue. The tower would be set back approximately 50 feet from the east face of the podium, 12 feet from the Van Ness Avenue face of the podium, 55 feet from the Fell Street face of the podium, and 85 feet from the Market Street face of the podium and situated at the center of the site. The podium height would be up to a maximum of 130 feet at the roofline. The podium would be 275 feet long by 164 feet wide, while the tower would be 141 feet long by 102 feet wide. In total, the existing structure would be altered and expanded from its existing envelope of approximately 184,100 square feet to approximately 826,000 square feet, a net increase of 641,900 square feet.

The proposed development at 30 Van Ness Avenue would total approximately 826,000 square feet, including up to 21,000 square feet of retail, up to 234,100 square feet of general office, and up to 520,000 square feet of residential (the Project would include at least 350 residential units, but possibly up to 610 residential units, on floors 11 through 46). The podium (levels 2 through 10) would include the office uses, and the tower (levels 13 through 45) would include residential uses. The Project would include approximately 76,320 square feet of garage uses for 146 vehicular parking spaces within two below-grade garage levels.

The proposed project at 30 Van Ness Avenue would provide approximately 1,556 square feet of privately owned public open space on the ground floor. It would also provide approximately 5,646 square feet of commonly accessible open space for the office and for residents. None of the proposed open space areas would include permanent sound amplification systems. Any noise at outdoor open space areas would be limited in order to not be in excess of noise ordinance requirements.

### **C. Project Objectives**

The Final EIR discusses several 30 Van Ness Project objectives identified by the Project Sponsor. The objectives are as follows:

1. Create a high-density, mixed-use development that takes advantage of a prominent downtown location along routes for people riding public transit, people walking, and people bicycling by providing a range of residential unit types, office space, and neighborhood-serving retail.
2. Contribute to implementation of the city's general plan housing element goals for affordable housing by constructing a high-density, mixed-use project, including sufficient office use, which would support the creation of affordable units.
3. Transform the intersection of Market Street and Van Ness Avenue by creating an engaging and vibrant street level that offers a mix of retail uses that enlivens the area through a mix of day and nighttime uses within the project site.
4. Develop an underused site, connecting the Civic Center, Mid-Market, and Hayes Valley neighborhoods.
5. Create a modern, creative, functional workplace environment that attracts office tenants and a residential tower design that maximizes views for residents.
6. Provide adequate vehicular parking and vehicular and (commercial and passenger) loading access to serve the needs of the project and its visitors.

In addition to the Project Sponsor's objectives for the 30 Van Ness Project, the Hub Plan's six primary goals are used as the project objectives for that project. The six goals are:

- i. Create a vibrant mixed-use neighborhood.
- ii. Maintain a strong preference for housing as a desired use.
- iii. Encourage residential towers on selected sites.
- iv. Establish a functional, attractive, and well-integrated system of public streets and open spaces.
- v. Reconfigure major streets and intersections to make them safer for people walking, bicycling, and driving.
- vi. Take advantage of opportunities to create public spaces.

In addition, the project objectives for the Hub HSD are:

- i. To allow for ministerial approval of housing projects in the Hub Plan area.
- ii. To streamline environmental review of housing projects in the Hub Plan area.

### **D. Project Approvals**

#### **The Hub Plan**

The Project required approval of the Hub Plan, including, the General Plan, Planning Code, and Zoning Map amendments by the Planning Commission and the Board of Supervisors. On May 21, 2020, the Planning Commission recommended approval of those amendments to the Board of Supervisors.

### **30 Van Ness Project**

In addition to the above, the Project requires the following Planning Commission approvals:

- Certification of the FEIR.
- Approve an office allocation, pursuant to Planning Code section 321.
- Approve a Downtown Project Authorization by the Planning Commission, per Planning Code section 309, for projects within the Downtown Commercial (C-3-G) district more than 50,000 square feet in area or more than 75 feet in height, with exceptions to the requirements of Reduction of Ground-Level Wind Currents in C-3 Districts (Planning Code section 148) and Reduction of Shadows on Certain Public or Publicly Accessible Open Spaces in C-3 Districts (Planning Code section 147).
- Approve a conditional use authorization for a retail sales and service use larger than 6,000 gross square feet (Planning Code section 303).
- Approve potential variances under Planning Code section 305 if required by final design of the building.
- Approve potential in-kind agreement for public infrastructure or facilities consistent with Planning Code requirements if proposed by the sponsor.
- Joint determination with the San Francisco Recreation and Parks Commission that the project complies with the requirements of Planning Code section 295.

#### ***Actions by Other City Departments and State Agencies***

- SFMTA approval of on-street vehicular parking and on-street loading changes.
- San Francisco Public Health approval of the use of groundwater wells during dewatering associated construction.
- SFPUC approval of:
  - landscape and irrigation plans. This applies to projects installing or modifying 500 square feet or more of landscape area.
  - the use of groundwater wells during dewatering associated construction.
- San Francisco Public Works approval of:
  - any proposed new, removed, or relocated street trees and/or landscaping within the public sidewalk.
  - streetscape changes.
  - situations where construction would need to extend beyond normal hours, between the hours of 8 p.m. and 7 a.m., such as concrete pours, crane and hoist erection and adjustment activities, site maintenance activities, and material delivery and handling.
  - and issuance of permits for wind canopies.

- San Francisco Recreation and Parks Commission
  - Joint determination with the San Francisco Planning Commission that the project complies with the requirements of Planning Code section 295.

#### **E. Environmental Review**

On June 23, 2017, the Project Sponsor filed an Environmental Evaluation Application for the Project, and thereafter submitted a revised Application on June 12, 2018. On May 23, 2018, the Department published an NOP for the EIR and Notice of Public Scoping Meeting for the Hub Plan, 30 Van Ness Avenue, 98 Franklin Street, and Hub Housing Sustainability District. Publication of the NOP initiated a 30-day public review and comment period that ended on June 22, 2018. On June 12, 2018, the Department held a public scoping meeting regarding the Project.

On July 24, 2019, the Department published the DEIR and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment and of the date and time of the Planning Commission public hearing on the DEIR; this notice was mailed to the Department's list of persons requesting such notice. Notices of availability of the DEIR and the date and time of the public hearing were posted near the project site by the Project Sponsor on July 24, 2019.

The EIR contains both analysis at a "program-level" pursuant to California Environmental Quality Act (CEQA) Guidelines section 15168 for adoption and implementation of the Hub Plan, and "project-level" environmental review for the streetscape and street network improvements, the Project, and the project at 98 Franklin Street. This EIR also evaluates the designation of portions or all of the Hub Plan area as an HSD, in accordance with Assembly Bill 73 (Government Code sections 66202 to 66210 and Public Resources Code sections 21155.10 and 21155.11). Designation of an HSD, through adoption of an ordinance by the San Francisco Board of Supervisors, would allow the City and County of San Francisco (City) to exercise streamlined ministerial approval of residential and mixed-use development projects meeting certain requirements within the HSD.

On August 29, 2019, the Commission held a duly advertised public hearing on the DEIR, at which opportunity for public comment was given, and public comment was received on the DEIR. The period for commenting on the DEIR ended on September 9, 2019. The Department prepared responses to comments on environmental issues received during the 46 day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected clerical errors in the DEIR.

A Final Environmental Impact Report ("FEIR") has been prepared by the Department consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, the Responses to Comments document, and an Errata document dated April 20, 2020, all as required by law. The Initial Study is included as Appendix A to the DEIR and is incorporated by reference thereto.

Project EIR files have been made available for review by the Commission and the public. These files are available for public review at the Department at 1650 Mission Street, Suite 400, and are part of the record before the Commission.

On May 14, 2020, the Commission reviewed and considered the FEIR and found that the contents of said report and the procedures through which the FEIR was prepared, publicized and reviewed comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31 of the Administrative Code. The FEIR was certified by the Commission on May 21, 2020 by adoption of its Motion No. 20707.

**F. Content and Location of Record**

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

- The FEIR, and all documents referenced in or relied upon by the FEIR, including the Responses to Comments document;
- All information (including written evidence and testimony) provided by City staff to the Planning Commission relating to the FEIR, the proposed approvals and entitlements for the Hub Plan and the Project, the Project, and the alternatives set forth in the FEIR;
- All information (including written evidence and testimony) presented to the Planning Commission by the environmental consultant and subconsultants who prepared the FEIR, or incorporated into reports presented by the Planning Commission;
- All information (including written evidence and testimony) presented to the City from other public agencies relating to the Hub Plan, the Project or the FEIR;
- All applications, letters, testimony, and presentations presented to the City by the Project Sponsor 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 Hub Plan, the Project, and the FEIR;
- The MMRP; and
- All other documents comprising 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 FEIR received during the public review period, the administrative record, and background documentation for the FEIR are located at the Planning Department, 1650 Mission Street, 4<sup>th</sup> Floor, San Francisco. The Department, Jonas P. Ionin, is the custodian of these documents and materials.

**G. Findings about Environmental Impacts and Mitigation Measures**

The following Sections II, III and IV set forth the Commission's findings about the FEIR's determinations regarding significant environmental impacts and the mitigation measures proposed to address them. These findings provide the written analysis and conclusions of the Commission regarding the environmental impacts of the Project and the mitigation measures included as part of the FEIR and adopted by the Commission as part of the Project. To avoid duplication and redundancy, and because the Commission agrees with, and hereby adopts, the conclusions in the FEIR, these findings will not repeat the analysis and conclusions in the FEIR, but instead incorporate them by reference and rely upon them as substantial evidence supporting these findings. These findings are also separate and apart from, and incorporate by reference, the CEQA findings previously adopted by the Commission in support of its approval of the Hub Plan, Hub Housing Sustainability District, and related streetscape and street network improvements.

In making these findings, the Commission has considered the opinions of the Department and other City staff and experts, other agencies, and members of the public. The 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 FEIR are supported by substantial evidence in the record, including the expert opinion of the FEIR preparers and City staff; and (iii) the significance thresholds used in the FEIR provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the Project. Thus, although, as a legal matter, the Commission is not bound by the significance determinations in the FEIR (see Public Resources Code, Section 21082.2, subdivision(e)), the 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 FEIR. Instead, a full explanation of these environmental findings and conclusions can be found in the FEIR, and these findings hereby incorporate by reference the discussion and analysis in the FEIR supporting the determination regarding the project impact and mitigation measures designed to address those impacts. In making these findings, the Commission ratifies, adopts, and incorporates in these findings the determinations and conclusions of the FEIR 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 Commission adopts and incorporates the mitigation measures set forth in the FEIR, which are set forth in the attached MMRP, to reduce the significant and unavoidable impacts of the Project. The Commission intends to adopt the mitigation measures proposed in the FEIR that are within its jurisdiction and urges other City agencies and departments that have jurisdiction over other mitigation measures proposed in the FEIR, and set forth in the MMRP, to adopt those mitigation measures. Accordingly, in the event a mitigation measure recommended in the FEIR 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 FEIR due to a clerical error, the language of the policies and implementation measures as set forth in the FEIR shall control. The impact numbers and mitigation measure numbers used in these findings reflect the information contained in the FEIR.

In Sections II, III and IV below, the same findings are made for a category of environmental impacts and mitigation measures. Rather than repeat the identical finding to address each and every significant effect and mitigation measure, the initial finding obviates the need for such repetition because in no instance is the Commission rejecting the conclusions of the FEIR or the mitigation measures recommended in the FEIR for the Project.

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 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 DO NOT REQUIRE MITIGATION**

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.). Based on the evidence in the whole 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:

### **Cultural Resources**

- Substantial adverse change to individual built environment resources and/or historic districts, as defined in section 15064.5, including those resources listed in article 10 or 11 of the San Francisco Planning Code.
- In combination with past, present and future project in the vicinity of the Project site, result in demolition and/or alteration of built environment resources.

### **Transportation and Circulation**

- Require an extended duration for the construction period or intense construction activity, the secondary effects of which could not create potentially hazardous conditions for people walking, bicycling, or driving; interfere with accessibility for people walking or bicycling; or substantially delay public transit.
- Cause substantial additional VMT or substantially induce automobile travel.
- Cause major traffic hazards.
- Cause a substantial increase in transit demand that could not be accommodated by adjacent transit capacity such that unacceptable levels of transit service could result, or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service levels would result.
- Create potentially hazardous conditions for bicyclists or otherwise substantially interfere with bicycle accessibility to the site or adjoining areas.
- Create potentially hazardous conditions for pedestrians, or otherwise interfere with pedestrian accessibility to the site and adjoining areas.
- Result in a substantial vehicular parking deficit.
- Result in inadequate emergency access to the project site or adjoining areas.
- In combination with past, present, and reasonably foreseeable future projects in the vicinity of the project site, contribute considerably to significant cumulative impacts related to VMT or substantially induce automobile travel.
- In combination with past, present, and reasonably foreseeable future projects in the vicinity of the project site, contribute considerably to significant cumulative impacts on transit, bicycle, or pedestrian travel, loading, or emergency access.

### **Noise**

- Generate or result in the generation of a substantial temporary or permanent increase in ambient noise levels in excess of standards.
- In combination with past, present, and reasonably foreseeable future projects, result in a significant cumulative impact related to vibration.

- In combination with past, present, and reasonably foreseeable future projects, result in a considerable contribution to significant cumulative impacts related to substantial temporary or permanent increase in ambient noise levels in excess of standards.

#### **Air Quality**

- Conflict with or obstruct implementation of the 2017 Bay Area Clean Air Plan.
- During Project construction or operation, violate an air quality standard, contribute substantially to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants.
- Generate emissions that create objectionable odors affecting a substantial number of people.
- In combination with past, present, and reasonably foreseeable future projects in the vicinity of the project site, contribute considerably to cumulative regional air quality impacts.

#### **Shadow**

- Alter shadows in a manner that would substantially affect public areas or outdoor recreation facilities.
- In combination with past, present, and reasonably foreseeable future projects in the project area, create new shadow in a manner that would substantially affect outdoor recreation facilities or other public areas.

The Initial Study determined that the Project would result in a less than significant impact or no impact for the following impact areas and, therefore, these impact areas were not included in the EIR for further analysis:

- Land Use and Land Use Planning (all impacts)
- Population and Housing (all impacts)
- Transportation and Circulation (impacts to air traffic)
- Noise (impacts related to airport noise)
- Greenhouse Gas Emissions (all impacts)
- Recreation (all impacts)
- Utilities and Services Systems (all impacts)
- Public Services (all impacts)
- Biological Resources (all impacts)
- Geology and Soils (all impacts, except impacts to paleontological resources/unique geological features)
- Hydrology and Water Quality (all impacts)
- Hazards and Hazardous Materials (all impacts)
- Mineral and Energy Resources (all impacts)
- Agriculture and Forest Resources (all impacts)

Note: Senate Bill (SB) 743 became effective on January 1, 2014. Among other things, SB 743 added § 21099 to the Public Resources Code and eliminated the requirement to analyze aesthetics and parking impacts for certain urban infill projects under CEQA. The proposed Project meets the definition of a residential project on an infill site within a transit priority area as specified by Public Resources Code § 21099.



Accordingly, the FEIR did not discuss the Project's impacts related to Aesthetics, which is no longer considered in determining the significance of the proposed Project's physical environmental effects under CEQA. The FEIR nonetheless provided visual simulations for informational purposes. Similarly, the FEIR included a discussion of parking for informational purposes. This information, however, did not relate to the significance determinations in the FEIR.

### **SECTION III. FINDINGS OF POTENTIALLY SIGNIFICANT IMPACTS 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 and in Section IV concern mitigation measures set forth in the Draft EIR to mitigate the potentially significant impacts of the Project. These mitigation measures are included in the MMRP. A copy of the MMRP 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 transportation and circulation, noise, air quality, cultural resources, and geology and soils impacts identified in the Initial Study and/or FEIR. As authorized by CEQA Section 21081 and CEQA Guidelines Section 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 Initial Study and/or FEIR into the Project to mitigate or avoid significant or potentially significant environmental impacts. For the reasons set forth in the FEIR and/or the Initial Study, these mitigation measures will reduce or avoid the potentially significant impacts described in the Initial Study and/or FEIR, and the Commission finds that these mitigation measures are feasible to implement and are within the responsibility and jurisdiction of the City and County of San Francisco to implement or enforce.

Additionally, the required mitigation measures are fully enforceable and are included as conditions of approval in the Planning Commission's Downtown Project Authorization for the Project under Planning Code Section 309, and also will be enforced through conditions of approval in any building permits issued for the Project by the San Francisco Department of Building Inspection. With the required mitigation measures, these Project impacts would be avoided or reduced to a less-than-significant level. The Planning Commission finds that the mitigation measures presented in the MMRP are feasible and shall be adopted as conditions of project approval.

#### **Cultural Resources**

- **Impact CUL-3:** The proposed Project could result in a substantial adverse change in the significance of an individual built environment resource and/or historic district, as defined in section 15064.5, including those resources listed in article 10 or 11 of the San Francisco Planning Code, from ground-borne vibration caused by temporary construction activities. With implementation of *Mitigation Measures M-NOI-3a (Protect Adjacent Potentially Susceptible Structures from Construction-Generated Vibration )* and *M-NOI-3b (Construction Monitoring Program for Structures Potentially Affected by*

*Vibration*) Impact CUL-3 is reduced to a less-than-significant level, for the reasons set forth in the DEIR, at pages 3.C-53 to 3.C-58; 3.C-61 to 3.C-62.

Construction activities occurring as a result of the Project are analyzed for their potential to materially impair the significance of historical resources under Impact NOI-3. Impact CUL-3 is reduced to a less-than-significant level, for the reasons on pages 3.C-53 to 3.C-58; 3.C-61 to 3.C-62 of the DEIR, and discussed under Impact NOI-3, below

- **Impact CUL-4:** The proposed Project could cause a substantial adverse change in the significance of an archaeological resource, as defined in section 15064.5. With implementation of *Mitigation Measure M-CUL-4d: Requirements for Archaeological Testing Consisting of Consultation with Descendent Communities, Testing, Monitoring, and a Report*), Impact CUL-4 is reduced to a less-than-significant level, for the reasons set forth in the DEIR, at pages 3.A-97 to 3.A-104.

The proposed project at 30 Van Ness Avenue would include partial retention of an existing five-story building that was constructed in 1908, which does not include a basement, and construction of an approximately 45-story building. The estimated amount of excavation at this location would be 51,000 cubic yards for the foundations and two-level basement. The depth of excavation is expected to be up to 48 feet below grade. Although there are no known archaeological resources in the project vicinity, proposed construction activity would extend below the known depth of fill and into undisturbed dune and marsh deposits, which have elevated potential for containing buried archaeological resources. Therefore, project-related excavations at this location have the potential to physically damage or destroy as-yet undocumented archaeological resources, resulting in significant impacts on archaeological resources. The Project has already implemented the equivalent of Mitigation Measure M-CUL-4a: Project-Specific Preliminary Archaeological Review for Projects Involving Soil Disturbance as part of the DEIR. As stated on pages 3.A-97 to 3.A-104 of the DEIR, with implementation of Mitigation Measure M-CUL-4d, project-related impacts on archaeological resources would be avoided or minimized; when avoidance or minimization is impossible, impacts would be mitigated through archaeological testing. As a result, impacts on archaeological resources would be reduced to less than significant.

**Impact CUL-5:** The proposed Project could disturb human remains, including those interred outside of formal cemeteries. With implementation of *Mitigation Measure M-CUL-4d (Requirements for Archaeological Testing Consisting of Consultation with Descendent Communities, Testing, Monitoring, and a Report)*), Impact CUL-5 is reduced to a less-than-significant level, for the reasons set forth in the DEIR, at page 3.A-105.

There are no known extant archaeological resources that contain human remains within the Hub Plan area; CA-SFR-28 was discovered in the Hub Plan area but was removed during construction of the Civic Center BART station. However, proposed construction activity would extend below the known depth of fill and into undisturbed dune and marsh deposits, which have elevated potential for containing buried archaeological resources and associated human remains. Therefore, excavations have the potential to damage or destroy known archaeological resource and/or as-yet undocumented archaeological resources that include human remains, resulting in a significant impact. Impacts on archaeologically significant human remains would be mitigated to a less-than-significant level with implementation of Mitigation Measures M-CUL-4a, M-CUL-4b, M-CUL-4c, and M-CUL-4d through avoidance or minimization of

adverse effects on archaeological resources, or when avoidance or minimization is not possible archaeological monitoring to preserve significant information from an archaeological resource, as stated on page 3.A-90 to 3.A-104 of the DEIR.

- **Impact C-CUL-3:** In combination with past, present, and reasonably foreseeable projects in the vicinity, the proposed Project could result in a significant cumulative impact on archaeological resources and human remains. With implementation of *Mitigation Measures M-CUL-4a (Project-Specific Preliminary Archaeological Review for Projects Involving Soil Disturbance)*; *M-CUL-4 (Procedures for Accidental Discovery of Archaeological Resources for Projects Involving Soil Disturbance)*; *M-CUL-4c (Requirement for Archaeological Monitoring for Streetscape and Street Network Improvements)*; *M-CUL-4d (Requirements for Archaeological Testing Consisting of Consultation with Descendent Communities, Testing, Monitoring, and a Report)*, Impact C-CUL-3 is reduced to a less-than-significant level, for the reasons set forth in the DEIR, at page 3.A-110.

The proposed Project would result in excavation to a depth of 48 feet below grade within the boundaries of the entire lot. These ground-disturbing activities would occur in areas identified as having moderate to high sensitivity for containing buried undocumented historical and prehistoric archaeological resources, which may also contain human remains. Therefore, these ground-disturbing activities have the potential to affect undocumented archaeological resources and human remains. The Project, when considered with cumulative projects that would include ground-disturbing activities that have the potential to encounter sediments that have moderate to high archaeological sensitivity, has the potential to contribute considerably to the overall cumulative impact on archaeological resources and human remains; the impact would be significant. Implementation of Mitigation Measures M-CUL-4a, M-CUL-4b, M-CUL-4c, in instances where street network improvements are proposed within the Hub Plan area, and M-CUL-4d would reduce cumulative impacts of the Project on archaeological resources and human remains to less-than-significant levels through avoidance or minimization of adverse effects on archaeological resources, or when avoidance or minimization is not possible archaeological monitoring to preserve significant information from an archaeological resources as stated on page 3.A-110 of the DEIR.

## **Noise**

- **Impact NOI-2:** Construction of the proposed Project could generate a substantial temporary or permanent increase in ambient noise levels in excess of standards. With implementation of Mitigation Measure M-NOI-1a (Construction Noise Control Plan for Projects Within 250 Feet of a Noise-Sensitive Land Use), Impact NO-2 is reduced to a less-than-significant level, for the reasons set forth in the DEIR, at pages 3.C-41 to 3.C-47 and 3.C-36 to 3.C-39.

It is possible that a 10 dB increase in noise over ambient would occur during the construction window for the Project. Given the 3.5-year construction period, the proximity of sensitive receptors to construction activity, and the already-high existing noise levels, which would be exacerbated during construction (almost doubling in loudness), construction noise is conservatively concluded to be a significant impact. With implementation of Mitigation Measure M-NOI-1a, noise levels from project construction at 30 Van Ness Avenue, as well as the intensity of potential noise effects, would be reduced to the maximum extent feasible. Although the duration or frequency of the construction activities would not change as a result of

this mitigation measure, the noise levels at nearby receivers would be reduced such that the temporary noise increases would be less substantial. Depending on the specifics of the measures outlined in the noise control plan, once finalized, construction equipment would be intentionally located as far as feasible from adjacent noise-sensitive receptors, and shielding to reduce noise may be incorporated, as feasible. In addition, an onsite construction complaint and enforcement manager would be designated for the project to ensure noise complaints would be addressed. Construction noise is temporary in nature. In addition, the two noisiest pieces of construction equipment are not likely to be in operation simultaneously for the entire duration of construction activities. The analysis in the DEIR demonstrates that even if the two noisiest pieces of construction equipment were to operate for the entire duration of construction, the combined noise level at noise-sensitive receptors would be just below 10 dB above the ambient noise level. For these reasons, implementation of Mitigation Measure M-NOI- 1a is reasonably expected to reduce construction noise impacts to less than significant for the Project, as stated in the DEIR at page 3.C-47.

- **Impact NOI-3:** The proposed Project would generate excessive ground-borne vibration or ground-borne noise levels. With implementation of *Mitigation Measure M-NOI-3a (Protect Adjacent Potentially Susceptible Structures from Construction-Generated Vibration)*, and *Mitigation Measure M-NOI-3b (Construction Monitoring Program for Structures Potentially Affected by Vibration)*, Impact NOI-3 is reduced to a less-than-significant level, for the reasons set forth in the DEIR at pages 3.C-56 to 3.C-58 and 3.C-61 to 3.C-62.

Construction of the 30 Van Ness Avenue Project would require equipment that could generate ground-borne vibration. The project site is surrounded by development, including some historic structures. The west boundary of the site for the 30 Van Ness Avenue Project is near the article 11–designated former Masonic Temple at 25 Van Ness Avenue (approximately 100 feet to the west) as well as the Planning Code Article 11–designated 50 Fell Street resource, which is now a Montessori school (approximately 60 feet to the north). Approximately 60 feet east of the eastern project boundary is the California Register of Historical Resources–eligible resource at 1438–1444 Market Street. These buildings are all considered to be historic for the purposes of this vibration analysis. Potential vibration impacts on other buildings types (new residential structures and modern industrial/commercial buildings) are also assessed in the EIR. The most vibration-intensive types of construction equipment proposed for the 30 Van Ness Avenue Project are a drill and large bulldozer (pile drivers are not proposed for use). The two closest potentially historic resources to the 30 Van Ness Avenue project site are approximately 60 feet from the perimeter of the site. At this distance, a drill and a large bulldozer could both generate ground-borne vibration levels of 0.02 PPV in/sec, which would be less than the building damage criterion for historic and some old buildings. Therefore, historic and some old buildings would not be expected to incur damage as a result of project construction. However, it is possible that construction activities could occur as close as 3 feet from the neighboring property directly east of the project site. At a distance of approximately 3 feet from nearby structures, it is likely the vibration effects could be substantial. The applicable damage criterion for the building located adjacent to the project site could be exceeded by project construction activities; vibration-related damage impacts would be considered significant for the 30 Van Ness Avenue Project. Implementation of Mitigation Measures M-NOI-3a and M-NOI-3b would ensure that any cosmetic or structural damage caused by construction-related vibration would be avoided or identified through a monitoring program and repaired as necessary to its pre-construction condition. Therefore, following the implementation of M-NOI-3a and M-NOI-3b, construction vibration impacts from the Project would be reduced to a less-than-significant level, as stated on pages 3.C-56 to 3.C-58 and 3.C-61 to 3.C-62 of the DEIR.

## Air Quality

- **Impact AQ-9:** Construction and operation of the Project could generate toxic air contaminants, including fine particulate matter, exposing sensitive receptors to substantial air pollutant concentrations. With implementation of *Mitigation Measures*, M-AQ-9a (*Construction Emissions Minimization Plan for 30 Van Ness Avenue Project*), and M-AQ-9b (*Best Available Control Technology for Diesel Generators for 30 Van Ness Avenue Project*), Impact AQ-9 is reduced to a less-than-significant level, for the reasons set forth in the DEIR at pages 3.D-80 to 3.D-84.

Construction and operation of the Project would result in emissions of PM<sub>2.5</sub> and toxic air contaminants and expose onsite and nearby sensitive receptors to substantial pollutant concentrations. Construction activities that would result in such emissions include demolition, excavation, building construction and interior and exterior finishing. Off-road diesel equipment used for clearing and grading, materials handling and installation, and other construction activities would generate diesel PM and TAC emissions. Operational emissions would result from periodic testing of the backup diesel generators and additional traffic volumes that would be generated by the Project. Therefore, a project-specific health risk assessment was conducted for the Project. The Project's contribution to cancer risk at onsite and offsite receptors would be 202 and 22 in 1 million, respectively, which would exceed the significance threshold of seven per 1 million persons exposed, resulting in a significant impact. Implementation of Mitigation Measures M-AQ-9a and M-AQ-9b would reduce cancer risk levels at both offsite and onsite MEISRs to 4.6 and 3.0, respectively. Therefore, with mitigation, the cancer risk from the 30 Van Ness Avenue Project would be reduced to a less-than-significant level, as stated on pages 3.D-80 to 3.D-84 of the DEIR.

- **Impact C-AQ-2:** The Project, in combination with past, present, and reasonably foreseeable future projects in the vicinity of the project site, would contribute to exposure of sensitive receptors to substantial levels of fine particulate matter (PM<sub>2.5</sub>) and toxic air contaminants under 2040 cumulative conditions. With implementation of *Mitigation Measures M-AQ-9a (Construction Emissions Minimization Plan for 30 Van Ness Avenue Project)*, and *M-AQ-9b (Best Available Control Technology for Diesel Generators for 30 Van Ness Avenue Project)*, Impact C-AQ-2 is reduced to a less-than-significant level, for the reasons set forth in the DEIR at pages 3.D-103 to 3.D-108.

The Cumulative (2040) + 30 Van Ness Avenue Project scenario analyzed the impacts from the 30 Van Ness Avenue Project combined with the impacts from the Cumulative (2040) with Hub Plan scenario. The cumulative (2040) + 30 Van Ness Avenue Project scenario included all of the emissions sources evaluated for the cumulative (2040) + Hub Plan scenario because the Hub Plan scenario also includes the individual projects at 30 Van Ness Avenue and 98 Franklin Street. The Project's contribution to cancer risk at onsite and offsite receptors would exceed the significance threshold of seven in 1 million persons exposed, resulting in a significant impact. Implementation of Mitigation Measure M-AQ-9a: Requirement for Construction Emissions Minimization Plan for 30 Van Ness Avenue Project, and Mitigation Measure M-AQ-9b: Requirement for Best Available Control Technology for Diesel Generators for 30 Van Ness Avenue Project would be required to reduce the cancer risk. Implementation of these mitigation measures would reduce cancer risk contributions from the project at both offsite and onsite MEISRs to 4.5 and 2.9 per 1 million persons exposed, respectively. Therefore, because the mitigated cancer risk would be below seven per 1 million persons exposed, the cancer risk impact would be reduced to a less-than-significant level, as stated on pages 3.D-103 to 3.D-107 of the DEIR.

The project's contribution to PM<sub>2.5</sub> concentration at offsite receptors (only) would exceed the significance threshold of 0.2 µg/m, resulting in a significant impact. Implementation of Mitigation Measures M-AQ-9a, Requirement for Construction Emissions Minimization Plan for 30 Van Ness Avenue Project, and M-AQ-9b, Requirement for Best Available Control Technology for Diesel Generators for 30 Van Ness Avenue Project, discussed under Impact AQ-9, would be required to reduce the PM<sub>2.5</sub> concentration. Implementation of these mitigation measures would reduce PM<sub>2.5</sub> levels at both offsite and onsite MEISRs to 0.021 µg/m<sup>3</sup> and 0.0044 µg/m<sup>3</sup>, respectively. Therefore, because the mitigated cancer risk would be below the significance threshold of 0.2 µg/m, the PM<sub>2.5</sub> concentration impact would be reduced to a less-than-significant level for the reasons set forth in the DEIR at pages 3.D-107 to 3.D-108.

## **Wind**

- **Impact WI-2:** The proposed Project would create wind hazards in publicly accessible areas with substantial pedestrian use. With Implementation of *Mitigation Measure M-WI-1b (Maintenance Plan for Landscaping and Wind Baffling Measures in the Public Right-of-Way)*, Impact WI-2 is reduced to a less-than-significant level, for the reasons set forth in the DEIR at pages 3.E-27 and 3.E.21 to 3.E-22.

The 30 Van Ness Avenue Project would result in no net increase of test locations exceeding the wind hazard criterion. In addition, the total number of hours with hazardous wind conditions would decrease by 186 hours under the 30 Van Ness Avenue Project. The addition of the proposed onsite landscaping (along with the combination of other wind control measures) is expected to improve the wind hazard conditions compared to the Existing Scenario. However, because the proposed landscaping is not guaranteed to be maintained during operation of the 30 Van Ness Avenue Project, impacts would be significant. Implementation of Mitigation Measure M-WI-1b requires a maintenance plan for landscaping and wind baffling measures in the public right-of-way. This mitigation measure would reduce the potential for a net increase in wind hazard exceedances and the hours of wind hazard exceedances through a specific maintenance plan to ensure wind baffling in perpetuity. Therefore, the wind impact from the 30 Van Ness Avenue Project would be reduced to less than significant with mitigation, as stated on pages 3.E-27 and 3.E.21 to 3.E-22 of the DEIR.

## **Tribal Cultural Resources**

- **Impact TCR-1:** The proposed Project could result in a substantial adverse change in the significance of a tribal cultural resource. With implementation of *Mitigation Measure M-TCR-1 (Project-Specific Tribal Cultural Resources Assessment for Projects Involving Ground Disturbance)*, Impact TCR-1 is reduced to a less-than-significant level, for the reasons set forth in the Initial Study at pages E.5-4 to E.5-5.

Prehistoric archaeological resources may also be considered tribal cultural resources. In the event that project activities associated with the Project disturb unknown archaeological sites that are considered tribal cultural resources, any inadvertent damage would be considered a significant impact. Implementation of Mitigation Measure M-TCR-1, Project-Specific Tribal Cultural Resources Assessment for Projects Involving Ground Disturbance, would require the Project to be redesigned to avoid adverse effects on significant tribal cultural resource, if feasible. If preservation in place is not feasible, the measure would require

implementation of an interpretative program for the tribal cultural resource, in consultation with affiliated tribal representatives. With implementation of this mitigation measure, the Project would have a less-than-significant impact on tribal cultural resources, for the reasons set forth in the Initial Study at pages E.5-4 to E.5-5.

- **Impact C-TCR-1:** In combination with past, present, and reasonably foreseeable projects in the city, the proposed Project could result in a significant cumulative impact on tribal cultural resources. With implementation of *Mitigation Measure M-TCR-1 (Project-Specific Tribal Cultural Resources Assessment for Projects Involving Ground Disturbance)*, Impact C-TCR-1 is reduced to a less-than-significant level, for the reasons set forth in the Initial Study at p. E.5-6.

Ground-disturbing activities have the potential to affect undocumented tribal cultural resources. Without mitigation, the Project, when considered against the past, present, and reasonably foreseeable future projects within and surrounding the Hub Plan area that would include ground-disturbing activities that have the potential to encounter sediments that have moderate to high archaeological sensitivity, has the potential to contribute considerably to the overall cumulative impact on tribal cultural resources. This is because the Project has the potential to damage or destroy as-yet undocumented archaeological resources that have the potential to be eligible for listing in the California Register, and which may be considered of traditional importance to Native American tribes. Implementation of Mitigation Measure M-TCR-1, Project-Specific Tribal Cultural Resources Assessment for Projects Involving Ground Disturbance, would require redesign to avoid adverse effects on significant tribal cultural resource, if feasible; and if preservation in place is not feasible, the measure would require implementation of an interpretative program for the tribal cultural resource, in consultation with affiliated tribal representatives, which would reduce the cumulative impacts of the Hub Plan and individual development projects, including the Project, on potential tribal cultural resources to less-than-significant levels by providing mitigation for impacts on these resources, as stated on page E.5-6 of the Initial Study.

## Biological Resources

- **Impact BI-1:** The proposed Project could have a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. With implementation of *Mitigation Measures M-BI-1 (California Fish and Game Code Compliance to Avoid Active Nests During Construction Activities)* and *M-BI-2 (Avoid Impacts on Special-status Bat Roosts During Construction Activities)*, Impact BI-1 is reduced to a less-than-significant level, for the reasons set forth in the Initial Study at pages E.15-5 to E.15-7.

Impacts on nesting special-status birds, American peregrine falcon nests or individuals, and special-status bat roosts could be significant. The implementation of Mitigation Measures M-BI-1 and M-BI-2 would avoid impacts on nesting special-status birds, American peregrine falcon nests or individuals, and the roosts of special-status bat species through the avoidance of active nests and roosts specified in the mitigation measures, thereby reducing these impacts to a less-than-significant level, for the reasons set forth in the Initial Study at pages E.15-5 to E.15-7.

- **Impact C-BI-1:** In combination with other past, present, or reasonably foreseeable projects, the proposed Project would not result in a considerable contribution to cumulative impacts on biological resources. With implementation of *Mitigation Measures M-BI-1 (California Fish and Game Code Compliance to Avoid Active Nests During Construction Activities)* and *M-BI-2 (Avoid Impacts on Special-status Bat Roosts During Construction Activities)*, Impact C-BI-1 is reduced to a less-than-significant level, for the reasons set forth in the Initial Study at page E.15-12.

The subsequent development projects incentivized by the Hub Plan would not adversely affect biological resources; however, vegetation removal and structure demolition or modification could result in potential impacts on nesting migratory and special-status birds and roosting bats. Through the avoidance of active nests and roosts specified in the relevant mitigation measures described above (M-BI-1 and M-BI-2) and compliance with the City of San Francisco Standards for Bird-Safe Buildings (I-BI-1), subsequent development projects incentivized by the Hub Plan would have less-than-significant impacts on sensitive species. Tree removals would require permits through public works, and subsequent tree replacement would occur pursuant to the Planning Code and the Better Streets Plan. Development projects in downtown San Francisco would be required to comply with the same laws and regulations. Therefore, with implementation of mitigation measures, no significant cumulative effects on biological resources would result from development within the Hub Plan area, including the Project, combined with the effects of development projects in the greater downtown San Francisco area. The impact would be reduced to a less-than-significant level, as stated on page E.15-12 of the Initial Study.

#### Geology and Soils

- **Impact GE-7:** Construction activities for the Project would directly or indirectly result in damage to, or destruction of, as-yet unknown paleontological resources or sites, should such resources, sites, or features exist on or beneath the Project site. With implementation of Mitigation Measure M-GE-1 (*Inadvertent Discovery of Paleontological Resources*), Impact GE-7 would be less-than-significant, for the reasons set forth in the Initial Study at ps. E.16-24 to E.16-26.

The Project could extend into the Colma formation; impacts on significant fossils would be significant. Implementation of Mitigation Measure M-GE-1, which would require that the Project Sponsor educate construction workers, monitor for discovery of paleontological resources, evaluate found resources, and prepare and follow a recovery plan for found resources, would reduce the likelihood that significant, or unique, paleontological resources would be destroyed or lost. With implementation of this mitigation measure, the impact would be less than significant, as stated on pages E.16-24 to E.16-26 of the Initial Study.

#### SECTION IV. SIGNIFICANT IMPACTS 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 FEIR identifies one significant and unavoidable impact on transportation and circulation, one significant and unavoidable impact on noise, and one significant and unavoidable impact on wind.



The Planning Commission further finds based on the analysis contained within the FEIR, other considerations in the record, and the significance criteria identified in the FEIR, 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 Commission also finds that, although measures were considered in the FEIR that could reduce some significant impacts, certain measures, as described in this Section IV below, are infeasible for reasons set forth below, and therefore those impacts remain significant and unavoidable or potentially significant and unavoidable.

Thus, the following significant impacts on the environment, as reflected in the FEIR, are unavoidable. But, as more fully explained in Section VI, below, under Public Resources Code Section 21081(a)(3) and (b), and CEQA Guidelines 15091(a)(3), 15092(b)(2)(B), and 15093, the Planning Commission finds that these impacts are acceptable for 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.

The FEIR identifies the following impacts for which no feasible mitigation measures were identified that would reduce these impacts to a less than significant level:

#### **Impacts to Transportation and Circulation – Impact C-TR-1**

The proposed Project, combined with past, present, and reasonably foreseeable future projects, would contribute considerably to significant cumulative construction-related transportation impacts. No feasible mitigation measures were identified that would reduce this impact to a less than significant level after consideration of several potential mitigation measures. The Project Sponsor has agreed to implement the following mitigation measure:

- *Mitigation Measure M-TR-1: Construction Management Plan*, set forth in the DEIR at ps. 3.B-56 to 3.B-58.

The Commission finds that, for the reasons set forth in the FEIR, and specifically, in the DEIR, at p. 3.B-58, although implementation of *Mitigation Measure M-TR-1* would reduce the cumulative transportation and circulation impact of the construction phase of the Project, this impact would nevertheless remain significant and unavoidable because the mitigation measures would reduce, but not eliminate, the significant cumulative impacts related to conflicts between multiple construction activities and pedestrians, bicyclists, transit vehicles, and automobiles.

#### **Impacts to Noise – Impact C-NOI-1**

The proposed Project, combined with past, present, and reasonably foreseeable future projects, would make a cumulatively considerable contribution to a significant cumulative noise impact and result in the generation of a substantial temporary or permanent increase in ambient noise levels in excess of standards. No feasible mitigation measures were identified that would reduce this impact to a less than significant level after consideration of several potential mitigation measures. The Project Sponsor has agreed to implement the following mitigation measures:

- *Mitigation Measures M-NOI-1a (Construction Noise Control Plan for Projects Within 250 Feet of a Noise-Sensitive Land Use)*, set forth in the DEIR at ps. 3.C-36 to 3.C-38; and
- *M-NOI-1b (Site-Specific Noise Control Measures for Projects Involving Pile Driving)*, set forth in the DEIR at p. 3.C-38.

The Commission finds that, for the reasons set forth in the FEIR, and specifically, in the DEIR, at p. 3.C-38 to 3.C-39, although implementation of *Mitigation Measures M-NOI-1a and M-NOI-1b* would reduce the cumulative noise impact resulting from the generation of substantial temporary or permanent increases in ambient noise levels, this impact would nevertheless remain significant and unavoidable because the mitigation measures would reduce but not eliminate the significant cumulative increase in ambient noise.

### **Impacts to Wind – Impact C-WI-1**

The proposed Project, combined with past, present, and reasonably foreseeable future projects, would alter wind in a manner that would make a cumulatively considerable contribution to a significant cumulative wind impact. No feasible mitigation measures were identified that would reduce this impact to a less than significant level after consideration of several potential mitigation measures. The Project Sponsor has agreed to implement the following Mitigation Measures:

- *Mitigation Measures M-WI-1a (Wind Analysis and Minimization Measures for Subsequent Projects)*, set forth in the DEIR at ps. 3.E-20 to 3.E-21; and
- *M-WI-1b (Maintenance Plan for Landscaping and Wind Baffling Measures in the Public Right-of-Way)*, set forth in the DEIR at p. 3.E-21.

The Commission finds that, for the reasons set forth in the FEIR, and specifically, in the DEIR, at p. 3.E-40, although implementation of *Mitigation Measures M-WI-1a and M-WI-1b* would reduce the cumulative wind impact of the Project, this impact would nevertheless remain significant and unavoidable. The specific design for subsequent reasonably foreseeable projects, when proposed, would be required not to exceed the wind hazard criterion specified in Planning Code section 148. Building articulation and landscaping features for subsequent development projects could eliminate new hazard criterion exceedances for future projects. Although future project mitigation and/or design modifications would be based on a test of existing conditions (i.e., when a future project is proposed), using section 148 alone, they would not consider other foreseeable buildings in the area. Therefore, it cannot be stated with certainty that each subsequent development project would not contribute to a cumulative impact without substantial modifications to individual project design and programs.

## **SECTION V. Evaluation of Project Alternatives**

### **A. Alternatives Analyzed in the FEIR**

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 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 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.

The Planning Department considered a range of alternatives in Chapter 5 of the FEIR. The FEIR analyzed the Hub Plan and Hub HSD No Project Alternative (Alternative A), the Hub Plan Land Use Plan Only Alternative (Alternative B), the Hub Plan Reduced Intensity Alternative (Alternative C), the 30 Van Ness No Project Alternative (Alternative D), and the 30 Van Ness Avenue Reduced Intensity Alternative (Alternative E). Each alternative is discussed and analyzed in these findings, in addition to being analyzed in Chapter 5 of the FEIR.

In addition, in developing the Hub Plan, two individual projects, and the Hub HSD, the Department and the project sponsors analyzed a series of alternatives that were rejected and did not receive in-depth analysis in the FEIR, including various variations of the reduced development alternatives. These alternatives were rejected and not studied in depth because either they were determined to be infeasible, or they did not avoid or lessen (and sometimes increased) the impacts of the Hub Plan, the individual projects, or the Hub HSD, or were covered by the range of alternatives selected. These alternatives considered but rejected included the search for an alternative location, and design alternatives for the 30 Van Ness Avenue and 98 Franklin Street projects.

At the time the Commission adopted the Hub Plan through Resolutions Nos. 20709 through 20713 the Commission approved findings required by CEQA, through Motion No. 20714, which is attached herein as Attachment C and incorporated by reference. That Motion rejected as infeasible Alternative A (Hub Plan and Hub HSD No Project), Alternative B (the Hub Plan Land Use Plan Only Alternative), and Alternative C (the Hub Plan Reduced Intensity Alternative), for the reasons set forth therein. These Findings, therefore, do not repeat those reasons here, except to affirm the rejection of Alternatives A, B and C as they pertain to the Project, because they fail to meet the Project's objectives and the City's policy objectives cited in Motion No. 20714.

The Planning Commission certifies that it has independently reviewed and considered the information on the alternatives provided in the FEIR and in the record. The FEIR reflects the Planning Commission's and the City's independent judgment as to the alternatives. The Planning Commission finds that the Project provides the best balance between satisfaction of Project objectives and mitigation of environmental impacts to the extent feasible, as described and analyzed in the FEIR.

## **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 § 15091(a)(3).) The Commission has reviewed each of the alternatives to the Project as described in the FEIR 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 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.

In addition to Alternatives A, B and C, already rejected in Motion No. 20714, incorporated herein by reference, the following Hub Plan alternatives and Project were fully considered and compared in the FEIR:

**1. 30 Van Ness No Project Alternative (Alternative D)**

Under Alternative D, the proposed individual development project at 30 Van Ness Avenue would be removed from the project and would not be built as proposed in this EIR, and the existing conditions at 30 Van Ness Avenue would not change. The existing 75-foot office and retail building would remain, along with the existing ingress and egress points. As such, the proposed housing units, commercial square footage, parking, and streetscape improvements at 30 Van Ness Avenue would not be implemented. Alternative D would avoid the 30 Van Ness Avenue Project's less-than-significant impacts, individually and cumulatively, on built-environment resources, specifically on the former Masonic Temple at 25 Van Ness Avenue, 50 Fell Street, 10 South Van Ness, 135 Van Ness Avenue, the Civic Center Landmark District, and the Market Street Cultural Landscape District. The Alternative also would avoid the significant and unavoidable impacts of the Project.

Alternative D would meet none of the project objectives of the 30 Van Ness Avenue Project. Under Alternative D, the proposed "high-density, mixed-use development" comprising housing units, commercial square footage, parking, and streetscape improvements at 30 Van Ness Avenue would not be implemented, resulting in less residential growth in the Hub Plan area and undermining the residential growth potential and needs of an area of the city that could accommodate it with nearby transit, job centers, services, and growth forecasts. Therefore, Alternative D would not meet or be consistent with any of the 30 Van Ness Avenue Project objectives. Alternative D also fails to meet several of the basic objectives of the Hub Plan and the City's policy objectives, because it would be less successful than the Project at maximizing housing in an area of the city that needs it, creating "a vibrant mixed-use neighborhood," and maintaining "a strong preference for housing as a desired use." In addition, Alternative D would not prioritize and facilitate the creation of housing in the same way and to the same degree that the Project would.

The Commission concurs with these findings in the EIR, and rejects this alternative as infeasible because it fails to meet any of the basic objectives of the Project, and would be less successful than the Project at meeting the objectives of the Hub Plan and the City's policy objectives.

## **2. 30 Van Ness Avenue Reduced Intensity Alternative (Alternative E)**

Alternative E includes partial retention of the existing office/retail building and construction of an approximately 11-story building with ground-floor retail space and 10 floors of office space, reaching a height of approximately 150 feet. In total, the existing structure would be altered and expanded from its current envelope of approximately 184,100 square feet to a total of up to approximately 365,000 square feet, including up to 15,000 square feet of retail and 350,000 square feet of general office. Alternative E does not include residential uses or a tower portion at the 30 Van Ness Project site. In addition, Alternative E would include one below-grade garage level for vehicle and bicycle parking rather than two below-grade garage levels as included under the project. Compared to the 30 Van Ness Avenue Project, Alternative E (30 Van Ness Avenue Reduced Intensity Alternative) would result in similar, albeit somewhat reduced, less-than-significant impacts on 25 Van Ness Avenue, 50 Fell Street, 10 South Van Ness, 135 Van Ness Avenue, the Civic Center Landmark District, and the Market Street Cultural Landscape District because development would still occur and somewhat alter the setting of nearby built-environment resources. Similar to the 30 Van Ness Avenue Project, no mitigation would be necessary to reduce identified impacts on built-environment resources to a less-than-significant level.

Alternative E would reduce some impacts identified as significant and unavoidable and less than significant with mitigation. This alternative would substantially lessen or avoid the severity of the following impacts associated with project-level actions:

- Cumulative wind impact contribution (Impact C-WI-1)
- Archaeological impacts (Impacts CUL-4, CUL-5, and CUL-6)
- Cumulative archaeological impact contribution (Impact C-CUL-3)
- Emissions of fine particulate matter (PM2.5) and toxic air contaminants from construction and operational activities (Impact AQ-9)
- Cumulative air quality impacts from (PM2.5) and toxic air contaminants (Impact C-AQ-2)

Alternative E would be considered the environmentally superior alternative because it would reduce impacts on built environment and historic resources and shadow impacts when compared to the Project, while still meeting most of the Project's objectives.

Alternative E also would meet some of the project objectives of the 30 Van Ness Avenue Project, although it would reduce the development program and residential uses at 30 Van Ness Avenue, resulting in less residential growth. The reduced intensity of Alternative E would not achieve the project's objectives to "create a high-density, mixed-use development," "contribute to implementation of the general plan housing element goals for affordable housing by constructing a high-density, mixed-use project, including sufficient office use, which would support the creation of affordable units," and create a "residential tower design that maximizes views for residents."

The Commission concurs with these findings in the EIR, and rejects this alternative as infeasible because it (1) would fail to avoid several significant and unavoidable impacts of the Project, and (2) fails to meet several of the basic objectives of the Project. This Alternative would also be less successful than the Project at meeting the objectives of the Hub Plan and the City's policy objectives related to the creation of housing. For these reasons, each of which is independently sufficient, the Commission rejects Alternative E as infeasible.

## **VI. STATEMENT OF OVERRIDING CONSIDERATIONS**

The Planning Commission finds that, notwithstanding the imposition of all feasible mitigation measures, three impacts related to cumulative transportation (construction traffic), cumulative noise, and cumulative wind conditions will remain significant and unavoidable if the Project is approved. Pursuant to CEQA section 21081 and CEQA Guideline 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 Commission will stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found below.

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 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 and improvement measures identified in the FEIR/Initial Study and MMRP are adopted as part of the Approval Actions described in Section I, above.

Furthermore, the 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.

In addition to the benefits of the Project described in the reasons for rejecting alternatives in Section V., which are incorporated herein by reference, the Project will have the following benefits:

1. The Project would add up to 610 dwelling units (but no fewer than 350 units) to the City's housing stock on a currently underutilized site. The City's important policy objective, as expressed in Policy 1.1 of the Housing Element of the General Plan, is to increase the housing stock whenever possible to address a shortage of housing in the City. Additionally, the Project promotes the objectives and policies of the General Plan by providing a range of unit types to serve a variety of needs. The Project would bring additional housing into a neighborhood that is well served by public transit on the edge of Downtown. The Project also would not displace any housing
2. The Project would increase the stock of permanently affordable housing by providing onsite affordable residential units for a mix of low- to moderate-income households (approximately 25 percent), offsite affordable residential units (approximately 33 percent), or a mix of onsite and offsite affordable residential units.
3. The Project would promote the objectives and policies of the General Plan by replacing the existing underdeveloped commercial structure with a residential high-rise tower that is more consistent and compatible with the surrounding high-rise residential and commercial architecture. This new development will greatly enhance the character of the existing neighborhood. In addition, the

removal of the existing building and its replacement with active street frontages will improve pedestrian and neighborhood safety. By including ground floor retail use, the Project would promote pedestrian traffic in the vicinity and provide "eyes on the street". The Project would include significant streetscape improvements that would meet or exceed Better Streets Plan requirements. These changes will enhance the attractiveness of the site for pedestrians and bring this site into conformity with principles of good urban design.

4. The Project would construct a development that is in keeping with the scale, massing, and density of other structures in the immediate vicinity, and with that envisioned for the site under the Planning Code and General Plan.
5. The Project's iconic and attractive design furthers Housing Element Policy 11.1, which provides that "The City should continue to improve design review to ensure that the review process results in good design that complements existing character."
6. The Project will substantially increase the assessed value of the Project Site, resulting in corresponding increases in tax revenue to the City.
7. The Project adds up to 21,000 gross square feet of neighborhood serving retail and restaurant space in an area with a growing residential and workplace population, consistent with the policies of the Downtown Area Plan and Market and Octavia Area Plan.
8. The Project will include high-quality streetscape improvements in accordance with the Market and Octavia Area Plan Design Standards, which would activate the streetscape, serve to calm traffic on the street and build on the positive traits of the Hayes Valley neighborhood, extending its walkable scale outward toward the Van Ness and Market intersection.
9. The Project includes a massing scheme and wind reduction elements to avoid the creation of any net new hazardous wind conditions on any nearby public sidewalks or seating areas and would reduce hazardous wind hours over current conditions.
10. The Project provides approximately 301 Class 1 secure indoor bicycle parking spaces and 48 Class 2 bicycle rack spaces, both in excess of the number required by the Planning Code, encouraging residents and visitors to access the site by bicycle.
11. The Project promotes a number of Downtown Area Plan Objectives and Policies, including Policy 5.1, which encourages the provision of space for commercial activities; and Policies 7.1 and 7.2, which further the Objective of expanding the supply of housing in and adjacent to Downtown. The Project also promotes several Market and Octavia Area Plan Objectives and Policies, including Objectives 2.3 and 2.4, which encourage increasing the existing housing stock, including affordable units.
12. The Project promotes a number of City urban design and transportation policies, including reducing curb cuts; slowing vehicular traffic; providing street trees, landscaping, seating, bike racks and other street furniture for public use and enjoyment; widening sidewalks, using high-

quality materials; activating the street frontage; maximizing ground floor transparency; and providing adequate lighting.

13. The Project will create temporary construction jobs and permanent jobs in the retail sector and for building operations. These jobs will provide employment opportunities for San Francisco residents, promote the City's role as a commercial center, and provide additional payroll tax revenue to the City, providing direct and indirect economic benefits to the City.

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



**TABLE A: MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL or TO BE ADOPTED AS CONDITIONS OF APPROVAL FOR SUBSEQUENT DEVELOPMENT PROJECTS WITHIN THE HUB PLAN AREA, AS DETERMINED TO BE APPLICABLE DURING SUBSEQUENT PROJECT REVIEW  
(TO BE IMPLEMENTED BY THE CITY AND COUNTY OF SAN FRANCISCO OR PROJECT SPONSORS)**

This table identifies Plan-level and Project-level mitigation measures to be implemented by the City and County of San Francisco, project sponsors of the 30 Van Ness Avenue and 98 Franklin Street Projects, or project sponsors for subsequent development projects in the Hub Plan area. The project applicability columns indicate which project is required to implement a given mitigation measure. For subsequent development projects in the Hub Plan area, during subsequent environmental review, the Planning Department would determine the applicability of each measure and prepare a project-specific Mitigation and Monitoring Reporting Program to be adopted with each subsequent project.

Mitigation Measures	Project Applicability				Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
	Hub Plan Subsequent Projects and Hub HSD <sup>1</sup>	Hub Plan Streetscape and Street Network Improvements	30 Van Ness Avenue Project	98 Franklin Street Project				
Cultural Resources								
M-CUL-1a: Avoid or Minimize Effects on Identified Built Environment Resources. This mitigation measure is required in recognition of Objective 3.2 of the Market and Octavia Area Plan, to which the Hub Plan is an amendment. Objective 3.2 states that the Market and Octavia Area Plan shall “promote the preservation of notable historic landmarks, individual historic buildings, and features that help to provide continuity with the past.” Policy 3.2.2 of the Market and Octavia Plan states that the plan shall “encourage rehabilitation and adaptive reuse of historic buildings and resources.” In order to meet Objective 3.2 and Policy 3.2.2, the project sponsor of a subsequent development project in the Hub Plan area that occurs on the site of a built environment historic resource or contributor to a historic district shall seek feasible means for avoiding significant adverse effects on historic architectural resources, with judgment of the significance of the impact to be based on the Secretary of the Interior’s Standards for	X				Project sponsor and qualified architectural historian.	Prior to approval of project environmental document.	Planning department preservation staff to review and approve.	Considered complete when environmental document approved by Environmental Review Officer.

<sup>1</sup> Implementation of the Hub Housing Sustainability District (HSD) is a procedural change that may reduce the time required for approval of projects that satisfy all of the requirements of the HSD ordinance. Designation of an HSD, through adoption of an ordinance by the San Francisco Board of Supervisors, would allow the city to exercise streamlined ministerial approval of residential and mixed-use development projects meeting certain requirements within the HSD. Qualifying projects approved under the HSD would still be required to implement mitigation measures identified in this EIR and comply with adopted design review standards and all existing city laws and regulations but would not require additional CEQA analysis. Because the Hub HSD would be a procedural change that would be shown as an overlay on zoning maps, no impacts would result from implementation of the HSD beyond those identified for the Hub Plan.

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Rehabilitation. If a project that conforms to the Secretary of the Interior’s Standards for Rehabilitation is not feasible, the project sponsor shall a.) demonstrate that infeasibility to the San Francisco Planning Department’s preservation staff, and b.) consult with the San Francisco Planning Department’s preservation and urban design staff to determine if effects on built environment resources should be minimized by retaining a portion of the existing building and incorporating it into the project, with the understanding that such minimization would still result in a significant adverse impact on historical resources. If retention of a portion of the existing building is not feasible, the project sponsor shall demonstrate that infeasibility to the San Francisco Planning Department’s preservation staff. California Environmental Quality Act Guidelines section 15364 defines “feasible” as “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.” For the purposes of this mitigation measure, economic factors will not be considered. The applicability of each remaining factor would vary from project to project and be determined by staff members on a case-by-case basis.								
M-CUL-1b: Prepare and Submit Historical Documentation of Built Environment Resources. Where avoidance is not feasible, as described in Mitigation Measure M-CUL-1a, the project sponsor of a subsequent development project in the Hub Plan area shall	X				Project sponsor, qualified architectural historian, and photographer.	Prior to the issuance of any demolition, site, or building permit for the project.	Planning department preservation staff to review and approve.	Considered complete upon submittal of final Historic American Buildings Survey documentation to the

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Mitigation Measures	Project Applicability				Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
	Hub Plan Subsequent Projects and Hub HSD <sup>1</sup>	Hub Plan Streetscape and Street Network Improvements	30 Van Ness Avenue Project	98 Franklin Street Project				
undertake historical documentation. The project sponsor shall retain a professional who meets the Secretary of the Interior’s Qualification Standards for Architectural Historian or Historian (36 Code of Federal Regulations part 61) and a photographer with demonstrated experience in Historic American Buildings Survey photography to prepare written and photographic documentation for the affected built environment resources. The Historic American Buildings Survey documentation package for each affected built environment resource shall be reviewed and approved by the San Francisco Planning Department’s preservation staff prior to the issuance of any demolition, site, or construction permit for the project.  The documentation shall consist of the following: <ul style="list-style-type: none"><li><i>Historic American Buildings Survey–level Photographs:</i> Historic American Buildings Survey standard large-format photography shall be used to document the built environment resources and surrounding context. The scope of the photographs shall be reviewed and approved by the San Francisco Planning Department’s preservation staff for concurrence, and all photography shall be conducted according to the current National Park Service Historic American Buildings Survey standards. The photograph set shall include distant/elevated views to capture the extent and context of the resource.</li></ul>								Preservation Technical Specialist.

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<ul style="list-style-type: none"><li>○ All views shall be referenced on a key map of the resource, including a photograph number with an arrow to indicate the direction of the view.</li><li>○ The draft photograph contact sheets and key map shall be provided to the San Francisco Planning Department’s preservation staff for review to determine the final number and views for inclusion in the final dataset.</li><li>○ Historic photographs identified in previous studies shall also be collected, scanned as high-resolution digital files, and reproduced in the dataset.</li><li>• <i>Written Historic American Buildings Survey Narrative Report:</i> A written historical narrative, using the outline format, shall be prepared in accordance with the Historic American Buildings Survey Historical Report Guidelines.</li><li>• <i>Measured Drawings:</i> A set of measured drawings shall be prepared to document the overall design and character-defining features of the affected built environment resource. Original design drawings of the resource, if available, shall be digitized and incorporated into the measured drawings set. The San Francisco Planning Department’s preservation staff shall assist the consultant in determining the appropriate level of measured drawings.</li><li>• <i>Print-on-Demand Booklet:</i> Following preparation of the Historic American Buildings Survey photography, narrative report, and</li></ul>								

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<p>drawings, a print-on-demand softcover book shall be produced for the resource that compiles the documentation and historical photographs. The print-on-demand book shall be made available to the public for distribution.</p> <p>Format of Final Dataset:</p> <ul style="list-style-type: none"><li>The project sponsor shall contact the History Room of the San Francisco Public Library, San Francisco Planning Department, Northwest Information Center, and California Historical Society to inquire as to whether the research repositories would like to receive a hard or digital copy of the final dataset. Labeled hard copies and/or digital copies of the final book, containing the photograph sets, narrative report, and measured drawings, shall be provided to these repositories in their preferred format.</li><li>The project sponsor shall prepare documentation for review and approval by the San Francisco Planning Department’s preservation staff, along with the final Historic American Buildings Survey dataset, that outlines the outreach, response, and actions taken with regard to the repositories listed above. The documentation shall also include any research conducted to identify additional interested groups and the results of that outreach. The project sponsor shall make digital copies of the final dataset, which shall be made available to additional interested organizations, if requested.</li></ul>								

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<b>M-CUL-1c: Develop and Implement an Interpretive Program for Projects Demolishing or Altering a Historical Resource or Contributor to a Historic District.</b> For projects that would demolish or materially alter a historical resource or contributor to a historic district, the project sponsor shall work with the San Francisco Planning Department’s preservation staff or other qualified professionals to institute an interpretive program onsite that references the property’s history and the contribution of the historical resource to the broader neighborhood or historic district. The interpretive program would include the creation of historical exhibits, incorporating a permanent display featuring historic photos of the affected resource and a description of its historical significance, in a publicly accessible location on the project site. This may also include a website. The contents of the interpretative program shall be determined by the San Francisco Planning Department’s preservation staff. Development of the interpretive displays shall be overseen by a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate) set forth by the Secretary of the Interior’s Professional Qualification Standards (36 Code of Federal Regulations part 61). An outline of the format and the location and content of the interpretive displays shall be reviewed and approved by the San Francisco Planning Department’s preservation staff prior to issuance of a demolition permit or site permit. The format, location,	X				Project sponsor and qualified architectural historian.	Prior to issuance of a demolition or site permit (for an outline of the format and location/content of displays) and prior to issuance of any building permits.	Planning department preservation staff to review and approve the interpretive display.	Considered complete upon installation of display or publication of website.

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content, specifications, and maintenance of the interpretive displays must be finalized prior to issuance of any building permits for the project.								
<b>M-CUL-1d: Video Recordation for Projects Demolishing or Altering a Historical Resource or Contributor to a Historic District.</b> For projects that would demolish or materially alter a historical resource or contributor to a historic district, the project sponsor shall work with the San Francisco Planning Department’s preservation staff or other qualified professionals to undertake video documentation of the affected historical resource and its setting. The documentation shall be conducted by a professional videographer, preferably one with experience recording architectural resources, prior to the commencement of any demolition or project activities at the project site. The documentation shall be narrated by a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate), as set forth by the Secretary of the Interior’s Professional Qualification Standards (36 Code of Federal Regulations part 61). The documentation shall include as much information as possible, using visuals in combination with narration, about the materials, construction methods, current condition, historic use, and significance and historic context of the historical resource.	X				Project sponsor, qualified historic preservation individual, qualified videographer.	Prior to issuance of a demolition, site, or building permit.	Planning department preservation staff to review and approve.	Considered complete upon submittal of completed video documentation to the San Francisco Public Library or other interested historical institution.

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Digital copies of the video documentation shall be submitted to the San Francisco Planning Department; archival copies of the video documentation shall be submitted to repositories including, but not limited to, the San Francisco Public Library, Northwest Information Center, and California Historical Society. The video documentation shall be reviewed and approved by the San Francisco Planning Department’s preservation staff prior to issuance of a demolition, site, or building permit for the project.								
<b>M-CUL-1e: Architectural Salvage for Projects Demolishing or Altering a Historical Resource or Contributor to a Historic District.</b> For projects that would demolish or materially alter a historical resource or contributor to a historic district, the project sponsor shall seek feasible means for salvaging the building’s character-defining architectural features and incorporating them into either the design of the new project proposed at the site or the interpretive program that would be developed under M-CUL-1c. The project sponsor shall work closely with the San Francisco Planning Department preservation and urban design staff to determine which elements should be salvaged. In the event that reuse of salvaged elements in either the design of a new building or in an interpretive program proves infeasible or otherwise undesirable as determined by the San Francisco Planning Department preservation staff, the project sponsor may, at the direction of the San Francisco Planning Department preservation	X				Project sponsor and planning department.	Prior to the issuance of any demolition, site, or construction permit.	Planning department preservation staff to review and approve.	Considered complete upon approval of the salvage plan and after salvage activities are complete.



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staff, be required to attempt to donate the elements to an appropriate historical or arts organization. A detailed salvage plan shall be reviewed and approved by the San Francisco Planning Department’s preservation staff prior to the issuance of any demolition, site, or construction permit for the project.								
<b>M-CUL-1f: New Locations for Contributing Auxiliary Water Supply System Elements to Preserve Historic District Character.</b> Where a streetscape or street network improvement proposed under the Hub Plan would require moving an Auxiliary Water Supply System hydrant, the San Francisco Planning Department shall conduct additional study to determine if it contributes to the historic significance of the Auxiliary Water Supply System. If the element is determined to be a contributing feature of the Auxiliary Water Supply System, the project sponsor shall work with the San Francisco Planning Department’s preservation staff to determine a location where the contributing Auxiliary Water Supply System hydrant could be reinstalled to preserve the historic relationships and functionality that are character-defining features of the Auxiliary Water Supply System. Generally, hydrants shall be reinstalled near the corner or the intersection from where they were removed. Any hydrant found not to contribute to the significance of the Auxiliary Water Supply System could be removed or relocated without diminishing the historic integrity of the district.		X			Project sponsor and planning department.	Prior to San Francisco Public Works approval of streetscape and street network improvements.	Planning department preservation staff to review and approve.	Considered complete with implementation of streetscape and street network improvements and, where necessary, the reinstallation of hydrants that are determined to contribute to the historic nature of the Auxiliary Water Supply System.

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<b>M-CUL-4a: Project-Specific Preliminary Archaeological Review for Projects Involving Soil Disturbance.</b> This archaeological mitigation measure shall apply to any subsequent development project involving any soil-disturbing or soil-improving activities including excavation, utilities installation, grading, soils remediation, or compaction/chemical grouting 2 feet or more below ground surface, for which no archaeological assessment report has been prepared.  Projects to which this mitigation measure applies shall be subject to Preliminary Archaeological Review by the San Francisco Planning Department archaeologist.  Based on the Preliminary Archaeological Review, the Environmental Review Officer shall determine if there is a potential for effects on an archaeological resource, including human remains, and, if so, what further actions are warranted to reduce the potential effect of the project on archaeological resources to a less-than-significant level. Such actions may include project redesign to avoid the potential to affect an archaeological resource, or further investigations by an archaeological consultant, such as preparation of a project-specific Archaeological Research Design and Treatment Plan or the undertaking of an archaeological monitoring or testing program based on an archaeological monitoring or testing plan. The scope of the Archaeological Research Design and Treatment Plan, archaeological testing, or	X	X	Complete	Complete	Project sponsor, planning department’s archaeologist or qualified archaeological consultant, and planning department Environmental Review Officer	Prior to completion of the environmental review of subsequent projects.	Planning department (Environmental Review Officer; department’s archaeologist or qualified archaeological consultant) to review and approve.	Considered complete upon completion of the Preliminary Archaeological Assessment and if necessary the Archaeological Research Design and Treatment Plan.

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archaeological monitoring plan shall be determined in consultation with the Environmental Review Officer and consistent with the standards for archaeological documentation established by the Office of Historic Preservation for the purposes of compliance with the California Environmental Quality Act (Office of Historic Preservation, Preservation Planning Bulletin No. 5). Avoidance of effects on an archaeological resources is always the preferred option.								
<b>M-CUL-4b: Procedures for Accidental Discovery of Archaeological Resources for Projects Involving Soil Disturbance.</b> This mitigation measure is required for projects that would result in soil disturbance and are not subject to Mitigation Measure M-CUL-4a.  Should any indication of an archaeological resource, including human remains, be encountered during any soil-disturbing activity of the project, the project head foreman and/or project sponsor shall immediately notify the Environmental Review Officer and immediately suspend any soil-disturbing activities in the vicinity of the discovery until the Environmental Review Officer has determined what additional measures should be undertaken.  If the Environmental Review Officer determines that an archaeological resource may be present within the project site, the project sponsor shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants	X	X			Project sponsor, archaeological consultant, and project head foreman.	During any soil-disturbing activity.	Planning department (Environmental Review Officer) to determine if an archaeological resource may be present within the project site, approve additional measures if warranted, and approve a Final Archaeological Resources Report is necessary.	Considered complete after additional measures are implemented and Final Archaeological Resources Report is approved.

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<p>maintained by the San Francisco Planning Department archaeologist. The archaeological consultant shall advise the Environmental Review Officer as to whether the discovery is an archaeological resource, whether it retains sufficient integrity, and whether it is of potential scientific/historical/cultural significance. If an archaeological resource is present, the archaeological consultant shall identify and evaluate the archaeological resource. The archaeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the Environmental Review Officer may require, if warranted, specific additional measures to be implemented by the project sponsor.</p> <p>Measures might include preservation of the archaeological resource in situ, an archaeological monitoring program, an archaeological testing program, or an archaeological treatment program. If an archaeological treatment program, archaeological monitoring program, or archaeological testing program is required, it shall be consistent with the San Francisco Planning Department’s Environmental Planning Division guidelines for such programs. The Environmental Review Officer may also require that the project sponsor immediately implement a site security program if the archaeological resource is at risk from vandalism, looting, or other damaging actions. If human remains are found, all applicable state laws will be followed, as outlined in Impact CUL-7, and an archaeological treatment program will be implemented in</p>								

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consultation with appropriate descendant groups and approved by the Environmental Review Officer.  The project archaeological consultant shall submit a Final Archaeological Resources Report to the Environmental Review Officer that evaluates the historical significance of any discovered archaeological resource and describes the archaeological and historical research methods employed in the archaeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archaeological resource shall be provided in a separate removable insert within the final report.  Copies of the Draft Final Archaeological Resources Report shall be sent to the Environmental Review Officer for review and approval. Once approved by the Environmental Review Officer, copies of the Final Archaeological Resources Report shall be distributed as follows: California Archaeological Site Survey Northwest Information Center shall receive one copy, and the Environmental Review Officer shall receive a copy of the transmittal of the Final Archaeological Resources Report to the Northwest Information Center. The Environmental Planning Division of the San Francisco Planning Department shall receive one bound copy, one unbound copy, and one unlocked, searchable PDF copy on a compact disc of the Final Archaeological Resources Report, along with copies of any formal site recordation forms (California Department of Parks and Recreation 523 series) and/or documentation for nomination to								

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the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the Environmental Review Officer may require a different final report content, format, and distribution from that presented above.								
<b>M-CUL-4c: Requirement for Archaeological Monitoring for Streetscape and Street Network Improvements.</b> Based on reasonable potential that archaeological resources may be present within the Hub Plan area, in instances where streetscape and street network improvements are proposed that include soil disturbance of 2 feet or more below the street grade, the following measures shall be undertaken to avoid any potentially significant adverse effects from the proposed project on buried or submerged historical resources and human remains and associated or unassociated funerary objects. The project sponsor shall retain the services of an archaeological consultant from the rotational Qualified Archaeological Consultants List maintained by the San Francisco Planning Department archaeologist. After the first project approval action, or as directed by the Environmental Review Officer, the project sponsor shall contact the San Francisco Planning Department archaeologist to obtain the names and contact information for the next three archaeological consultants on the Qualified Archaeological Consultants List. The archaeological consultant shall undertake an archaeological monitoring program.		X			Project sponsor, planning department’s archaeologist or qualified archaeological consultant, and planning department Environmental Review Officer.	Archaeological Monitoring Program, including worker training: development of program work scope prior to commencement of project-related-soil-disturbing activities; monitoring activity to occur during site excavation and construction, as per the Archaeological Monitoring Program. Archaeological Data Recovery Program: If required, the development of work	The archaeological consultant to prepare the Archaeological Monitoring Program and, if required, the Archaeological Data Recovery Program and Final Archaeological Resources Report. Planning department Environmental Review Officer to review and approve.	Considered complete on approval of Archaeological Monitoring Program by Environmental Review Officer; submittal of report regarding findings of Archaeological Monitoring Program, Archaeological Data Recovery Program, and Final Archaeological Resources Report; and findings by the Environmental Review Officer that the Archaeological Monitoring Program, Archaeological Data Recovery Program, and Final Archaeological

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All plans and reports prepared by the consultant, as specified herein, shall be submitted first and directly to the Environmental Review Officer for review and comment and considered draft reports, subject to revision until final approval by the Environmental Review Officer. Archaeological 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 Environmental Review Officer, 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 archaeological resource, as defined in California Environmental Quality Act Guidelines section 15064.5(a) and (c).  <i>Consultation with Descendant Communities:</i> On discovery of an archaeological site <sup>2</sup> associated with descendant Native Americans, overseas Chinese, or other potentially interested descendant group, an appropriate representative <sup>3</sup> of the descendant group and the Environmental Review Officer shall be contacted. The representative of the descendant group shall be given the					scope would occur prior to commencement of continued soil-disturbing construction activities; recovery activities would occur during and subsequent to construction activity, as per Archaeological Data Recovery Program.  Treatment of human remains: upon discovery, if applicable.  Final Archaeological Resources Report: upon completion of the		Resources Report is implemented.	

<sup>2</sup> The term “archaeological site” is intended here to minimally include any archaeological deposit, feature, burial, or evidence of burial.

<sup>3</sup> An “appropriate representative” of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American contact list for the City and County of San Francisco maintained by the California Native American Heritage Commission and, in the case of the overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the San Francisco Planning Department archaeologist.

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opportunity to monitor archaeological field investigations of the site and offer recommendations to the Environmental Review Officer regarding appropriate archaeological treatment of the site, recovered data from the site, and, if applicable, any interpretative treatment of the associated archaeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.  <i>Archaeological Monitoring Program.</i> The archaeological monitoring program shall minimally include the following provisions: <ul style="list-style-type: none"><li>• The archaeological consultant, project sponsor, and Environmental Review Officer shall meet and consult on the scope of the archaeological monitoring program reasonably prior to commencement of any project-related soil-disturbing activities. The Environmental Review Officer, in consultation with the project archaeologist, shall determine which project activities shall be archaeologically monitored. In most cases, any soil-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archaeological monitoring because of the potential risk these activities pose to archaeological resources and their depositional context.</li><li>• The archaeological consultant shall undertake a worker training program for soil-disturbing workers that shall include</li></ul>						Archaeological Monitoring Program and Archaeological Data Recovery Program, and prior to issuance of a temporary certificate of occupancy.		



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<p>an overview of expected resource(s), how to identify the evidence of the expected resource(s), and the appropriate protocol in the event of apparent discovery of an archaeological resource.</p> <ul style="list-style-type: none"><li>• The archaeological monitor(s) shall be present on the project site, according to a schedule agreed upon by the archaeological consultant and the Environmental Review Officer until the Environmental Review Officer has, in consultation with the archaeological consultant, determined that project construction activities could have no effects on significant archaeological deposits.</li><li>• The archaeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis.</li><li>• If an intact archaeological deposit is encountered, all soil-disturbing activities in the vicinity of the deposit shall cease. The archaeological monitor shall be empowered to temporarily redirect demolition/excavation/pile-driving/ construction crews and heavy equipment until the deposit is evaluated. In the case of pile driving or deep foundation activities (foundation, shoring, etc.), if the archaeological monitor has cause to believe that the pile driving or deep foundation activities may affect an archaeological resource, the pile driving or deep foundation activities shall be terminated</li></ul>								

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<p>until an appropriate evaluation of the resource has been made in consultation with the Environmental Review Officer. The archaeological consultant shall immediately notify the Environmental Review Officer of the encountered archaeological deposit. The archaeological consultant shall, after making a reasonable effort to assess the identity, integrity, and significance of the encountered archaeological deposit, present the findings of this assessment to the Environmental Review Officer.</p> <p>If the Environmental Review Officer, in consultation with the archaeological consultant, determines that a significant archaeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor, either:</p> <ul style="list-style-type: none"><li>• The proposed project shall be redesigned to avoid any adverse effect on the significant archaeological resource, or</li><li>• An archaeological data recovery program shall be implemented, unless the Environmental Review Officer determines that the archaeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.</li></ul> <p>If an archaeological data recovery program is required by the Environmental Review Officer, the archaeological data recovery program shall be conducted in accordance with an archaeological</p>								

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data recovery plan. The project archaeological consultant, project sponsor, and Environmental Review Officer shall meet and consult on the scope of the archaeological data recovery plan. The archaeological consultant shall prepare a draft archaeological data recovery plan that shall be submitted to the Environmental Review Officer for review and approval. The archaeological data recovery plan shall identify how the proposed data recovery program will preserve the significant information the archaeological resource is expected to contain. That is, the archaeological data recovery plan shall identify which scientific/historical research questions are applicable to the expected resource, which data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, shall 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 archaeological resources if nondestructive methods are practical.  The scope of the archaeological data recovery plan shall include the following elements: <ul style="list-style-type: none"><li><i>Field Methods and Procedures.</i> Descriptions of proposed field strategies, procedures, and operations.</li><li><i>Cataloguing and Laboratory Analysis.</i> Descriptions of selected cataloguing system and artifact analysis procedures.</li></ul>								

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<ul style="list-style-type: none"><li>• <i>Discard and Deaccession Policy.</i> Descriptions of and rationale for field and post-field discard and deaccession policies.</li><li>• <i>Interpretive Program.</i> Consideration of an onsite/offsite public interpretive program during the course of the archaeological data recovery program.</li><li>• <i>Security Measures.</i> Recommended security measures to protect the archaeological resource from vandalism, looting, and non-intentionally damaging activities.</li><li>• <i>Final Report.</i> Descriptions of proposed report format and distribution of results.</li><li>• <i>Curation.</i> Descriptions 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.</li></ul> <p><i>Human Remains, Associated or Unassociated Funerary Objects.</i> The treatment of human remains and associated or unassociated funerary objects discovered during any soil-disturbing activity shall comply with applicable state and federal laws, including immediate notification of the coroner of the City and County of San Francisco and, in the event of the coroner’s determination that the human remains are Native American remains, notification of the California Native American Heritage Commission, which shall appoint a most likely descendant (Public Resources Code section</p>								

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5097.98). The Environmental Review Officer shall also be immediately notified upon discovery of human remains.  The archaeological consultant, project sponsor, Environmental Review Officer, and most likely descendent shall make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (California Environmental Quality Act Guidelines section 15064.5(d)) within six days of the discovery of the human remains. This proposed timing shall not preclude the Public Resources Code section 5097.98 requirement that descendants make recommendations or preferences for treatment within 48 hours of being granted access to the site. The agreement shall take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing state regulations or in this mitigation measure compels the project sponsor and the Environmental Review Officer to accept recommendations of a most likely descendant. The archaeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects, as specified in the treatment agreement, if such an agreement has been made or, otherwise, as determined by the archaeological consultant and the								

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Environmental Review Officer. If no agreement is reached, state regulations shall be followed, including the reburial of the human remains and associated burial objects with appropriate dignity on the property in a location not subject to further subsurface disturbance (Public Resources Code section 5097.98). <i>Final Archaeological Resources Report.</i> The archaeological consultant shall submit a Draft Final Archaeological Resources Report to the Environmental Review Officer that evaluates the historical significance of any discovered archaeological resource and describes the archaeological and historical research methods employed in the archaeological testing/monitoring/data recovery program(s) undertaken. The Draft Final Archaeological Resources Report shall include a curation and deaccession plan for all recovered cultural materials. The Draft Final Archaeological Resources Report shall also include an Interpretation Plan for public interpretation of all significant archaeological features.  Copies of the Draft Final Archaeological Resources Report shall be sent to the Environmental Review Officer for review and approval. Once approved by the Environmental Review Officer, the consultant shall also prepare a public distribution version of the Final Archaeological Resources Report. Copies of the Final Archaeological Resources Report shall be distributed as follows: California Archaeological Site Survey Northwest Information Center shall receive one copy, and the Environmental Review								

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Officer shall receive a copy of the transmittal of the Final Archaeological Resources Report to the Northwest Information Center. The Environmental Planning Division of the San Francisco Planning Department shall receive one bound and one unlocked, searchable portable document format copy on compact disc of the Final Archaeological Resources Report, along with copies of any formal site recordation forms (California Department of Parks and Recreation 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of public interest in or the high interpretive value of the resource, the Environmental Review Officer may require a different or additional final report content, format, and distribution than that presented above.								
<b>M-CUL-4d: Requirements for Archaeological Testing Consisting of Consultation with Descendent Communities, Testing, Monitoring, and a Report.</b> Based on a reasonable presumption that archaeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources and on human remains and associated or unassociated funerary objects. The project sponsor shall retain the services of an archaeological consultant from the rotational Department Qualified Archaeological Consultants List maintained by the San Francisco Planning Department			X	X	Project sponsors and qualified archaeological consultants.	After the first project approval action or as directed by the Environmental Review Officer.	Planning department archaeologist and Environmental Review Officer to review and approve.	Considered complete when all plans and reports are approved by the Environmental Review Officer.

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archaeologist. After the first project approval action or as directed by the Environmental Review Officer, the project sponsor shall contact the San Francisco Planning Department archaeologist to obtain the names and contact information for the next three archaeological consultants on the Qualified Archaeological Consultants List. The archaeological consultant shall undertake an archaeological testing program as specified herein. In addition, the consultant shall be available to conduct an archaeological monitoring and/or data recovery program if required pursuant to this measure. The archaeological consultant’s work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the Environmental Review Officer for review and comment, and shall be considered draft reports subject to revision until final approval by the Environmental Review Officer. Archaeological 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 Environmental Review Officer, 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 archaeological resource as defined								



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in California Environmental Quality Act Guidelines sections 15064.5 (a) and (c).  <i>Consultation with Descendant Communities:</i> On discovery of an archaeological site associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group, an appropriate representative of the descendant group and the Environmental Review Officer shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archaeological field investigations of the site and to offer recommendations to the Environmental Review Officer regarding appropriate archaeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archaeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.  <i>Archaeological Testing Program.</i> The archaeological consultant shall prepare and submit to the Environmental Review Officer for review and approval an archaeological testing plan. The archaeological testing program shall be conducted in accordance with the approved archaeological testing plan. The archaeological testing plan shall identify the property types of the expected archaeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the								

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archaeological testing program will be to determine to the extent possible the presence or absence of archaeological resources and to identify and evaluate whether any archaeological resource encountered on the site constitutes a historical resource under the California Environmental Quality Act.  At the completion of the archaeological testing program, the archaeological consultant shall submit a written report of the findings to the Environmental Review Officer. If, based on the archaeological testing program, the archaeological consultant finds that significant archaeological resources may be present, the Environmental Review Officer in consultation with the archaeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archaeological testing, archaeological monitoring, and/or an archaeological data recovery program. No archaeological data recovery shall be undertaken without the prior approval of the Environmental Review Officer or the San Francisco Planning Department archaeologist. If the Environmental Review Officer determines that a significant archaeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either: <ul style="list-style-type: none"><li>• The proposed project shall be redesigned to avoid any adverse effect on the significant archaeological resource; or</li></ul>								

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<ul style="list-style-type: none"><li>A data recovery program shall be implemented, unless the Environmental Review Officer determines that the archaeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.</li></ul> <p><i>Archaeological Monitoring Program.</i> If the Environmental Review Officer in consultation with the archaeological consultant determines that an archaeological monitoring program shall be implemented, the archaeological monitoring program shall minimally include the following provisions:</p> <ul style="list-style-type: none"><li>The archaeological consultant, project sponsor, and Environmental Review Officer shall meet and consult on the scope of the archaeological monitoring program reasonably prior to commencement of any project-related soil-disturbing activities. The Environmental Review Officer in consultation with the archaeological consultant shall determine which project activities shall be archaeologically monitored. In most cases, any soil-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archaeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context.</li><li>The archaeological consultant shall undertake a worker training program for soil-disturbing workers that shall include</li></ul>								

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<p>an overview of expected resource(s), how to identify the evidence of the expected resource(s), and the appropriate protocol in the event of apparent discovery of an archaeological resource.</p> <ul style="list-style-type: none"><li>• The archaeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archaeological consultant and the Environmental Review Officer until the Environmental Review Officer has, in consultation with project archaeological consultant, determined that project construction activities could have no effects on significant archaeological deposits.</li><li>• The archaeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis.</li><li>• If an intact archaeological deposit is encountered, all soil-disturbing activities in the vicinity of the deposit shall cease. The archaeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. In the case of pile driving or deep foundation activities (foundation, shoring, etc.), if the archaeological monitor has cause to believe that the pile driving or deep foundation activities may affect an archaeological resource, the pile driving or deep foundation activities shall be terminated until an appropriate evaluation of</li></ul>								

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<p>the resource has been made in consultation with the Environmental Review Officer. The archaeological consultant shall immediately notify the Environmental Review Officer of the encountered archaeological deposit. The archaeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archaeological deposit, and present the findings of this assessment to the Environmental Review Officer.</p> <p>Whether or not significant archaeological resources are encountered, the archaeological consultant shall submit a written report of the findings of the monitoring program to the Environmental Review Officer.</p> <p><i>Archaeological Data Recovery Program.</i> The archaeological data recovery program shall be conducted in accord with an archaeological data recovery plan. The archaeological consultant, project sponsor, and Environmental Review Officer shall meet and consult on the scope of the archaeological data recovery plan prior to preparation of a draft archaeological data recovery plan. The archaeological consultant shall submit a draft archaeological data recovery plan to the Environmental Review Officer. The archaeological data recovery plan shall identify how the proposed data recovery program will preserve the significant information the archaeological resource is expected to contain. That is, the archaeological data recovery plan shall identify which</p>								

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appropriate dignity (California Environmental Quality Act Guidelines section 15064.5(d)). The agreement shall take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing state regulations or in this mitigation measure compels the project sponsor and the Environmental Review Officer to accept recommendations of a most likely descendant. The archaeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such as agreement has been made or, otherwise, as determined by the archaeological consultant and the Environmental Review Officer. If no agreement is reached, state regulations shall be followed including the reburial of the human remains and associated burial objects with appropriate dignity on the property in a location not subject to further subsurface disturbance (Public Resources Code section 5097.98).  <i>Final Archaeological Resources Report.</i> The archaeological consultant shall submit a Draft Final Archaeological Resources Report to the Environmental Review Officer that evaluates the historical significance of any discovered archaeological resource and describes the archaeological and historical research methods								



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Mitigation Measures	Project Applicability				Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
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employed in the archaeological testing/monitoring/data recovery program(s) undertaken. The Draft Final Archaeological Resources Report shall include a curation and deaccession plan for all recovered cultural materials. The Draft Final Archaeological Resources Report shall also include an Interpretation Plan for public interpretation of all significant archaeological features.  Copies of the Draft Final Archaeological Resources Report shall be sent to the Environmental Review Officer for review and approval. Once approved by the Environmental Review Officer, the consultant shall also prepare a public distribution version of the Final Archaeological Resources Report. Copies of the Final Archaeological Resources Report shall be distributed as follows: California Archaeological Site Survey Northwest Information Center shall receive one copy and the Environmental Review Officer shall receive a copy of the transmittal of the Final Archaeological Resources Report to the Northwest Information Center. The Environmental Planning division of the San Francisco Planning Department shall receive one bound and one unlocked, searchable portable document format copy on compact disc of the Final Archaeological Resources Report along with copies of any formal site recordation forms (California Department of Parks and Recreation 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of public interest in or the high								

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interpretive value of the resource, the Environmental Review Officer may require a different or additional final report content, format, and distribution than that presented above.								
Tribal Cultural Resources								
<b>M-TCR-1: Project-Specific Tribal Cultural Resources Assessment for Projects Involving Ground Disturbance.</b> This tribal cultural resources cultural mitigation measure shall apply to any project involving any soils-disturbing or soils-improving activities including excavation, utilities installation, grading, soils remediation, or compaction/chemical grouting at depths that would extend into sand dune and marsh deposits, that occurs at depths of 2 feet or more below the ground surface.  Projects to which this mitigation measure applies shall be reviewed for the potential to affect a tribal cultural resource in tandem with Preliminary Archaeological Review of the project by the San Francisco Planning Department senior archaeologist. For projects requiring a Mitigated Negative Declaration or Environmental Impact Report, the San Francisco Planning Department “Notification Regarding Tribal Cultural Resources and the California Environmental Quality Act” shall be distributed to the San Francisco Planning Department tribal distribution list. Consultation with California Native American tribes regarding the potential of the project to affect a tribal cultural resource shall occur	X	X	X	X	Planning department’s archaeologist, California Native American tribal representative, planning department-qualified archaeological consultant; project sponsors.	The environmental review of 30 Van Ness Avenue and 98 Franklin Street for potential to affect a tribal cultural resource and conduct outreach has been completed.  For subsequent projects, potential to affect a tribal cultural resource and conduct outreach during environmental review.  Prior to issuance of demolition permit for preservation in place or interpretive program, if needed following	Planning department archaeologist to review the potential for a project to affect a tribal cultural resource, perform outreach, and review plan for preservation in place or interpretive program; planning department-qualified archaeological consultant, project sponsor implement an interpretive program of the tribal cultural resource.	Considered complete if no Tribal Cultural Resource is discovered or Tribal Cultural Resource is discovered and either preserved in-place or project effects to Tribal Cultural Resources are mitigated by implementation of planning department-approved interpretive program.

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at the request of any notified tribe. For all projects subject to this mitigation measure, if the San Francisco Planning Department senior archaeologist determines that the proposed project may have a potential significant adverse effect on a tribal cultural resources, then the following shall be required as determined warranted by the Environmental Review Officer.  If the Environmental Review Officer determines that preservation-in-place of the tribal cultural resource is both feasible and effective, based on information provided by the applicant regarding feasibility and other available information, then the project’s archaeological consultant shall prepare an archaeological resource preservation plan. Implementation of the approved archaeological resource preservation plan by the archaeological consultant shall be required when feasible. If the Environmental Review Officer determines that preservation in place of the tribal cultural resource is not a sufficient or feasible option, then the project sponsor shall implement an interpretive program of the tribal cultural resource in coordination with affiliated Native American tribal representatives. An interpretive plan produced in coordination with affiliated Native American tribal representatives, at minimum, and approved by the Environmental Review Officer shall be required to guide the interpretive program. The plan shall identify proposed locations for installations or displays, the proposed content and materials of those displays or installation,						identification of a potential significant adverse effect on a tribal cultural resources.		

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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, artifact displays and interpretation, and educational panels or other informational displays								
Transportation and Circulation								
<b>M-TR-1: Construction Management Plan.</b> For projects within the Hub Plan area, the project sponsor shall develop and, upon review and consultation with the San Francisco Municipal Transportation Agency and San Francisco Public Works, implement a Construction Management Plan to address issues related to transportation-related circulation, access, staging, and hours of delivery. The Construction Management Plan would disseminate appropriate information to contractors and affected agencies regarding coordinating construction activities to minimize disruption and maintain circulation in the project area to the extent possible, with particular focus on ensuring connectivity for transit, people walking, and people bicycling. The Construction Management Plan would supplement and expand, rather than modify or supersede, any manual, regulations, or provisions set forth by San Francisco Municipal Transportation Agency, San	X	X			Project sponsor.	Prior to the start of project construction and throughout the construction period.	Project sponsors to develop the plan; San Francisco Municipal Transportation Agency, San Francisco Public Works, and planning department to review and approve.	Considered complete upon approval of each construction management plan and completion of each project’s construction.

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Francisco Public Works, other City departments and agencies, the California Department of Transportation.  If it is determined during a subsequent project-level transportation study that construction of the proposed project would overlap with adjacent project(s) so as to result in transportation-related impacts, the project sponsor or its contractor(s) shall consult with City departments such as San Francisco Municipal Transportation Agency and San Francisco Public Works and conduct interdepartmental meetings, as deemed necessary by San Francisco Municipal Transportation Agency, San Francisco Public Works, and the department, to coordinate a Construction Management Plan with adjacent project(s) to minimize the severity of any disruption to adjacent land uses and transportation facilities by overlapping construction-related transportation impacts to the extent feasible and commercially reasonable in light of noise regulations, labor and contract requirements, available daylight hours, and critical-path construction schedules. Based on review of this plan, the project may be required to consult with San Francisco Municipal Transportation Agency Muni Operations prior to construction to review potential effects on nearby transit operations.  The Construction Management Plan shall include a range of measures for the project sponsor, with San Francisco Municipal Transportation Agency concurrence, to select and prioritize to								

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minimize disruption to the extent feasible so that overall circulation in the project area is maintained to the extent possible. Potential measures to be included in the Construction Management Plan shall include, but not be limited to, the following: <ul style="list-style-type: none"><li><i>Restricted Truck Access Hours</i> – Limit truck movements between the peak hours of 7 a.m. and 9 a.m. and between 4 p.m. and 7 p.m. to the extent feasible and commercially reasonable in light of noise regulations, labor and contract requirements, available daylight hours, and critical-path construction schedules, as well as other times, if required by San Francisco Municipal Transportation Agency, to minimize disruptions to vehicular traffic, including transit during the a.m. and p.m. peak periods.</li><li><i>Construction Truck Routing Plans</i> – Identify optimal truck routes between regional facilities and the project site, taking into consideration truck routes of other development projects and any construction activities affecting the roadway network.</li><li><i>Carpooling, Bicycle, Walking, and Transit Access for Construction Workers</i> – The construction contractor shall encourage carpooling, bicycling, or walking to the project site as well as transit options for construction workers. These methods could include providing transit subsidies to construction workers, providing secure bicycle parking spaces, participating in free-to-employee ride-matching programs from www.511.org, participating in the emergency ride-home program through the</li></ul>								

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City (www.sferh.org), or providing transit information to construction workers. <ul style="list-style-type: none"><li><i>Project Construction Updates for Adjacent Businesses and Residents</i> – To minimize construction impacts on access, the project sponsor shall provide nearby residences and adjacent businesses with regularly updated information regarding project construction, including construction activities, peak construction vehicle activities (e.g., concrete pours), and travel-lane closures. At regular intervals, to be defined in the Construction Management Plan and, if necessary, the Coordinated Construction Management Plan, a regular email notice shall be distributed by the project sponsor to adjacent neighbors, residents, and others, as requested, providing current construction information of interest to neighbors as well as contact information for those with specific construction inquiries or concerns.</li></ul>								
Noise and Vibration								
<b>M-NOI-1a: Construction Noise Control Plan for Projects within 250 Feet of a Noise-Sensitive Land Use.</b> The project sponsor for each subsequent development project under the Hub Plan located within 250 feet of a noise-sensitive land use or proposing or required to conduct nighttime construction shall develop a noise control plan to ensure that project noise from all construction	X		X	X	Project sponsor for projects located within 250 feet of a noise-sensitive land use or proposing to conduct nighttime construction.	Prior to the issuance of building permits and along with the submission of construction documents to the	Planning department to review and approve the plan and to review monitoring reports, as needed; health department or police department for complaints.	Considered complete upon approval of the Construction Noise Control Plan for each subsequent development project and

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activities (including construction, demolition, and excavation, etc.) is minimized to the maximum extent feasible, with a goal of construction noise not exceeding 90 dBA and 10 dBA above the ambient noise level at noise-sensitive receptors. The measures specified by the project sponsor for each individual project shall be reviewed and approved by the San Francisco Planning Department prior to the issuance of building permits. Measures that may be used to restrict noise include, but are not limited to, those listed below. <ul style="list-style-type: none"><li>• Locate construction equipment, including stationary noise sources (e.g., temporary generators), as far as feasible from adjacent or nearby noise-sensitive receptors.</li><li>• Stationary noise sources (e.g., generators and compressors) located in proximity to noise-sensitive land uses shall be muffled, enclosed within temporary enclosures, and shielded by barriers (which can reduce construction noise by as much as 5 dB).</li><li>• Electric motors rather than gasoline- or diesel-powered engines shall be used to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used (which can reduce noise levels from exhaust by approximately 10 dB). External jackets</li></ul>						planning department for development of the plan. During construction for plan implementation. If noise monitoring is required, reporting to be submitted to the planning department regularly as established in the noise monitoring plan.		after construction is complete.



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<p>on the tools themselves shall also be used (which could reduce noise by approximately 5 dB).</p> <ul style="list-style-type: none"><li>• Construction contractors shall be required to use “quiet” gasoline-powered compressors or electrically powered compressors as well as electric rather than gasoline- or diesel-powered forklifts for small lifting, where feasible.</li><li>• Prohibit idling of inactive construction equipment for prolonged periods (i.e., more than two minutes).</li><li>• Prohibit or limit gasoline or diesel engines from having unmuffled exhaust systems.</li><li>• Ensure that equipment and trucks used for project construction use the best available noise control techniques (e.g., improved mufflers, equipment redesign, intake silencers, ducts, engine enclosures, acoustically attenuating shields or shrouds).</li><li>• Ensure that impact tools (e.g., jack hammers, pavement breakers, rock drills) used for project construction are hydraulically or electrically powered, when possible. Quieter equipment shall be used instead of impact equipment, when feasible (such as drills rather than impact equipment).</li><li>• Electric motors rather than gasoline- or diesel-powered engines shall be used to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower</li></ul>								

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noise levels from the exhaust by about 10 A-weighted decibels. External jackets on the tools themselves shall be used, which could achieve a reduction of 5 A-weighted decibels. <ul style="list-style-type: none"><li>Construction contractors shall be required to use “quiet” gasoline-powered compressors or electrically powered compressors as well as electric rather than gasoline- or diesel-powered forklifts for small lifting, where feasible.</li><li>Undertake the noisiest activities during times of least disturbance to surrounding residents and occupants.</li><li>Limit nighttime construction to the extent feasible. If nighttime construction is determined to be necessary, a special permit shall be obtained from the Director of Public Works or the Director of Building Inspection. Nighttime construction activities shall comply with the requirements of the permit. In addition, the contractor shall employ the measures discussed above (e.g., limiting idling, locating equipment far from noise-sensitive receptors, using noise-reducing enclosures, etc.) or other feasible measures to reduce noise such that interior noise at nearby receptors is reduced to the extent practicable (below 45 A-weighted decibels, equivalent sound level, where feasible).</li><li>If required by the San Francisco Planning Department, based on the degree of construction, proximity of sensitive uses, or a noise complaint, project sponsor shall monitor the noise levels</li></ul>								

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<p>during periods of noisy construction activities (demolition, excavation, etc.). A plan for noise monitoring and reporting shall be provided to the San Francisco Planning Department for review prior to the commencement of construction.</p> <p>Prior to the issuance of the building permit, along with the submission of construction documents, the project sponsor shall submit to the San Francisco Planning Department a list of measures for responding to and tracking complaints pertaining to construction noise. These measures shall include onsite posting and a noise hotline, and may include:</p> <ul style="list-style-type: none"><li>• A procedure and phone number for notifying the San Francisco Planning Department, the health department, or the police department of complaints (during regular construction hours and off hours).</li><li>• A sign posted onsite describing noise complaint procedures and a complaint hotline number that shall be answered at all times during construction.</li><li>• Designation of an onsite construction complaint and enforcement manager for the project.</li></ul>								
<b>M-NOI-1b: Site-Specific Noise Control Measures for Projects Involving Pile Driving.</b> For subsequent development projects under the Hub Plan that require pile driving, a set of site-specific noise attenuation measures shall be prepared under the	X				Project sponsor and qualified acoustical consultant for projects that require pile driving.	Prior to and during the period of pile-driving.	Planning department to review and approve noise attenuation measures and to review daily noise measurements	Considered complete after implementation of noise attenuation measures

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supervision of a qualified acoustical consultant and reviewed and approved by the San Francisco Planning Department prior to the commencement of any pile driving activity. These attenuation measures shall be included in the construction of the project and include as many of the following control strategies, and any other effective strategies, as feasible to reduce noise from pile driving at nearby noise-sensitive land uses: <ul style="list-style-type: none"><li>Require the construction contractor to erect temporary plywood or similar solid noise barriers along the boundaries of the project site to shield potential sensitive receptors and reduce noise levels;</li><li>Require the construction contractor to implement “quiet” pile-driving technology (such as pre-drilling of piles, sonic pile drivers, and the use of more than one pile driver to shorten the total pile driving duration), where feasible, with consideration of geotechnical and structural requirements and soil conditions;</li><li>Require the construction contractor to monitor the effectiveness of noise attenuation measures by taking noise measurements, at a distance of 100 feet, at least once per day during pile-driving; and</li><li>Require that the construction contractor limit pile driving activity to result in the least disturbance to neighboring uses.</li></ul>						periodically, police department (on complaint basis).	during pile-driving activities.	

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<b>M-NOI-3a: Protect Adjacent Potentially Susceptible Structures from Construction-Generated Vibration.</b> The project sponsor for subsequent development projects in the Hub Plan area shall consult with the San Francisco Planning Department’s environmental planning and preservation staff (as applicable) to determine whether adjacent or nearby buildings constitute structures that could be adversely affected by construction-generated vibration. For purposes of this measure, nearby potentially susceptible buildings within 100 feet of a construction site for a subsequent development project shall be considered if pile driving would be required at that site; if no pile driving would occur, potentially susceptible buildings within 25 feet of vibration-generating construction activity, such as the use of excavators, drill rigs, bulldozers, and vibratory rollers, shall be considered.  If buildings adjacent to construction activity are identified that could be adversely affected, the project sponsor shall incorporate into construction specifications for the proposed project a requirement that the construction contractor(s) use all feasible means to avoid damage to adjacent and nearby historic buildings. Such methods to help reduce vibration-related damage effects may include maintaining a safe distance between the construction site and the potentially affected building, to the extent possible, based on site constraints, or using construction techniques that reduce vibration, such as concrete saws instead of jackhammers or hoe-	X		X	X	Project sponsor.	Prior to and during construction activities.	Planning department’s environmental planning/preservation staff to review and approve, police department (on complaint basis).	Considered complete after implementation of vibration attenuation measures during construction activities.

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rams to open excavation trenches, non-vibratory rollers, or hand excavation to the extent feasible. For projects that would require piles, “quiet” pile-driving technologies (such as predrilling piles or using sonic pile drivers) shall be used, as feasible; appropriate excavation shoring methods shall be employed to prevent the movement of adjacent structures; and adequate security shall be ensured to minimize risks related to vandalism and fire.								
<b>M-NOI-3b: Construction Monitoring Program for Structures Potentially Affected by Vibration.</b> For structures located close enough to experience vibration levels that could result in building damage, as determined by compliance with Mitigation Measure M-NOI-3a, the project sponsor shall undertake a monitoring program to minimize damage to adjacent buildings and ensure that any such damage is documented and repaired. The monitoring program, which shall apply within 100 feet of pile driving activities and within 25 feet of other vibration generating activities, shall be followed and include the following components: <ul style="list-style-type: none"><li>Prior to the start of any ground-disturbing activity, the project sponsor shall engage a historic architect or qualified historic preservation professional to undertake a pre-construction survey of potentially affected historic buildings identified by the San Francisco Planning Department within 100 feet of planned pile driving activity or within 25 feet of other vibration generating activity to document and photograph the</li></ul>	X		X	X	Project sponsor, historic architect or qualified historic preservation professional.	Prior to the start of any ground-disturbing activity, during construction, and regular periodic inspections of each building during ground-disturbing activity on the project site.	Planning department’s preservation staff to review and approve preconstruction survey and monitoring program and review periodic monitoring reports.	Considered complete after construction and remediation activities are complete.

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<p>existing conditions of the building(s). If nearby affected buildings are not potentially historic, a structural engineer or other professional with similar qualifications shall document and photograph the existing conditions of potentially affected buildings within 100 feet of pile driving activity or within 25 feet of other vibration generating construction activity.</p> <ul style="list-style-type: none"><li>Based on the construction and condition of the resource(s), the consultant shall also establish a standard maximum vibration level that shall not be exceeded at any building, based on existing conditions, character-defining features, soil conditions, and anticipated construction practices (common standards are a peak particle velocity of 0.25 inch per second for historic and some old buildings, a peak particle velocity of 0.3 inch per second for older residential structures, and a peak particle velocity of 0.5 inch per second for new residential structures and modern industrial/commercial buildings, as shown in <b>Table 3.C-7</b>, p. 3.C-20).</li><li>To ensure that vibration levels do not exceed the established standard, the project sponsor shall monitor vibration levels at each structure and prohibit vibratory construction activities that generate vibration levels in excess of the standard.</li><li>Should vibration levels be observed in excess of the selected standard, construction shall be halted and alternative construction techniques put in practice, to the extent feasible</li></ul>								

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(e.g., pre-drilled piles could be substituted for driven piles, if feasible, based on soil conditions, or smaller, lighter equipment could be used in some cases).  The historic preservation professional (for effects to historic buildings) and/or structural engineer (for effects to non-historic structures) shall conduct regular (every three months) inspections of each building during ground-disturbing activity on the project site. Should damage to any building occur, the building(s) shall be remediated to their pre-construction condition at the conclusion of ground-disturbing activity on the site.								
<b>M-NOI-4: Noise Analysis for Projects in Excess of Applicable Noise Standards.</b> To reduce potential conflicts between existing sensitive receptors and new noise-generating uses developed under the Hub Plan, a noise analysis shall be required for new development that includes noise-generating activities or equipment (e.g., outdoor gathering areas; places of entertainment; heating, ventilation, and air-conditioning equipment) with the potential to generate noise levels substantially in excess of ambient noise levels or in excess of any applicable standards. This analysis shall include, at a minimum, a site survey to identify potential noise-sensitive uses within 900 feet of and with a direct line of sight to the subsequent development project site. It shall also include at least one 24-hour noise measurement (with maximum noise level readings that permit accurate description of maximum levels	X		Complete	Complete	Planning department; project sponsor for projects that include noise-generating activities or equipment, and acoustical consultant.	Analysis to be completed during environmental review of subsequent development projects in the Hub Plan area, prior to the first project approval action.	Planning department to review and approve.	Considered complete upon project approval by planning department/ Planning Commission via approval of final plan set by the Department of Building Inspection.



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reached during nighttime hours). This analysis shall be conducted prior to the first project approval action.  The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that the proposed use would not adversely affect nearby noise-sensitive uses, would not substantially increase ambient noise levels, and would not result in noise level in excess of any applicable standards. 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. Should such concerns be present, the San Francisco Planning Department may require the completion of a detailed noise control analysis (by a person qualified in acoustical analysis and/or engineering) that includes the incorporation of noise reduction measures (including quieter equipment, construction of barriers or enclosures, etc.) prior to the first project approval action.								
Air Quality								
M-AQ-4a: Construction Emissions Analysis for Projects Above Screening Levels or That Exceed Criteria Air Pollutant Significance Thresholds. Subsequent development projects that do not meet the applicable screening levels in Table 3.D-6, p. 3.D-	X		Complete	Complete	Project sponsors of projects that do not meet the applicable screening levels, planning department	During environmental review of subsequent development projects in the Hub Plan area.	Planning department (Environmental Review Officer, Air Quality technical staff) to review and approve.	Considered complete upon approval of analysis by Environmental Review Officer.

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47, of this EIR or that the planning department otherwise determines could exceed one or more significance thresholds for criteria air pollutants shall undergo an analysis of the project’s construction emissions. If no significance thresholds are exceeded, no further mitigation is required. If one or more significance thresholds are exceeded, Mitigation Measure M-AQ-4b shall be implemented.								
<b>M-AQ-4b: Construction Emissions Minimization Plan Above Screening Levels or That Exceed Criteria Air Pollutant Significance Thresholds or as Required in Impact AQ-7.</b> If required based on the analysis described in Mitigation Measure M-AQ-4a or as required in Impact AQ-7 the project sponsor shall submit a construction emissions minimization plan to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist.  1. All off-road equipment greater than 25 horsepower and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements: a) Where access to alternative sources of power is reasonably available, portable diesel engines shall be prohibited; b) All off-road equipment shall have:	X				Project sponsor; planning department.	Prior to the issuance of demolition permits (plan development).  Prior to the commencement of construction activities, the project sponsor shall certify (1) compliance with the construction emissions minimization plan, and (2) all applicable requirements of the construction emissions minimization plan have been incorporated into contract specifications.	Planning department (Environmental Review Officer, Air Quality technical staff) to review and approve.	Within six months of the completion of construction activities, the project sponsor shall submit to the Environmental Review Officer a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase  Considered complete upon planning department review and acceptance of Construction Emissions Minimization Plan and

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<div><div><div><div><div>i.</div><div>Engines that meet or exceed either U.S. Environmental Protection Agency or California Air Resources Board Tier 2 off-road emission standards (or Tier 3 or Tier 4 off-road emissions standards if NOx emissions exceed applicable thresholds), <i>and</i></div></div><div><div>ii.</div><div>Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS)4, and</div></div><div><div>iii.</div><div>Engines shall be fueled with renewable diesel (at least 99 percent renewable diesel or R99).</div></div><div><div>iv.</div><div>Any other best available technology offered at the time that future projects are submitted to the planning department for review may be included in the Plan as substitutions for the above items i through iii.</div></div></div><div><div>c) Exceptions:</div><div><div>i.</div><div>Exceptions to 1(a) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance,</div></div></div></div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div>when construction is complete.</div>								

<sup>4</sup> Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement, therefore VDECS would not be required.

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<div><div>the sponsor shall submit documentation of compliance with 1(b) for onsite power generation.</div><div>ii. Exceptions to 1(b)(ii) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an air board Level 3 VDECS (1) is technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an air board Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to 1(b)(ii), the project sponsor shall comply with the requirements of 1(c)(iii).</div><div>iii. If an exception is granted pursuant to 1(c)(ii), the project sponsor shall provide the next cleanest piece of off-road equipment as provided by the step down schedule in <b>Table M-AQ-4B</b>:</div></div>								

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<div>Table M-AQ-4b    Off-Road Equipment Compliance Step-Down Schedule*</div> <table><tr><th>Compliance Alternative</th><th>Engine Emission Standard</th><th>Emissions Control</th></tr><tr><td>1</td><td>Tier 2**</td><td>Air Board Level 2 VDECS</td></tr><tr><td>2</td><td>Tier 2</td><td>Air Board Level 1 VDECS</td></tr></table> <div>* How to use the table. If the requirements of 1(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met.</div> <div>** Tier 3 off road emissions standards are required if NOx emissions exceed applicable thresholds.</div> <div>iv. Exceptions to 1(b)(iii) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a renewable diesel is not commercially available in the SFBAAB. If an exception is granted pursuant to this</div>	Compliance Alternative	Engine Emission Standard	Emissions Control	1	Tier 2**	Air Board Level 2 VDECS	2	Tier 2	Air Board Level 1 VDECS							
Compliance Alternative	Engine Emission Standard	Emissions Control														
1	Tier 2**	Air Board Level 2 VDECS														
2	Tier 2	Air Board Level 1 VDECS														

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<div>section, the project sponsor shall provide another type of alternative fuel, such as biodiesel (B20 or higher).</div> <div>v. Prior to any waiver sought by a project sponsor, the sponsor shall provide documentation demonstrating that by granting the waiver, the project would not exceed any applicable criteria air pollutant threshold.</div> <div>2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than two minutes, except as provided in exceptions to the applicable State regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.</div> <div>3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.</div> <div>4. The construction emissions minimization 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. Off-road equipment descriptions and information may include, but is not limited to, equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating),</div>								

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<p>horsepower, engine serial number, and expected fuel use and hours of operation. For the VDECS installed: technology type, serial number, make, model, manufacturer, air board verification number level, and installation date and hour meter reading on installation date. For off-road equipment not using renewable diesel, reporting shall indicate the type of alternative fuel being used.</p> <p>5. The construction emissions minimization plan shall be kept on-site and available for review during working hours by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the construction emissions minimization plan and a way to request a copy of the Plan. The project sponsor shall provide copies of the Plan as requested.</p> <p>6. Reporting. Quarterly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in Paragraph 4, above. In addition, for off-road equipment not using renewable diesel, reporting shall indicate the type of alternative fuel being used.</p> <p>Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each</p>								

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<p>construction phase. For each phase, the report shall include detailed information required in Paragraph 4. In addition, for off-road equipment not using renewable diesel, reporting shall indicate the type of alternative fuel being used.</p> <p>7. Certification Statement and On-site Requirements. Prior to the commencement of construction activities, the project sponsor shall certify (1) compliance with the construction emissions minimization plan, and (2) all applicable requirements of the construction emissions minimization plan have been incorporated into contract specifications.</p> <p>It should be noted that for specialty equipment types (e.g., drill rigs, shoring rigs and concrete pumps) it may not be feasible for construction contractors to modify their current, older equipment to accommodate the particulate filters, or for them to provide newer models with these filters pre-installed. Therefore, alternative compliance options are provided for in Mitigation Measure M-AQ-4b.</p>								



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<b>M-AQ-5a: Educate Residential and Commercial Tenants Concerning Low-VOC Consumer Products.</b> Prior to receipt of any building permit and every five years thereafter, the project sponsor shall develop electronic correspondence to be distributed by email or posted on-site annually to tenants of the project that encourages the purchase of consumer products and paints that are better for the environment and generate less volatile organic compound (VOC) emissions. The correspondence shall encourage environmentally preferable purchasing and shall include contact information and links to SF Approved. <sup>5</sup>	X				Project sponsor; subsequent project owner; Homeowners’ Association (for condominium projects).	Prior to receipt of final Certificate of Occupancy and every five years thereafter.	Planning department and Department of Building Inspection to review and approve.	Project sponsor to submit written information to planning department prior to Department of Building Inspection issuance of Certificate of Occupancy; Sponsor or Owner to continue submittals at 5-year intervals (ongoing).
<b>M-AQ-5b: Reduce Operational Emissions for Projects That Exceed Criteria Air Pollutant Thresholds.</b> Proposed projects that would exceed the criteria air pollutant thresholds shall implement the additional measures, as applicable and feasible, to reduce operational criteria air pollutant emissions. Such measures may include, but are not limited to, the following: <ul style="list-style-type: none"><li>For any proposed refrigerated warehouses or large (greater than 20,000 square feet) grocery retailers, provide electrical hook-ups for diesel trucks with Transportation Refrigeration Units at the loading docks.</li></ul>	X				Project sponsor; subsequent project owner, as applicable based on mitigation measure; Homeowners’ Association (for condominium projects).	For warehouses and large grocers, prior to issuance of building permit.  Ongoing for maintenance use of architectural coatings.  For other measures, schedule to be determined by planning department.	Planning department and Department of Building Inspection to review and approve.	For warehouses and large grocers, considered complete upon approval of final construction plan set.  Ongoing for maintenance use of architectural coatings.  For other measures, schedule to be determined by planning department.

<sup>5</sup> SF Approved (sfapproved.org) is administrated by the San Francisco Department of Environment staff, who identifies products and services that are safer and better for the environment (e.g., those that are listed as “Required” or “Suggested”).

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Mitigation Measures	Project Applicability				Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
	Hub Plan Subsequent Projects and Hub HSD <sup>1</sup>	Hub Plan Streetscape and Street Network Improvements	30 Van Ness Avenue Project	98 Franklin Street Project				
<ul style="list-style-type: none"><li>Use low- and super-compliant VOC architectural coatings in maintaining buildings. “Low-VOC” refers to paints that meet the more stringent regulatory limits in South Coast Air Quality Management District Rule 1113; however, many manufacturers have reformulated to levels well below these limits. These are referred to as “Super-Compliant” architectural coatings.</li><li>Other measures that become available and are shown to effectively reduce criteria air pollutant emissions onsite or offsite if emissions reductions are realized within the air basin. Measures to reduce emissions onsite are preferable to offsite emissions reductions.</li></ul>								
<b>M-AQ-5c: Best Available Control Technology for Projects with Diesel Generators and Fire Pumps.</b> All diesel generators and fire pumps shall have engines that (1) meet Tier 4 Final or Tier 4 Interim emission standards, or (2) meet Tier 2 emission standards and are equipped with a California Air Resources Board Level 3 Verified Diesel Emissions Control Strategy. All diesel generators and fire pumps shall be fueled with renewable diesel, R99, if commercially available. Additional restrictions limiting the hours per year that generators may be tested may also be required, as determined necessary by the San Francisco Planning Department. For each new diesel backup generator or fire pump permit submitted for a project, including any associated generator pads, engine and filter specifications shall be submitted to the San	X			X	Project sponsors of projects with new diesel generators and/or fire pumps; planning department.	For specifications, prior to issuance of building permit for diesel generator or fire pump. For maintenance, ongoing.	Planning department (Environmental Review Officer, Air Quality technical staff) to review and approve.	Equipment specifications portion considered complete when equipment specifications approved by Environmental Review Office.  Maintenance portion is ongoing and records are subject to planning department review upon request.

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Francisco Planning Department for review and approval prior to issuance of a permit for the generator or fire pump from the San Francisco Department of Building Inspection. Once operational, all diesel backup generators and Verified Diesel Emissions Control Strategy shall be maintained in good working order in for the life of the equipment and any future replacement of the diesel backup generators, fire pumps, and Level 3 Verified Diesel Emissions Control Strategy filters shall be required to be consistent with these emissions specifications. The operator of the facility at which the generator or fire pump is located shall maintain records of the testing schedule for each diesel backup generator and fire pump for the life of that diesel backup generator and fire pump and provide this information for review to the Planning Department within three months of requesting such information.								
<b>M-AQ-7a: Additional Air Quality Improvement Strategies to Reduce Hub Plan-Generated Emissions and Population Exposure.</b> The planning department, in cooperation with other interested agencies or organizations, shall consider additional actions for the Hub Plan area with the goal of reducing Hub Plan-generated emissions and population exposure including, but not limited to: <ul style="list-style-type: none"><li>Collection of air quality monitoring data that could provide decision makers with information to identify specific areas of</li></ul>	X				Planning Department, in cooperation with other interested agencies or organizations.	Strategy will be developed within four years of the Hub Plan adoption.	Planning Department, in cooperation with other interested agencies or organizations.	Ongoing for the duration of the Hub Plan.

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the Hub Plan were changes in air quality have occurred and focus air quality improvements on these areas; <ul style="list-style-type: none"><li>• Additional measures that could be incorporated into the City’s Transportation Demand Management program with the goal of further reducing vehicle trips;</li><li>• Incentives for replacement or upgrade of existing emissions sources;</li><li>• Other measures to reduce air pollutant exposure, such as the distribution of portable air cleaning devices; and</li><li>• Public education regarding reducing air pollutant emissions and their health effects.</li></ul> The department shall develop a strategy to explore the feasibility of additional air quality improvements within four years of Hub Plan adoption.								
<b>M-AQ-7b: Air Quality Analysis That Considers the Siting of Uses That Emit Particulate Matter (PM<sub>2.5</sub>), Diesel Particulate Matter, or Other Toxic Air Contaminants.</b> To minimize potential exposure of sensitive receptors to diesel particulate matter or substantial levels of toxic air contaminants as part of everyday operations from stationary or area sources (other than the sources in Mitigation Measure M-AQ-5c), the San Francisco Planning Department shall require, during the environmental review process of subsequent development projects, but not later than the	X		Complete	Complete	Project sponsors of projects with stationary equipment other than diesel generators and fire pumps that emit PM 2.5, diesel particulate, or other toxic air contaminants, as determined by the planning department.	Prior to first project approval action.	Planning department (Environmental Review Officer, Air Quality technical staff) to review and approve.	Considered complete upon Environmental Review Officer review and approval of air quality analysis and implementation of any required measures to reduce emissions.

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first project approval action, the preparation of an analysis by a qualified air quality specialist that includes, a site survey to identify residential or other sensitive receptors within 1,000 feet of the project site. For purposes of this measure, sensitive receptors are considered to include housing units; child care centers; schools (high school age and below); and inpatient health care facilities, including nursing or retirement homes and similar establishments. The assessment shall also include an estimate of emissions of toxic air contaminants from the source from the subsequent development and shall identify all feasible measures to reduce emissions. These measures shall be incorporated into the project prior to the first approval action.								
<b>M-AQ-7c: Design Land Use Buffers Around Active Loading Docks.</b> For subsequent development projects that include loading docks that would be expected to accommodate more than 100 trucks per day (or 40 transportation refrigeration trucks per day), locate truck activity areas including loading docks and delivery areas as far away from sensitive receptors (such as residences, child care, or medical facilities) as feasible.	X		X	X	Project sponsor.	Prior to approval of final plan set.	Planning department and Department of Building Inspection to review and approve.	Considered complete upon approval of final plan set.
<b>M-AQ-7d: Implementation of Mitigation Measures M-AQ-4b and M-AQ-5c for Projects within the Existing or Future Air Pollutant Exposure Zone.</b> All construction within the existing APEZ or newly added parcels that meet the APEZ criteria (Block 3505, Lots	X		X	X	Project sponsor.	Prior to the start of diesel equipment use on site.	Planning department (Environmental Review Officer, Air Quality technical staff) to review and approve.	Considered complete upon planning department review and acceptance of

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007 and 008; Block 3503, Lot 004; and Block 0814, Lot 003), shall implement <b>M-AQ-4b</b> . All subsequent development projects that include diesel generators or diesel fire pumps within the existing APEZ or newly added parcels that meet the APEZ criteria, as listed above, shall implement <b>Mitigation Measure M-AQ-5c</b> .								Construction Emissions Minimization Plan.
<b>M-AQ-7e: Update Air Pollution Exposure Zone.</b> The Department of Public Health in coordination with the Planning Department is required to update the Air Pollution Exposure Zone Map in San Francisco Health Code Article 38 at least every five years. The Planning Department shall coordinate with the Department of Public Health to update the Air Pollution Exposure Zone, taking into account updated health risk methodologies and traffic generated by the Hub Plan.	X				Planning Department and Department of Public Health (DPH).	Ongoing at 5-year intervals.	Planning Department and Department of Public Health.	Ongoing at 5-year intervals.
<b>M-AQ-9a: Construction Emissions Minimization Plan for 30 Van Ness Avenue Project.</b> Prior to construction, the 30 Van Ness Avenue project sponsor shall submit a construction emissions minimization plan to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. Upon approval of construction emissions minimization plan, the sponsor shall implement the plan. The plan shall detail project compliance with the following requirements:  1. All construction equipment shall contain engine tiers consistent with the U.S. Environmental Protection Agency engine tiers as			X		Project sponsor.	Prior to the start of diesel equipment use on site.	Planning department (Environmental Review Officer, Air Quality technical staff) to review and approve.	Considered complete upon planning department review and acceptance of Construction Emissions Minimization Plan.

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<p>provided in <b>Table M-AQ-9a</b>, Construction Equipment Summary for 30 Van Ness Avenue Project, below.</p> <p>Documentation of equipment tiers for in-use equipment shall be maintained onsite as part of the plan.</p> <p>2. All off-road engines shall be fueled with renewable diesel (at least 99 percent renewable diesel or R99), if commercially available.</p> <p>3. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than two minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.</p> <p>4. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.</p> <p>5. The construction emissions minimization 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. Off-road equipment descriptions and information may include, but is not limited to, equipment type, equipment manufacturer, equipment identification number,</p>								

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<p>engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel use and hours of operation.</p> <p>The construction emissions minimization plan shall be kept onsite and available for review during working hours by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the construction emissions minimization plan and a way to request a copy of the plan. The project sponsor shall provide copies of the plan as requested. Should any deviations from the requirements or the equipment in <b>Table M-AQ-9a</b> be proposed prior to or during construction, the project sponsor shall demonstrate, to the satisfaction of the ERO, that an equivalent amount of emissions reduction would be achieved.</p> <p><i>Reporting.</i> Quarterly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in Paragraph 5, above.</p>								



TABLE M-AQ-9A: CONSTRUCTION EQUIPMENT SUMMARY FOR 30 VAN NESS AVENUE PROJECT

Phase	Project Equipment at Site	Horsepower	Equipment Quantity	Usage Hours per Weekday	Usage Hours per Saturday	Controlled Equipment Details		Equipment Usage Data	
						Fuel	Control	Start	End
Demolition	Concrete/Industrial Saws	81	1	2.0	2.0	Diesel	Tier 4f	5/1/2020	11/1/2020
	Rubber Tired Dozers	247	1	1.0	1.0	Diesel	Tier 4f	5/1/2020	11/1/2020
	Sweepers/Scrubbers	64	1	2.0	2.0	Diesel	Tier 4f	5/1/2020	11/1/2020
	Excavators	158	1	2.4	2.4	Diesel	Tier 4f	5/1/2020	11/1/2020
Site Preparation	Tractors/Loaders/Blackhoes	97	1	8.0	8.0	Diesel	Tier 4f	11/2/2020	1/31/2021
	Excavators	158	3	8.0	8.0	Diesel	Tier 4f	11/2/2020	1/31/2021
	Road Cleaner/Sweepre/Scrubber	64	1	4.0	4.0	Diesel	Tier 4f	11/2/2020	1/31/2021
Grading	Rubber Tired Dozers	247	1	1.0	1.0	Diesel	Tier 4f	2/1/2021	4/30/2021
	Tractors/Loaders/Backoes	97	2	6.0	6.0	Diesel	Tier 4f	2/1/2021	4/30/2021
	Shoring Equipment (Boring Rigs)	221	2	2.4	2.4	Diesel	Tier 4f	2/1/2021	3/1/2021
	Tie Back Equipment (Drilling Rigs)	221	2	2.4	2.4	Diesel	Tier 4f	3/2/2021	3/30/2021
	Ground Improvement (Drilling Rig)	221	1	2.4	2.4	Diesel	Tier 4f	4/1/2021	4/30/2021
	Sweepers/Scrubbers	64	1	8.0	8.0	Diesel	Tier 4f	2/1/2021	4/3/2021
Building Construction	Cranes	231	1	3.0	3.0	Electric	N/A	8/1/2021	12/1/2022
	Forklifts	89	2	4.5	4.5	Propane	N/A	5/1/2021	12/31/2023
	Tractors/Loaders/Backoes	97	2	2.0	2.0	Diesel	Tier 4f	5/1/2021	12/31/2023
	Tower Crane	231	1	3.0	3.0	Electric	N/A	9/1/2021	5/1/2022
	Aerial Lifts (#1)	63	1	8.0	8.0	Electric	N/A	11/1/2021	3/1/2023
	Aerial Lifts (#2)	63	1	8.0	8.0	Electric	N/A	11/1/2021	5/1/2022
	Concrete Pumps	84	2	2.0	2.0	Electric	N/A	7/1/2021	10/1/2022
Paving	Welders	46	6	0.80	0.80	Electric	N/A	5/1/2021	12/31/2023
	Tractors/Loaders/Backhoes	97	1	5.3	5.3	Diesel	Tier 4f	11/1/2022	5/1/2023
	Concrete/Industrial Saws	81	2	2.0	2.0	Diesel	Tier 4f	11/1/2022	5/1/2023
Architectural Coating	Air Compressors	78	1	3.0	3.0	Electric	N/A	11/1/2021	1/1/2023

Notes: Project equipment was provided by the project sponsor.

Abbreviations:

N/A = not applicable

Tier 4f = Tier 4 Final

Tier 4i = Tier 4 Interim

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	<p>Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in Paragraph 5.</p> <p><i>Certification Statement and Onsite Requirements.</i> Prior to the commencement of construction activities, the project sponsor shall certify (1) compliance with the construction emissions minimization plan, and (2) all applicable requirements of the construction emissions minimization plan have been incorporated into contract specifications.</p>								

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<b>M-AQ-9b Best Available Control Technology for Diesel Generators for 30 Van Ness Avenue Project.</b> The two proposed diesel generators shall have engines that meet Tier 4 Final emission standards and be fueled with renewable diesel, R99, if commercially available. The project sponsor shall limit testing of the emergency diesel generators to no more than 20 hours per year. Each diesel backup generator permit shall be submitted to the San Francisco Planning Department for review and approval prior to issuance of a permit for the generator from the San Francisco Department of Building Inspection. Once operational, all diesel backup generators shall be maintained in good working order for the life of the equipment and any future replacement of the diesel backup generators shall be required to be consistent with these emissions specifications. The project sponsor shall maintain records of the testing schedule for each diesel backup generator for the life of that diesel backup generator and provide this information for review to the planning department within three months of requesting such information.			X		Project sponsor.	Yearly on project site.	Planning department, department of building inspection.	Continuous.
<b>M-AQ-9c: Construction Emissions Minimization Plan for 98 Franklin Street Project.</b> Prior to construction, the 98 Franklin Street project sponsor shall submit a Construction Emissions Minimization Plan to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. Upon approval of Plan, the sponsor shall implement the				X	Project sponsor.	Prior to the start of diesel equipment use on site.	Planning department (Environmental Review Officer, Air Quality technical staff) to review and approve.	Considered complete upon planning department review and acceptance of Construction Emissions Minimization Plan.

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Plan. The plan shall detail project compliance with the following requirements:  6. All construction equipment shall contain engine tiers consistent with the United States Environmental Protection Agency (USEPA) engine tiers as provided in Table M-AQ-9c: Construction Equipment Summary for 98 Franklin Street Project, below. Documentation of equipment tiers for in-use equipment shall be maintained on site as part of the plan.  7. All off-road engines shall be fueled with renewable diesel (at least 99 percent renewable diesel or R99), if commercially available.  8. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than two minutes, except as provided in exceptions to the applicable State regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.  9. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.								

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10. The construction emissions minimization 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. Off-road equipment descriptions and information may include, but is not limited to, equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel use and hours of operation.  The construction emissions minimization plan shall be kept onsite and available for review during working hours by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the construction emissions minimization plan and a way to request a copy of the Plan. The project sponsor shall provide copies of the Plan as requested. Should any deviations from the requirements or the equipment in Table M-AQ-9a be proposed prior to or during construction, the project sponsor shall demonstrate, to the satisfaction of the ERO, that an equivalent amount of emissions reduction would be achieved.  Reporting. Quarterly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in Paragraph 5, above.								

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Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in Paragraph 5.  Certification Statement and Onsite Requirements. Prior to the commencement of construction activities, the project sponsor shall certify (1) compliance with the construction emissions minimization plan, and (2) all applicable requirements of the construction emissions minimization plan have been incorporated into contract specifications.								

Wind	TABLE M-AQ-9C: CONSTRUCTION EQUIPMENT SUMMARY FOR 98 FRANKLIN STREET PROJECT								
	Phase	Project Equipment at Site	Horsepower	Equipment Quantity	Usage Hours per Weekday	Controlled Equipment Details		Equipment Usage Data	
						Fuel	Control	Start	End
	Demolition	Concrete/Industrial Saws	81	1	8.0	Diesel	Tier 4i	6/1/2021	6/5/2021
		Excavators	67	1	8.0	Diesel	Tier 4i	6/1/2021	6/5/2021
		Rubber Tired Dozers	247	1	8.0	Diesel	Tier 4i	6/1/2021	6/5/2021
		Skid Steer Loaders	73	1	8.0	Diesel	Tier 4i	6/1/2021	6/5/2021
	Shoring	Drill Rig	500	1	4.5	Diesel	Tier 4i	6/8/2021	8/7/2021
		Excavators	67	1	1.5	Diesel	Tier 4i	6/8/2021	8/7/2021
		Cranes	275	1	1.0	Diesel	Tier 4i	6/8/2021	8/7/2021
		Tieback rig	250	1	3.0	Diesel	Tier 4i	6/8/2021	8/7/2021
		Rough Terrain Forklift	100	1	1.0	Diesel	Tier 4i	6/8/2021	8/7/2021
		Generator	40	1	4.0	Diesel	Tier 4f	6/8/2021	8/7/2021
	Excavation	Excavators	250	3	6.0	Diesel	Tier 4i	8/10/2021	10/30/2021
		Skid Steer Loaders	75	2	6.0	Diesel	Tier 4i	8/10/2021	10/30/2021
	Building Construction	Cranes	231	1	3.0	Electric	N/A	11/2/2021	8/5/2023
		Forklifts	89	1	2.1	Propane	N/A	11/2/2021	8/5/2023
		Welders	46	2	0.16	Electric	N/A	11/2/2021	8/5/2023
		Sissor lifts	89	1	1.5	Electric	N/A	11/2/2021	8/5/2023
		Signal Boards	6.0	2	8.0	Electric	N/A	11/2/2021	8/5/2023
	Paving	Pavers	130	1	4.0	Diesel	Tier 4i	8/1/2023	8/5/2023
		Rollers	50	1	4.0	Diesel	Tier 4i	8/1/2023	8/5/2023
	Architectural Coating	Airless Paint Sprayers	78	3	4.0	Electric	N/A	1/7/2023	8/5/2023
<u>Notes:</u> Project equipment was provided by the project sponsor.									
<u>Abbreviations:</u>									
N/A = not applicable									
Tier 4f = Tier 4 Final									
Tier 4i = Tier 4 Interim									

Wind

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<b>M-WI-1a: Wind Analysis and Minimization Measures for Subsequent Projects.</b> All projects proposed within the Hub Plan area that would have a roof height greater than 85 feet shall be evaluated by a qualified wind expert, in consultation with the San Francisco Planning Department, to determine their potential to result in a new wind hazard exceedance or aggravate an existing pedestrian-level wind hazard exceedance (defined as the one-hour wind hazard criterion with a 26 mph equivalent wind speed).  If the qualified expert determines that wind-tunnel testing is required due to the potential for a new or worsened wind hazard exceedance, such testing shall be undertaken in coordination with San Francisco Planning Department staff, with results summarized in a wind report.  The buildings tested in the wind tunnel may incorporate only those wind baffling features that can be shown on plans. Such features must be tested in the wind tunnel and discussed in the wind report in the order of preference discussed below, with the overall intent being to reduce ground-level wind speeds in areas of substantial use by people walking (e.g., sidewalks, plazas, building entries, etc.):  1. <i>Building Massing.</i> New buildings and additions to existing buildings shall be shaped to minimize ground-level wind speeds. Examples of these include setbacks, stepped facades,	X		Complete	Complete	Project sponsor for projects with a roof height greater than 85 feet.	During the environmental review process for subsequent development projects.	In coordination with San Francisco Municipal Transportation Agency and San Francisco Public Works, the planning department to review and approve wind testing scope of work, wind report, and wind reduction measures.	Considered complete upon approval of final construction plan set.



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<p>and vertical steps in the massing to help disrupt downwashing flows.</p> <p>2. <i>Wind Baffling Measures on the Building and on the Project Sponsor's Private Property.</i> Wind baffling measures shall be included on future buildings and/or on the sponsor's private property to disrupt vertical wind flows along tower façades and through the project site. Examples of these may include staggered balcony arrangements on main tower façades, screens and canopies attached to the buildings, rounded building corners, covered walkways, colonnades, art, landscaping, free-standing canopies, or wind screens.<sup>6</sup></p> <p>Only after documenting all feasible attempts to reduce wind impacts via building massing and wind baffling measures on a building, shall the following be considered:</p> <p>3. <i>Landscaping and/or Wind Baffling Measures in the Public Right-of-Way.</i> Landscaping and/or wind baffling measures shall be installed to slow winds along sidewalks and protect places where people walking are expected to gather or linger. Landscaping and/or wind baffling measures shall be installed</p>								

<sup>6</sup> Solid windscreens have a greater effect at reducing the wind speeds to immediate leeward side of the screens; however, outside of this area of influence, the winds are either unaffected or accelerated. Porous windscreens have less of an impact to the immediate leeward side; however, they have an increased area of influence and are less likely to cause any accelerations of the winds further downwind.

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on the windward side of the areas of concern (i.e., the direction from which the wind is blowing). <sup>7</sup> Examples of wind baffling measures may include street art to provide a sheltered area for people to walk and free-standing canopies and wind screens in areas where people walking are expected to gather or linger. If landscaping or wind baffling measures are required as one of the features to mitigate wind impacts, <i>Mitigation Measure M-WS-1b</i> (below) shall also apply.								
<b>M-WI-1b: Maintenance Plan for Landscaping and Wind Baffling Measures in the Public Right-of-Way.</b> If it is determined that an individual subsequent development project could not reduce additional wind hazards via massing or wind baffling measures on the subject building, the project sponsors shall prepare a maintenance plan for review and approval by the San Francisco Planning Department to ensure maintenance of the features in perpetuity.	X		X	X	Project sponsor for projects with a roof height greater than 85 feet.	During the environmental review process for subsequent development projects.	In coordination with San Francisco Municipal Transportation Agency and San Francisco Public Works, Planning department to review and approve.	Ongoing.

<sup>7</sup> Landscaping typically impacts winds locally; the larger the tree crown and canopy, the greater the area of influence. Tall, slender trees with little foliage have little to no impact on local winds speeds at ground level because of the height of the foliage above ground. Shorter street trees with larger canopies help reduce winds around them but their influence on conditions farther away is limited.

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Biological Resources								
<b>M-BI-1: California Fish and Game Code Compliance to Avoid Active Nests during Construction Activities:</b> For any project activities that result in removal or disturbance of existing trees through adjacent construction activities, tree project applicant(s) shall avoid impacts on nesting birds though compliance with the relevant California Fish and Game Code by implementing one or more of the following: <ul style="list-style-type: none"><li>Undertaking tree removal during the non-breeding season (i.e., September through January 15) to avoid impacts on nesting birds or conducting preconstruction surveys for work scheduled during the breeding season (March through August).</li><li>Conducting, by a qualified biologist, preconstruction surveys no more than 15 days prior to the start of work during the nesting season to determine if any birds are nesting in the vegetation to be removed or in the vicinity of the construction to be undertaken.</li><li>Avoiding any nests identified by a qualified biologist and establishing a construction-free buffer zone designated by a qualified biologist, which will be maintained until nestlings have fledged.</li></ul>	X	X	X	X	Project sponsor.	Prior to and during construction.	Planning department to review and approve.	Considered complete upon completion of construction activities.

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<b>M-BI-2: Avoid Impacts on Special-status Bat Roosts during Construction Activities:</b> Project applicant(s) shall avoid impacts on maternity colonies or hibernating bats if identified by avoiding structural demolition between April 1 and September 15 (maternity season) and between October 30 and March 1 (hibernation) to the extent feasible. Bat roost avoidance shall be accomplished by the following steps: <ul style="list-style-type: none"><li>The project applicant(s) shall retain a qualified biologist to conduct a bat habitat assessment of the structures proposed for demolition. The assessment may be conducted at any time of year but should be conducted during peak bat activity periods (March 1–April 15, September 1–October 15) if possible. Qualified biologists shall have knowledge of the natural history of the species that could occur and sufficient experience related to determining bat occupancy in buildings and bat survey techniques. The biologist shall examine both the inside and outside of accessible structures for potential roosting habitat as well as routes of entry to the structures. If the biologist concludes that the building does not provide suitable bat roosting habitat, no further actions are necessary and work may commence. If the results of the survey are inconclusive or the biologist identifies potential roost sites, the following steps shall be implemented:</li></ul>	X	X	X	X	Project sponsor for projects with large trees to be removed and/or vacant buildings to be demolished; qualified biologist.	Prior to issuance of demolition or building permits when trees would be removed or buildings demolished as part of an individual project.	Planning department to review and approve.	Considered complete upon issuance of demolition or building permits.

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<ul style="list-style-type: none"><li>The project applicant(s) shall implement measures under the guidance of a qualified bat biologist to exclude bats from using the building as a roost site, such as sealing off entry points with one-way doors or enclosures. Installation of exclusion devices shall occur before maternity colonies establish or after they disperse, generally between March 1 and 30 or between September 15 and October 30, to preclude bats from occupying a roost site during demolition. Exclusionary devices shall be installed only by or under the supervision of an experienced bat biologist.</li></ul> <p>The qualified biologist shall conduct a follow-up survey to confirm that the exclusion measures have excluded bats. If follow-up surveys determine that bats are still present, the biologist shall modify the exclusion measures to effectively exclude bats from the structure. Following successful exclusion of the bats and confirmation of their absence by the biologist, demolition or structural modification shall commence.</p>								
<b>Improvement Measure I-BI-2: Lighting Minimization during Hours of Darkness.</b> In compliance with the voluntary San Francisco Lights Out Program, the department could encourage buildings developed pursuant to the Hub Plan to implement bird-safe building operations to prevent or minimize bird-strike impacts, including, but not limited to, the following measures:	X	X	X	X	Project sponsor.	Prior to issuance of building permits.	Planning department to review and approve.	Considered complete upon issuance of building permits.

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<ul style="list-style-type: none"><li>• Reduce building lighting from exterior sources by:<ul style="list-style-type: none"><li>◦ Minimizing the amount and visual impact of perimeter lighting and façade uplighting and avoiding up-lighting on rooftop antennae and other tall equipment as well as of any decorative features</li></ul></li><li>• Installing motion-sensor lighting<ul style="list-style-type: none"><li>◦ Using low-wattage fixtures to achieve required lighting levels</li></ul></li><li>• Reduce building lighting from interior sources by:<ul style="list-style-type: none"><li>◦ Dimming lights in lobbies, perimeter circulation areas, and atria</li><li>◦ Turning off all unnecessary lighting by 11 p.m. through sunrise, especially during peak migration periods (mid-March to early June and late August to late October)</li><li>◦ Using automatic controls (motion sensors, photo-sensors, etc.) to shut off lights in the evening when no one is present</li></ul></li><li>• Encouraging the use of localized task lighting to reduce the need for more extensive overhead lighting<ul style="list-style-type: none"><li>◦ Scheduling nightly maintenance to conclude by 11 p.m.</li><li>◦ Educating building users about the dangers of lighting to birds during hours of darkness</li></ul></li></ul>								

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Geology and Soils								
<b>M-GE-1: Inadvertent Discovery of Paleontological Resources.</b> Before the start of any excavation activities, the project applicant(s) shall retain a qualified paleontologist, as defined by the Society of Vertebrate Paleontology, who is experienced in teaching non-specialists. The qualified paleontologist shall train all construction personnel who are involved with earthmoving activities, including the site superintendent, regarding the possibility of encountering fossils, the appearance and types of fossils that are likely to be seen during construction, the proper notification procedures should fossils be encountered, and the laws and regulations protecting paleontological resources. The qualified paleontologist shall also make periodic visits during earthmoving at high sensitivity sites to verify that workers are following the established procedures. If potential vertebrate fossils are discovered by construction crews, all earthwork or other types of ground disturbance within 25 feet of the find shall stop immediately, and the monitor shall notify the project sponsor, the qualified paleontologist, and the Environmental Review Officer.  The fossil shall be protected by an “exclusion zone” (an area approximately 5 feet around the discovery that is marked with caution tape to prevent damage to the fossil). Work in the affected area shall not resume until a qualified professional paleontologist can assess the nature and importance of the find. Based on the	X	X	X	X	Project sponsor; qualified paleontologist.	Before the start of any excavation activities.	Planning department to review and approve.	Ongoing during construction. Considered complete once ground disturbing activities are complete or once the planning department approves the recovery plan, if required.

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scientific value or uniqueness of the find, the qualified paleontologist may record the find and allow work to continue or recommend salvage and recovery of the fossil. The qualified paleontologist may also propose modifications to the stop-work radius, based on the nature of the find, site geology, and the activities occurring on the site. If treatment and salvage is required, recommendations shall be consistent with Society of Vertebrate Paleontology’s 2010 Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources, as well as currently accepted scientific practice, and subject to review and approval by the Environmental Review Officer. If required, treatment for fossil remains may include preparation and recovery so they can be housed in an appropriate museum or university collection (e.g., the University of California Museum of Paleontology). This may also include preparation of a report for publication describing the finds. The department shall ensure that information on the nature, location, and depth of all finds is readily available to the scientific community through university curation or other appropriate means. The project sponsor shall be responsible for ensuring that the paleontologist’s recommendations regarding treatment and reporting are implemented, including the costs necessary to prepare and identify collected fossils and any curation fees charged for university or museum storage.								