COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE

RESOLUTION NO. 22-2024
Adopted September 3, 2024

ADOPTING FINDINGS, INCLUDING AMENDING ADOPTED MITIGATION MEASURES, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT RELATED TO THE APPROVAL OF THE 2024 MODIFIED PROJECT VARIANT FOR THE CANDLESTICK POINT AND PHASE 2 OF THE HUNTERS POINT SHIPYARD DEVELOPMENT PROJECT; HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA AND BAYVIEW HUNTERS POINT REDEVELOPMENT PROJECT AREA

WHEREAS, In furtherance of the objectives of the California Community Redevelopment Law (Health and Safety Code, section 33000 et seq. the "**CRL**"), the Redevelopment Agency of the City and County of San Francisco (the "**Former Agency**") undertook programs for the reconstruction and construction of blighted areas in the City and County of San Francisco ("**City**"), including the Bayview Hunters Point Redevelopment Project Area ("**BVHP Project Area**") and the Hunters Point Shipyard Redevelopment Project Area ("**HPS Project Area**"); and,

WHEREAS, The Board of Supervisors of the City and County of San Francisco ("**Board of Supervisors**") adopted the Hunters Point Shipyard Redevelopment Plan ("**HPS Plan**") on July 14, 1997 by Ordinance No. 285-97 and amended the HPS Plan on August 3, 2010 by Ordinance No. 211-10, on June 22, 2017 by Ordinance No. 122-17, and on July 16, 2018 by Ordinance No. 0166-18; and,

WHEREAS, On May 23, 2006, the Board of Supervisors amended the Bayview Hunters Point Redevelopment Plan ("**BVHP Plan**") by Ordinance No. 113-06, and amended the BVHP Plan on August 3, 2010 by Ordinance No. 210-10, on June 22, 2017 by Ordinance No. 123-17, and on July 16, 2018 by Ordinance No. 0167-18; and,

WHEREAS, On June 3, 2010, the Former Agency Commission by Resolution No. 58-2010 and the San Francisco City Planning Commission by Motion No. 18096, acting as co-lead agencies, prepared and certified the Final Environmental Impact Report ("**FEIR**") for the Candlestick Point Hunters Point Shipyard Phase 2 Project ("**Project**" or "**CP/HPS2 Project**") in compliance with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) ("**CEQA**") and the CEQA Guidelines 14 California Code of Regulations Sections 15000 *et seq*.; and,

WHEREAS, On the same date, the co-lead agencies adopted findings pursuant to CEQA ("**CEQA Findings**") including without limitation findings regarding the alternatives, mitigation measures and significant environmental effects analyzed in the FEIR, a statement of overriding considerations and a mitigation monitoring and reporting program ("**MMRP**"), for the Project by Agency Commission Resolution No. 59-2010 and Planning Commission Motion No. 18097 and took various approval actions related to the Project. On July 14, 2010, the Board of Supervisors affirmed the certification of the FEIR by Resolution No. 347-010 and adopted CEQA Findings. The CEQA Findings are incorporated into this Resolution by this reference; and,

WHEREAS, Pursuant to California Health and Safety Code §§ 34170 *et seq*. (the "**Dissolution Law**"), the Former Agency was dissolved as of February 1, 2012; and,

WHEREAS, The Successor Agency to the Redevelopment Agency of the City and County of San Francisco (commonly known as the Office of Community Investment and Infrastructure, herein "**Successor Agency**" or "**OCII**") is completing the enforceable obligations of the Former Agency with regard to the BVHP and HPS Project Areas, including implementation of the CP/HPS2 Project, under the authority of the CRL as amended by the Dissolution Law, and under San Francisco Ordinance No. 215-12 (Oct. 4, 2012) (establishing the Successor Agency Commission ("**Commission**") and delegating to it state authority under the Dissolution Law); and,

WHEREAS, Subsequent to the certification of the FEIR, the Commission, by Resolution No. 01-2014 on January 7, 2014, Resolution No. 13-2016 on March 15, 2016, Resolution No. 11-2018 on April 17, 2018, and Resolution No. 25-2019 on October 15, 2019, approved certain changes to the Project supported by Addendum No. 1, Addendum No. 4, Addendum No. 5, and Addendum No. 6, respectively. Successor Agency staff prepared each addendum in consultation with the San Francisco Planning Department and each addendum became part of the FEIR upon approval of Resolution No. 01-2014, Resolution No. 13-2016, Resolution No. 11-2018, and Resolution No. 25-2019, respectively; and,

WHEREAS, Addendum No. 1 addressed changes to the schedules for implementation of transportation system improvements in the Transportation Plan, including the Transit Operating Plan, the Infrastructure Plan and other public benefits; and minor proposed revisions in two adopted mitigation measures, TR-16 Widen Harney Way, and UT-2 Auxiliary Water Supply System; and,

WHEREAS, Addendum No. 4 addressed modifications to the approved Candlestick Point Design for Development, Schedule of Performance, the Candlestick Point Infrastructure Plan, the Candlestick Point Hunters Point Shipyard Phase II Transportation Plan, and proposed revisions to two adopted mitigation measures, TR-16 Widen Harney Way, and TR-23.1 Maintain the Proposed Headways of the 29-Sunset. (Addenda Nos. 2 and 3 analyzed proposed changes to the Project that are no longer being pursued); and,

WHEREAS, Addendum No. 5 addressed a revised development program for Phase 2 of the HPS Plan Area, including amendments to the HPS Plan and BVHP Plan, a revised Hunters Point Shipyard Phase 2 Design for Development; a Third Amendment to the Disposition and Development Agreement (Candlestick Point and Phase 2 of the Hunters Point Shipyard) (the "**CP/HPS2 DDA**"), and conforming amendments to several of the plans included as attachments to the CP/HPS2 DDA; a Seventh Amendment to the Disposition and Development Agreement (Hunters Point Shipyard Phase 1), and proposed modification to Mitigation Measure TR-23.1, Maintain Proposed Headways of 4 the 29 Sunset, to ensure that transit travel times would be consistent with the FEIR, as well as revisions conforming or updating 16 previously adopted mitigation measures, including MM TR-16 (Widen Harney Way), MM UT-2 (Auxiliary Water Supply System), MM TR-17 (Transit Operating Plan), MM TR-VAR1 (Striping and turn lanes at Crisp and Palou Streets; Griffith

Street Parking), MMNO-2a (Pre-construction Assessment to Minimize Pile Driving Impacts), MM CP-2a (Archaeological Resources at Candlestick Point), MM GE-5a (Geotechnical Investigation for Liquefaction, Lateral Spreading and/or Settlement), MM HY-6a.1 (Regulatory Stormwater Requirements), MM HY-12a.1 (Finished Grade Elevations Above Base Flood Elevation), MM HY-12a.2 (Shoreline Improvements for Future Sea-Level Rise), MM HY-14 (Shoreline Improvements to Reduce Flood Risk), MM BI-19b.1 (Maintenance Dredging Work Windows during Operation of the Marina), MM BI-20a.1 (Lighting for Bird-Safe Buildings), MM BI-20a.2 (Bird-Safe Building Design), MM RE-2 (Phasing of Parkland Construction), MM UT-2 (Auxiliary Water Supply System), and MM GC-2 (Greenhouse Gas Emissions); and,

WHEREAS, Addendum No. 6 addressed modifications to the Candlestick Point Design for Development; an amendment to the approved Major Phase Application for Candlestick Point Major Phase 1 (as Major Phase 1 was delineated in the Major Phase Application) including the transfer of R&D/office uses from HPS2 to Candlestick Center and the internal conversion of certain non-residential uses in Candlestick Center; conforming revisions to the Candlestick Point Infrastructure Plan and CP/HPS2 Transportation Plan, and revisions to the Phasing Plan and Schedule of Performance for Candlestick Point; and modifications to five adopted mitigation measures, MM TR-16 (Widen Harney Way), MM CP-2a (Archaeological Resources at Candlestick Point), MM CP-3a (Paleontological Resources Monitoring and Mitigation Program), MM GE-5a Geotechnical Investigation for Liquefaction, Lateral Spreading and/or Settlement), and MM GC-2 (Greenhouse Gas Emissions); and,

WHEREAS, The Successor Agency now proposes to take several actions facilitating modifications to the CP/HPS2 Project, collectively the "**2024 Actions,**" comprised of amendments ("**Plan Amendments**") to the HPS Plan and BVHP Plan, a revised Candlestick Point Phase 2 Design for Development; a First Amendment to the Tax Allocation Pledge Agreement. a Fourth Amendment to the Disposition and Development Agreement (Candlestick Point and Phase 2 of the Hunters Point Shipyard) (including all related binding plans and agreements attached to or referenced in the text thereof, the "**CP/HPS2 DDA**") and conforming amendments to several of the plans included in the CP/HPS2 DDA, including the Development Plan, the Phasing Plan and Schedule of Performance, the Design Review and Document Approval Procedure ("**DRDAP**"), the Below-Market Rate Housing Plan, the Financing Plan, and the Transportation Plan (collectively, the "**Amended Plans**"); and,

WHEREAS, OCII, in consultation with the Planning Department, has prepared Addendum No. 7 to the FEIR, dated August 23, 2024. Addendum No. 7 evaluates the potential environmental effects of the 2024 Actions (referred to in Addendum No. 7 as the 2024 Modified Project Variant); and,

WHEREAS, Addendum No. 7 also recommends modifications to six adopted mitigation measures and the addition of one clarifying implementation measure for the reasons set out in Addendum No. 7 and as explained in Exhibit 1 to this Resolution; and,

WHEREAS, Addendum No. 7, prepared in compliance with CEQA, reflects the independent judgment and analysis of the Successor Agency and concludes that the 2024 Actions are within the scope of the Project analyzed in the FEIR and will not result in any new significant impacts or a substantial increase in the severity of previously identified significant effects that alter the conclusions reached in the FEIR, for the reasons stated in the Addendum No. 7; and,

WHEREAS, In making the necessary findings for the proposed 2024 Actions, OCII considered Addendum 7 and the FEIR, and prepared necessary documents in support of Addendum No. 7, which documents it has made available for review by the Commission and the public, and these files are part of the record before the Commission. Copies of the FEIR, Addendum No. 7, and the supporting documentation to Addendum No. 7, are on file with the Commission Secretary and incorporated in this Resolution by this reference; and,

WHEREAS, Based on the analysis in Addendum No. 7, OCII concludes that the analyses conducted and the conclusions reached in the FEIR on June 3, 2010, remain valid and the proposed 2024 Actions, including the proposed amendments to the mitigation measures as specified above, will not cause new significant impacts not identified in the FEIR, or substantially increase the severity of previously identified significant impacts, and no new mitigation measures will be necessary to reduce significant impacts. Further, as described in Addendum No. 7, no Project changes have occurred, and no changes have occurred with respect to circumstances surrounding the proposed Project that will require major revisions of the FEIR due to the involvement of new significant effects or a substantial increase in the severity of previously identified significant effects, and no new information has become available that shows that the Project will cause new or more severe significant environmental impacts. Therefore, no subsequent or supplemental environmental review is required under CEQA beyond Addendum No. 7 to approve the 2024 Actions; and,

RESOLVED, That the Commission has reviewed and considered the FEIR, the CEQA Findings that were previously adopted by the Agency Commission, including the statement of overriding considerations and mitigation monitoring and reporting program, Addendum No. 7, the findings as set forth in Addendum No. 7, the findings related to amendments to adopted mitigation measures set out in Exhibit 1 to this Resolution, and the supporting documentation in OCII's files related to Addendum No. 7. The Commission adopts the CEQA Findings as its own, the Addendum No. 7 findings, the findings in Exhibit 1 to this Resolution, and adopts the amendments to the six mitigation measures as proposed by Addendum No. 7 and identified in Exhibit 1; and be it further

RESOLVED, That Commission finds and determines that the Project as modified by the 2024 Actions is within the scope of the Project analyzed in the FEIR and require no further environmental review beyond the FEIR pursuant to CEQA and the CEQA Guidelines Section 15180, 15162, and 15163 for the following reasons:

(1) implementation of the 2024 Actions does not require major revisions in the FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and,

(2) no substantial changes have occurred with respect to the circumstances under which the actions analyzed in the FEIR will be undertaken that would require major revisions to the FEIR due to the involvement of new significant environmental effects, or a substantial increase in the severity of effects identified in the FEIR; and,

(3) no new information of substantial importance to the actions analyzed in the FEIR has become available which would indicate that (A) the Project as modified by the 2024 Actions will have significant effects not discussed in the FEIR; (B) significant environmental effects will be substantially more severe; (C) mitigation measures or alternatives found not feasible, which would reduce one or more significant effects, have become feasible; or (D) mitigation measures or alternatives, which are considerably different from those in the FEIR, will substantially reduce one or more significant effects on the environment.

I hereby certify that the foregoing resolution was adopted by the Successor Agency Commission at its meeting of September 3, 2024.

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Commission Secretary

EXHIBIT 1: 2024 Modified Project Variant CEQA Findings

EXHIBIT 1
COMMISSION RESOLUTION NO. 22-2024
2024 MODIFIED PROJECT VARIANT CEQA FINDINGS

FINDINGS RELATED TO PROPOSED CHANGES TO CP-HPS2 MITIGATION MEASURES; IMPLEMENTATION MEASURE

September 3, 2024

MM AQ-2.1: Clean Off-Road Construction Equipment.

Reason for Changes in Mitigation Measure: Existing MM AQ-2.1 and MM AQ-2.2 required construction equipment to use USEPA Tier 2 Equipment with California ARB Level 3 VDECS for particulate matter control, immediately for construction at Alice Griffith parcels (MM AQ-2.2) and with a phase-in provision elsewhere (MM AQ-2.1). Because the phase-in period has passed, eliminating the distinction between Alice Griffith and other Project areas, and because recommendations for construction equipment emissions reduction have become more stringent since 2010, all mitigation requirements would be included in a revised MM AQ-2.1, which would apply throughout the Project, and MM AQ-2.2 would be deleted.

Mitigation Measure MM AQ-2.1: ~~Implement Emission Control Device Installation on Construction. To reduce DPM emissions during Project construction, the Project Applicant shall require construction equipment used for the Project to utilize emission control technology such that 50% of the fleet will meet USEPA Tier 2 standards outfitted with California ARB Level 3 VDECS (Verified Diesel Emission Control Strategies) for particulate matter control (or equivalent) during the first two years of construction activities, increasing to 75% of the fleet in the third year and 100% of the fleet starting in the fourth year and for the duration of the Project.~~

Clean Off-Road Construction Equipment. The Project Sponsor shall comply with the following:

1. *Engine Requirements.* All off-road equipment greater than 25 horsepower and operating for more than 20 total hours over the duration of construction shall meet the following requirements:

    a. All portable engines, such as generators, shall be electric. If grid electricity is not available, propane or natural gas generators shall be used if feasible.

    b. Electric engines shall be used for all equipment that is readily available as plug-in or battery-electric equipment, to the maximum extent feasible during each construction phase and activity. Portable equipment shall be powered by grid electricity if available. Electric equipment may include, but is not limited to, concrete/industrial saws, sweepers/scrubbers, aerial lifts, welders, air compressors, fixed cranes, forklifts, and cement and mortar mixers, pressure washers, and pumps.

c. Engines that cannot be electrically powered must meet or exceed either U.S. Environmental Protection Agency or California Air Resources Board (air board) Tier 4 Final off-road emission standards, except as provided for below. Exceptions to the requirement for engines that meet Tier 4 Final emission standards shall include only selected pieces of specialty equipment specified below, for which such engines may not be available at the start of a construction phase requiring that equipment. Exceptions may be granted for certain pieces of equipment; examples include bore/drill rigs required for grading/shoring/excavation and for cranes required for building construction. To qualify for an exception, the Project Applicant shall provide the Environmental Review Officer (ERO) with evidence supporting its conclusion that equipment meeting Tier 4 standards is not commercially available and shall use the next cleanest piece of off-road equipment.

d. Engines shall be fueled with alternative fuels, including natural gas, propane, hydrogen fuel cell, and electricity, as commercially available and to the maximum extent feasible during each construction phase and activity.

e. Any other best technology available in the future may be included in the construction emissions minimization plan as substitutions for the above items a–d, provided that the Project Applicant submits documentation to the planning department demonstrating that (1) the technology would result in comparable emissions reductions and (2) it would not increase other pollutant emissions or exacerbate other impacts, such as noise. This may include new alternative fuels or engine technology for off-road equipment (such as electric or hydrogen fuel cell equipment) that is not available as of 2024.

f. The Project Applicant shall require the idling time for off-road equipment be limited to no more than 2 minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road equipment. Documentation shall be provided to equipment operators in multiple languages (e.g., English, Spanish, Chinese) to remind operators of the 2-minute idling limit. If the majority of the Project Applicant's construction staff speak a language other than these, then the documentation shall be provided in that language as well.

g. The Project Applicant shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.

2. *Waivers.*

a. The ERO may waive the electric engine requirement of above items 1.a and 1.b if electric power is limited or infeasible at the project site. If the ERO grants the waiver, the contractor must submit documentation that the equipment used for onsite power generation meets the requirements of items 1.c and 1.d.

b. The ERO may waive the equipment requirements of item 1.c if: (1) the contractor does not have the required type of equipment within its current available inventory and has ordered such equipment at least 60 days in

advance and has made a good faith effort to lease or rent such equipment but it is not available; (2) a particular piece of Tier 4 final off-road equipment is technically or financially infeasible; (3) the equipment would not produce desired emissions reduction due to expected operating modes; or (4) there is a compelling emergency need to use off-road equipment that is not Tier 4 Final compliant. If the ERO grants the waiver, the contractor must use the next cleanest piece of off-road equipment that is commercially available, or another alternative that results in comparable reductions of ROG and DPM emissions.

c. The ERO may waive the alternative fuel requirements of item 1.d if alternative fuels are not commercially available or the use of alternative fuels would negatively affect construction performance, void equipment warranties, or result in additional DPM emissions compared to traditional fuels. For purposes of this mitigation measure, "not commercially available" is defined as either: (1) not being used for other large-scale construction projects in the Bay Area occurring at the same time; (2) not obtainable without significant delays to critical-path timing of construction; or (3) not available within the larger Bay Area region.

The Project Applicant must provide sufficient documentation to the ERO when seeking any waiver described above.

3. *Construction Emissions Minimization Plan.* Before starting onsite construction activities, the Project Applicant shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the contractor will meet the requirements of item 1.

   a. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include but is not limited to equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, expected fuel type (e.g., diesel, gasoline, electric, propane, natural gas), and hours of operation.

   b. The Project Applicant shall make the Plan available to the public for review onsite during working hours. The contractor shall post a notice summarizing the Plan. The notice shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Project Applicant shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.

4. *Reporting.* After start of construction activities, the Project Applicant shall submit reports every year to the ERO documenting compliance with the Plan. After completion of construction activities, the Project Applicant shall submit to the ERO a final report summarizing construction activities, including the start and

end dates and duration of each construction phase, and the specific information required in the Plan.

The annual reports shall also include documentation supporting the use of waivers if the engine requirements of items 1.a, 1.b, 1.c, and/or 1.d cannot be met.

Within six months of the completion of construction activities, the Project Applicant 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 item 3.a.

5. *Certification Statement and Onsite Requirements.* Prior to commencing construction activities, the Project Applicant shall certify that all applicable requirements of the Plan have been incorporated into contract specifications.

MM AQ-2.2: Implement Accelerated Emission Control Device Installation on Construction Equipment Used for Alice Griffith Parcels.

Reason for Changes in Mitigation Measure: See explanation for changes in MM AQ-2.1 above.

~~**MM AQ-2.2** Implement Accelerated Emission Control Device Installation on Construction Equipment Used for Alice Griffith Parcels. In addition to mitigation measure MM AQ-2.1, in order to minimize the potential impacts to residents living in Alice Griffith from the construction activities in that area, the Project Applicant will require that all construction equipment used in the Alice Griffith parcels (CP01 though CP06) utilize equipment which meets the USEPA Tier 2 standards outfitted with California ARB Level 3 VDECS (Verified Diesel Emission Control Strategies) for particulate matter control (or equivalent) throughout the entire duration of construction activities on those parcels.~~

MM AQ-6.1

Reason for Addition to Mitigation Measure: The 2010 EIR's analysis of health impacts of potential TAC emissions from R&D operations included only HPS and distinguished between parcels smaller or larger than one acre. The analysis in Addendum 7 of the same impacts at CP applies current methodology and does not distinguish between parcels smaller or larger than one acre. Accordingly, MM AQ-6.1 would be revised to clarify that it applies only at HPS.

MM AQ-6.1 If a facility in HPS with sources of TAC emission wishes to locate on a plot size smaller than 1 acre, an analysis will be required to show the facility, in conjunction with all other TAC emitting facilities in the R&D areas, will not cause these thresholds of a residential cancer risk of 10 in one million and a chronic noncancer HI of 1.0 to be exceeded at the nearest residential locations.

MM AQ 6.2

Reason for Additions to Mitigation Measure: See explanation for addition to MM AQ-6.1 above.

> **MM AQ-6.2** Each facility in HPS with sources of TAC emissions shall limit its emissions such that residential cancer risk and chronic non-cancer hazard index evaluated at the facility boundary do not exceed 10 in one million or 1.0, respectively. If these thresholds are exceeded at the boundary, an analysis will be required to show the facility, in conjunction with all other TAC emitting facilities in the R&D areas, will not cause these thresholds to be exceeded at the nearest residential locations.

Addition of AQ-6.3a and 6.3b

Reason for Supplementation of Mitigation Measure: The 2024 Modified Project Variant would allow R&D facilities within the proposed CP Innovation District. New analysis of potential health impacts due to any TAC emissions from such facilities was performed for Addendum 7, enabling formulation of more detailed CP-specific mitigation measures.

> **MM AQ-6.3a** Each R&D facility with sources of TAC emissions (TAC-emitting R&D facility) that is proposed in the CP Innovation District, which is the area bounded by Ingerson Avenue, Harney Way and Jamestown Avenue, shall be required to show that the facility, in conjunction with all other existing or approved TAC-emitting R&D facilities in the Innovation District, will not cause the thresholds of a residential cancer risk of 10 in one million or a chronic noncancer HI of 1.0 to be exceeded at planned CP residential locations outside the CP Innovation District or any previously approved residential use within the CP Innovation District.
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> If the analysis based on emissions from TAC-emitting R&D facilities shows health impacts in excess of the significance threshold to residents, health impacts shall be reduced until the TAC-emitting facilities would not cause these thresholds of a residential cancer risk of 10 in one million and a chronic noncancer HI of 1.0 to be exceeded at residential locations. Activities to reduce estimated impacts from a proposed TAC-emitting R&D facility may include, but are not limited to, reducing TAC emissions by reducing solvent use or hours of operation, siting exhaust locations further away from existing or planned residences, implementing additional filtration of TAC emissions, and/or relocating the TAC-emitting facility.
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> **MM AQ-6.3b** If a residential use is proposed within the CP Innovation District after one or more TAC-emitting R&D facility has been approved, the residential proposal shall be required to show that the TAC-emitting R&D facilities will not cause the thresholds of a residential cancer risk of 10 in one million or a chronic noncancer HI of 1.0 to be exceeded at the proposed residential use.
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> Activities to reduce estimated impacts when a residential use is proposed may include, but are not limited to, restrictions on emissions from future TAC-emitting R&D facility operations or locations, or relocation of the proposed residential land use.

MM TR-16 Widen Harney Way as shown in Figures 7A and 7B in the Analysis of Transportation Effects included as Appendix C of Addendum 6.

Reason for Changes in Mitigation Measure: MM TR-16 has been changed to reflect the elimination of Sub-Phase boundaries and the Sub-Phase process. The reference to former Sub-Phase CP-02 in MM TR-16 is replaced with Candlestick Center, which encompasses the area formerly referred to as Sub-Phase CP-02.

> **MM TR-16 Widen Harney Way as shown in Figures 7A and 7B in the Analysis of Transportation Effects included as Appendix C of Addendum 6.** The Project Applicant shall widen Harney Way as shown in Figures 7A and 7B in the Transportation Study with the modification to include a two-way cycle track, on the southern portion of the project right-of-way. The portion between Arelious Walker Drive and Executive Park East (Phase 1 A) shall be widened to include a two-way cycle track and two-way BRT lanes, prior to issuance of an occupancy permit for Candlestick Center ~~Sub phase CP 02~~. The remaining portion, between Thomas Mellon Drive and Executive Park East (Phase 1 B), shall be widened prior to implementation of the planned BRT route which coincides with construction of CP 07, as outlined in the transit improvement implementation schedule identified in Addendum 1, based on the alignment recommendations from an ongoing feasibility study conducted by the San Francisco County Transportation Authority.
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> Prior to the issuance of grading permits for Candlestick Point Major Phases 2 and 3, the Project Applicant shall fund a study to evaluate traffic conditions on Harney Way and determine whether additional traffic associated with the next phase of development would result in the need to modify Harney Way to its ultimate configuration, as shown in Figures 7A and 7B in the Transportation Study, unless this ultimate configuration has already been built. This study shall be conducted in collaboration with the SFMTA, which would be responsible for making final determinations regarding the ultimate configuration. The ultimate configuration would be linked to intersection performance, and it would be required when study results indicate intersection LOS at one or more of the three signalized intersection on Harney Way at mid-LOS D (i.e., at an average delay per vehicle of more than 45 seconds per vehicle). If the study and SFMTA conclude that reconfiguration would be necessary to accommodate traffic demands associated with the next phase of development, the Project Applicant shall be responsible to fund and complete construction of the improvements prior to occupancy of the next phase.

MM RE-2 Phasing of parkland with respect to residential and/or employment-generating uses.

Reason for Changes in Mitigation Measure: MM RE-2 has been changed to reflect the elimination of Sub-Phase boundaries and the Sub-Phase process. The reference to sub-phases has been removed from MM RE-2.

MM RE-2 Phasing of parkland with respect to residential and/or employment-generating uses. Development of the Project and associated parkland shall ensure that within each phase ~~or sub-phase~~, parks and population increase substantially concurrently and development shall be scheduled such that adequate parkland is constructed and operational when residential and employment-generating uses are occupied. The following standards shall be met:

No project development shall be granted a temporary certificate of occupancy if the City determines that the new population associated with that development would result in a parkland-to-population ratio within the Project site lower than 5.5 acres per 1,000 residents/population, as calculated by the Agency.

For the purposes of this mitigation measure, in order for a park to be considered in the parkland-to-population ratio, the Agency must determine that within 12 months of the issuance of the temporary certificate of occupancy, it will be fully constructed and operational, and, if applicable, operation and maintenance funding will be provided to the Agency.

Clarifying Implementation Measure: In addition to the mitigation measure amendments described above, Addendum 7 includes the following to document how Noise Ordinance section 2909, governing noise from fixed-location noise sources, is implemented:

Noise Ordinance Section 2909 Implementation Measure

At schematic design, the Lead Agency shall require, as a condition of approval, that compliance with Noise Ordinance section 2909 is demonstrated for each building.