SAN FRANCISCO
PLANNING DEPARTMENT

General Plan Referral

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date:	December 27, 2019
Case No.	**2018-016691GPR** **301 Mission Street**
Block/Lot No:	3719/020 through 440
Project Sponsors:	Howard Dickstein Millennium Tower Association 301 Mission Street San Francisco, CA 94105
Applicant:	Same as Above
Staff Contact:	Paolo Ikezoe – (415) 575-9137 *paolo.ikezoe@sfgov.org*
Recommendation:	Finding the project, on balance, is **in conformity** with the General Plan
Recommended By:	John Rahaim, Director of Planning

PROJECT DESCRIPTION

On December 4, 2018, the Planning Department (herein "the Department") received a request from the Millennium Tower Association to consider the street vacation of portions of the sidewalk along Mission and Fremont Streets, as well as a permanent easement for a portion of the street vacation area. The street vacation and easement are necessary to enable structural upgrades to the existing residential tower located at 301 Mission Street. The upgrade involves the installation of approximately 52 piles underneath the sidewalks along Mission and Fremont Streets, which will extend into bedrock approximately 235 feet beneath the sidewalk. The piles and mat foundation extension would be located approximately 15 feet beneath the sidewalk, with a vault above located approximately 12 feet beneath the sidewalk that will allow access to the upgrade for monitoring and analysis. When the easement is recorded, the City will restore the street use status on the street vacation area through a rededication of the area for street and public right-of-way purposes subject to the easement.

A condition precedent to the street vacation is termination of the Public Trust through a Trust Exchange with the State Lands Commission on portions of Mission, Fremont, and Beale Streets. The Trust Exchange will allow the City to grant the easement to the Project Sponsor for the purposes described above as well

as allow the Transbay Joint Powers Authority to consolidate its ownership of above and below grade portions of Fremont and Beale Street that the Salesforce Transit Center currently are occupies. The streets where the Trust is terminated ("Trust Termination Streets") consist of a portion of Mission Street (between Beale Street and First Street), a portion of Beale Street (between Mission Street and Howard Street), and a portion of Fremont Street (between Mission Street and Howard Street), that were historically tidelands within the shallow waterbody known as Yerba Buena Cove. The streets proposed to be added to the Trust ("Trust Addition Streets") consist of a portion of Beach Street between Van Ness Avenue and Leavenworth Street, a portion of Hyde Street between Beach Street and Jefferson Street, and a portion of Bay Street between Stockton Street and Kearney Street. These streets, located near the Fisherman's Wharf area, provide public access along and to the water and the City's waterfront and serve important Trust purposes. The area of the Trust Addition Streets comprises approximately 153,000 square feet in comparison to the total area of the Trust Termination Streets that is approximately 143,000 square feet. The General Plan Referral applies to all the aforementioned issues including the street vacation, grant of permanent easement, rededication of street use, and the Trust Exchange.

In determining to issue this General Plan Referral, the Planning Department adopts findings under the California Environmental Quality Act, California Public Resources Code Sections 21000 et seq. ("CEQA"), particularly Sections 21081 and 21081.5, the Guidelines for Implementation of CEQA, California Code of Regulations, Title 14, Sections 15000 et seq. ("CEQA Guidelines"), particularly Sections 15091 through 15093, and Chapter 31 of the San Francisco Administration Code ("Chapter 31"). The CEQA Findings are contained in Attachment A to this General Plan Referral. In addition to the CEQA Findings, the Planning Department adopts a Mitigation Monitoring and Reporting Program ("MMRP") attached hereto as Attachment B.

ENVIRONMENTAL REVIEW

On November 20, 2019, the Planning Department published a Preliminary Mitigated Negative Declaration ("PMND") for the Project, finding that, although the Project could have a significant effect on the environment, there will not be a significant effect in this case because the Project Sponsor has agreed to implement all mitigation measures as identified in the MMRP, which is included as Attachment B to this document. The Planning Department prepared and publicized the PMND in compliance with the provisions of CEQA, the CEQA Guidelines and Chapter 31.

On December 27, 2019, following a 30-day public comment period, and finding that no member of the public filed an appeal of the PMND to the Planning Commission, the Planning Department published a Final Mitigated Negative Declaration ("FMND"). This General Plan Referral determination is within the scope of the FMND and the Department relies on the FMND as the CEQA basis for its determination.

GENERAL PLAN COMPLIANCE AND BASIS FOR RECOMMENDATION

As described below, the Project is consistent with the Eight Priority Policies of Planning Code Section 101.1 and is, on balance**, in-conformity** with the following Objectives and Policies of the General Plan:

Note: General Plan Objectives and Policies are in **bold font**; General Plan text is in regular font. Staff comments are in *italic font*.

Community Safety Element

OBJECTIVE 1
REDUCE STRUCTURAL AND NON-STRUCTURAL HAZARDS TO LIFE SAFETY AND MINIMIZE PROPERTY DAMAGE RESULTING FROM FUTURE DISASTERS.

POLICY 1.3
Assure that new construction meets current structural and life safety standards.

POLICY 1.13
Reduce the risks presented by the City's most vulnerable structures, particularly privately owned buildings and provide assistance to reduce those risks.

The proposed project is necessary to enable a structural upgrade to an existing residential building, ensuring it meets current structural and life safety standards.

Housing Element

POLICY 2.4
Promote improvements and continued maintenance to existing units to ensure long term habitation and safety.

POLICY 2.5
Encourage and support the seismic retrofitting of the existing housing stock.

The proposed project is necessary to enable a structural upgrade to an existing residential building, ensuring long term habitation, safety, and structural soundness.

Eight Priority Policies Findings

The subject project is found to be consistent with the Eight Priority Policies of Planning Code Section 101.1 in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.

   The Project would have no adverse effect on neighborhood serving retail uses or opportunities for employment in or ownership of such businesses.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

   The Project would have no adverse effect on the City's housing stock or on neighborhood character. The existing housing and neighborhood character will be not be negatively affected.

3. That the City's supply of affordable housing be preserved and enhanced.

   The Project would have no adverse effect on the City's supply of affordable housing.

4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking.

   The Project will not result in commuter traffic impeding Muni's transit service, overburdening the streets or altering current neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for residential employment and ownership in these sectors be enhanced.

   The Project would not affect the existing economic base in this area.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

   The Project proposes a structural upgrade to the residential tower at 301 Mission Street,

7. That landmarks and historic buildings be preserved.

   The Project will not involve any changes to landmarks or historic buildings.

8. That our parks and open space and their access to sunlight and vistas be protected from development.

   The Project will not affect City parks or open spaces, or their access to sunlight and vistas.

RECOMMENDATION:	**Finding the Project, on balance, in-conformity with the General Plan**

Attachment A: 301 Mission Street CEQA Findings
Attachment B: Mitigation Monitoring and Reporting Program for 301 Mission Street

ATTACHMENT A
GENERAL PLAN REFERRAL
301 MISSION STREET

California Environmental Quality Act Findings

PREAMBLE

In determining to approve the project described in Section I, Project Description below, the San Francisco Department of City Planning ("DCP" or "Planning Department") makes and adopts the following findings of fact and decisions, prepared by the Planning Department, based on substantial evidence in the whole record of this proceeding and under the California Environmental Quality Act, California Public Resources Code Sections 21000 et seq. ("CEQA"), particularly Sections 21081 and 21081.5, the Guidelines for Implementation of CEQA, California Code of Regulations, Title 14, Sections 15000 et seq. ("CEQA Guidelines"), particularly Sections 15091 through 15093, and Chapter 31 of the San Francisco Administration Code. DCP adopts these findings in conjunction with the Approval Actions described in Section I(c), below, as required by CEQA.

These findings are organized as follows:

Section I provides a description of the project (the "Proposed Project") as analyzed in the Final Mitigated Negative Declaration for the Project ("Final MND" or "FMND"), the environmental review process for the Project, and the approval actions to be taken and the location of records;

Section II identifies the impacts found not to be significant 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 mitigation measures;

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 the General Plan Referral for 301 Mission Street**. The MMRP is required by CEQA Section 21081.6 and CEQA Guidelines Section 15074. Attachment B provides a table setting forth each mitigation measure listed in the FMND that is required to 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 DCP. The references set forth in these findings to certain pages or sections of the FMND are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings.

I. PROJECT DESCRIPTION AND PROCEDURAL BACKGROUND

A. Project Description

The 301 Mission Street, Millennium Tower Perimeter Pile Upgrade Project (the "Project") is associated with the 50,500-square-foot (1.16-acre) parcel (Assessor's Block 3719, Lots 020–440) at 301 Mission Street located on the south side of Mission Street between Fremont and Beale streets within San Francisco's Financial District (the "Property"). The existing high-rise on the 301 Mission Street parcel is called the Millennium Tower. The Tower building covers a footprint of approximately 32,960 square feet and its foundation system consists of a 10-foot-thick reinforced concrete mat foundation. In accordance with information provided by the Project Sponsor, Millennium Tower Association, since completion of construction of the Tower in 2009, the area around the Tower and Property has experienced differential settlement due to consolidation and compression of the soil layer beneath the Colma Sand, which is known as Old Bay Clay. As of the release of the FMND, at its lowest point, the existing mat foundation has settled approximately 17.6 inches near the northwest corner of the Tower, such that the top of the Tower tilts approximately 17.1 inches to the northwest near the corner of Mission and Fremont Streets.

The Project consists of a structural upgrade of the Tower building foundation that includes installation of a structural extension of the existing mat foundation for the Tower building within an approximately 8-foot-wide zone beneath public right of way sidewalk area immediately adjacent to the Tower along Fremont and Mission streets, supported by 52 new piles extending to bedrock. The 52 new piles are referred to a "perimeter piles" and the extended mat foundation is referred to as the "collar foundation." In addition to preventing further settlement in the northwest corner of the Tower's existing foundation, the Project Sponsor has stated that this effort may allow for gradual tilt correction of the Tower building over time. Project construction activities would be staged adjacent to the Property along Fremont, Mission and Beale Streets, requiring the closure of one travel lane and sidewalks along Fremont and Mission Streets and restricting pedestrian access on the sidewalk along Beale Street during portions of construction. There would be no pedestrian access along the Fremont and Mission Streets sides of the Tower during the entirety of construction, because the structural upgrade construction would occur in the sidewalk area; however, after completion of the structural upgrade, the Project would restore the site to pre-construction conditions.

B. Project Approvals

The Project requires the following Board of Supervisors approvals:

- Review and approval of an ordinance authorizing a street vacation and a resolution for an easement permitting the permanent installation of the perimeter piles and collar foundation;
- Approval of a State public trust exchange to remove public trust from the public right-of-way on Mission, Fremont, and Beale Streets and replace it on other public streets;
- Approval of the settlement of an ongoing lawsuit related to the Tower;

- Adopting CEQA findings and a MMRP.

The Project requires the following San Francisco Port Commission approvals:

- Approval of a state public trust exchange to remove public trust from the public right-of-way on Mission, Fremont, and Beale Streets and replace it on other public streets;

- Adopting CEQA findings and a MMRP.

Actions by Other City Departments and State Agencies

- State Lands Commission
    - Approval of a state public trust exchange to remove public trust from the public right-of-way on Mission, Fremont, and Beale Streets and replace it on other public streets

- San Francisco Planning Department
    - General Plan Referral related to Project, street vacation, and other related actions

- San Francisco Department of Public Works
    - Various permits and approvals related to street demolition and restoration plans, including tree removal and replanting

- San Francisco Department of Building Inspection
    - Building permits required to construction the structural upgrade

- San Francisco Municipal Transportation Agency
    - Various permits and approvals related to temporary street closures and temporary relocation of overhead wires for Muni trolley coach services

- San Francisco Department of Public Health
    - Various approvals related to the Maher Ordinance and work site safety

- San Francisco Public Utilities Commission
    - Review and approval of a batch waste discharge permit
    - Review and approval of erosion and sediment control plan

C. Environmental Review

DCP commenced environmental review of the Project following submission of complete environmental evaluation materials from the Project Sponsor on December 19, 2018. Following completion of technical study scoping, on June 14, 2019, the Planning Department circulated a Notification of Project Receiving Environmental Review ("Neighborhood Notice"). The Neighborhood Notice was sent to community organizations, occupants of the Property, and those persons who own property within 300 feet of the project site. In addition, the Neighborhood Notice was sent to people who had requested to receive notice regarding the Property.

On November 20, 2019, the Planning Department published a Preliminary Mitigated Negative Declaration ("PMND") for the Project, finding that, although the Project could have a significant effect on the environment, there will not be a significant effect in this case because the Project Sponsor has agreed to implement all mitigation measures as identified in the MMRP, Attachment B. DCP prepared and publicized the PMND in compliance with the provisions of the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq., "CEQA"), the State CEQA Guidelines (California Code of Regulations Title 14 Sections 15000 et seq.), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31").

On December 27, 2019, following a 30-day public comment period and finding that no member of the public filed an appeal of the PMND to the Planning Commission, DCP published a Final MND.

Prior to considering approval of the Project, DCP must determine that the Project proposed for approval has been sufficiently assessed under CEQA.

D. 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 FMND, and all documents referenced in or relied upon by the FMND;
- All information (including written evidence and testimony) provided by City staff to DCP relating to the FMND, the proposed approvals and entitlements, the Project;
- All information (including written evidence and testimony) presented to DCP by the environmental consultant and subconsultants who prepared the FMND, or incorporated into reports presented to DCP;
- All information (including written evidence and testimony) presented to the City from other public agencies relating to the Project or FMND;
- 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 related to the FMND;
- 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 FMND received during the public review period, the administrative record, and background documentation for the FMND are located at the Planning Department, 1650 Mission Street, 4th Floor, San Francisco. The Planning Department, Jonas P. Ionin, is the custodian of these documents and materials.

E. Findings About Significant Environmental Impacts of the Project and Mitigation Measures

The following Sections II and III set forth DCP's findings about the FMND and the mitigation measures proposed such that potentially significant impacts can be avoided or reduced to less-than significant levels. These findings provide the written analysis and conclusions of DCP regarding the environmental impacts of the Project and the mitigation measures included as part of the FMND and adopted by DCP as part of the Project. To avoid duplication and redundancy, and because DCP agrees with, and hereby adopts, the conclusions in the FMND, these findings will not repeat the analysis and conclusions in the FMND, but instead incorporates them by reference herein and relies upon them as substantial evidence supporting these findings.

In making these findings, DCP has considered the opinions of Planning Department and other City staff and experts, other agencies, and members of the public. DCP finds that: the determination of significance thresholds is a judgment decision within the discretion of the City and County of San Francisco; the significance thresholds used in the FMND are supported by substantial evidence in the record, including the expert opinion of the FMND preparers and City staff; and the significance thresholds used in the FMND provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the Project.

These findings do not attempt to describe the full analysis of each environmental impact contained in the FMND. Instead, a full explanation of these environmental findings and conclusions can be found in the FMND and these findings hereby incorporate by reference the discussion and analysis in the FMND supporting the determination regarding the Project impacts and mitigation measures designed to address those impacts. In making these findings, DCP ratifies, adopts and incorporates in these findings the determinations and conclusions of the FMND relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

As set forth below, DCP adopts and incorporates the mitigation measures set forth in the FMND and the attached MMRP to avoid the potentially significant and significant impacts of the Project. DCP intends to adopt the mitigation measures proposed in the FMND. Accordingly, in the event a mitigation measure recommended in the FMND 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 FMND, due to a clerical error, the language of the policies and implementation measures as set forth in the FMND, shall control. The impact numbers and mitigation measure numbers used in these findings reflect the information contained in the FMND.

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

II. IMPACTS OF THE PROJECT FOUND NOT TO BE 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, DCP finds that, the Project described in the FMND will not result in any significant impacts in the below areas and that these impact areas therefore do not require mitigation.

Land Use

- **Impact LU-1:** The proposed project would not physically divide an established community.
- **Impact LU-2:** The proposed project would not cause a significant physical environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?
- **Impact C-LU-1**: The proposed project, in combination with reasonably foreseeable future projects, would not result in a cumulative land use impact.

Aesthetics

- **Impact AE-1:** The proposed project would not result in a substantial adverse effect on a scenic vista.
- **Impact AE-2:** The proposed project would not damage scenic resources, including, but not limited to, tree, rock outcroppings, and other features of the built or natural environment which contribute to a scenic public setting.
- **Impact AE-3:** The proposed project would not create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area
- **Impact C-AE-1:** The proposed project, in combination with reasonably foreseeable projects in the vicinity of the project site, would not result in cumulatively significant impacts related to aesthetics.

Population, Housing, and Employment

- **Impact PH-1:** The proposed project would not induce substantial population growth in an area, either directly or indirectly.
- **Impact PH-2:** The proposed project would not displace substantial numbers of existing people or housing units, necessitating the construction of replacement housing.
- **Impact C-PH-1:** The proposed project, in combination with reasonably foreseeable future projects in the vicinity, would not result in a cumulative impact on population and housing.

Cultural and Paleontological Resources

- **Impact CR-1:** The project would not cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines section 15064.5, including those resources listed in article 10 or article 11 of the planning code.
- **Impact C-CR-1:** The proposed project, in combination with reasonably foreseeable future projects, would not result in significant cumulative impacts to cultural resources.

Tribal Cultural Resources

- **Impact C-TC-1**: The proposed project, in combination with reasonably foreseeable future projects, would not result in significant cumulative impacts to tribal cultural resources

Transportation and Circulation

- **Impact TR-1:** Construction of the project would require an intense activity but would not create potentially hazardous conditions for people walking, bicycling, or driving or public transit operations; or interfere with accessibility for people walking or bicycling; or substantially delay public transit, including due to loading activities.

- **Impact TR-2:** Operation of the project would not result in significant transportation impacts.
- **Impact C-TR-1:** Construction of the proposed project, in combination with reasonably foreseeable projects, would not contribute considerably significant construction-related transportation impacts.
- **Impact C-TR-2**: Operation of the project, in combination with reasonably foreseeable future projects, would not result in significant transportation impacts.

Noise

- **Impact NO-3:** Operation of the proposed project would not generate noise levels in excess of standards established in the local general plan or noise ordinance or result in a substantial permanent increase in ambient noise levels in the project vicinity.
- **Impact C-NO-1:** Implementation of the proposed project, in combination with reasonably foreseeable projects would not result in a significant cumulative noise or vibration impacts.

Air Quality

- **Impact AQ-3:** During project operations, the proposed project would not result in emissions of criteria air pollutants or toxic air contaminants.
- **Impact AQ-4:** The proposed project would not conflict with, or obstruct implementation of the 2017 Clean Air Plan.
- **Impact AQ-5:** The proposed project would not result in other emissions (such as those leading to odors) that would adversely affect a substantial number of people.

Greenhouse Gas Emissions

- **Impact C-GG-1:** The proposed project would generate greenhouse gas emissions, but not at levels that would result in a significant impact on the environment or conflict with any policy, plan, or regulation adopted for the purpose of reducing greenhouse gas emissions.

Wind and Shadow

- These topics are not applicable to the proposed project, because there would be no substantial change to the above-ground structures on the Property

Recreation

- **Impact UT-1:** The proposed project would not require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities.
- **Impact UT-2:** The proposed project would have sufficient water supply available and would not require new or expanded water supply resources or entitlements.
- **Impact UT-3:** The proposed project would not exceed the capacity of the wastewater treatment provider that would serve the project.
- **Impact UT-4:** The proposed project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs and would comply with all applicable statutes and regulations related to solid waste.
- **Impact C-UT-1:** The proposed project, in combination with reasonably foreseeable projects, would not result in a cumulative impact on utilities and service systems.

Utilities and Service Systems

- **Impact UT-1:** The proposed project would not require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities.

- **Impact UT-2:** The proposed project would have sufficient water supply available and would not require new or expanded water supply resources or entitlements.
- **Impact UT-3:** The proposed project would not exceed the capacity of the wastewater treatment provider that would serve the project.
- **Impact UT-4:** The proposed project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs and would comply with all applicable statutes and regulations related to solid waste.
- **Impact C-UT-1:** The proposed project, in combination with reasonably foreseeable projects, would not result in a cumulative impact on utilities and service systems.

Public Services

- **Impact PS-1:** The proposed project would not increase demand for police and fire protection services and would not require construction of new or physically altered facilities, associated with the provision of such services, that could cause significant environmental impacts.
- **Impact C-PS-1:** The proposed project, in combination with other past, present, or reasonably foreseeable projects, would not have a significant cumulative impact on public services.

Biological Resources

- **Impact BI-1:** The proposed project would not have a substantial adverse effect, either directly or through habitat modifications, on any special-status species.
- **Impact BI-2:** The proposed project would not interfere with the movement of any native resident or wildlife species or with established native resident or migratory wildlife corridors.
- **Impact BI-3:** The proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- **Impact C-BI-1:** The proposed project, in combination with reasonably foreseeable future projects in the vicinity of the site, would not have a significant cumulative impact on biological resources.

Geology and Soil

- **Impact GE-1:** The proposed project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, or landslides.
- **Impact GE-2:** The proposed project would not result in substantial loss of topsoil or erosion.
- **Impact GE-3:** The proposed project would not be located on a geologic unit or soil that is unstable, or that could become unstable as a result of the project, resulting in an onsite or offsite landslide, lateral spreading, subsidence, liquefaction or collapse.
- **Impact GE-4:** The proposed project would not create substantial risks to life or property as a result of being located on expansive soil.
- **Impact C-GE-1:** The proposed project, in combination with reasonably foreseeable future projects would not result in a significant cumulative impact related to geology, soils, seismicity, and paleontological resources.

As a result of the analysis leading to the findings above and the DCP's Environmental Planning division review of the Project, the FMND includes a recommended improvement measure related to implementation of monitoring and reporting already included as part of the project. The Project Sponsor has agreed to follow this improvement measure and the Department of Building Inspection has indicated it will adopt the recommended improvement measure as part of its approvals related to the Project.

Hydrology and Water Quality

- **Impact HY-1:** The project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality**.**

- **Impact HY-2:** The proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.
- **Impact HY-3:** The proposed project would not result in altered drainage patterns that would cause substantial erosion and siltation or flooding on- or off-site, or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, or impede or redirect flood flows.
- **Impact HY-4:** The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.
- **Impact C-HY-1:** The proposed project, in combination with reasonably foreseeable future projects in the site vicinity, would not have a significant cumulative impact on hydrology and water quality.

Hazards and Hazardous Materials

- **Impact HZ-1:** Construction of the proposed project would not create a significant hazard through the routine transport, use, or disposal of hazardous materials.
- **Impact HZ-2:** The proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
- **Impact HZ-3:** The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- **Impact C-HZ-1:** The proposed project, in combination with reasonably foreseeable future projects in the site vicinity, would result in less than significant impacts related to hazards and hazardous materials.

Mineral Resources

- Because no sites in San Francisco are designated areas of significant mineral deposits, this topic is not applicable to the proposed project.

Energy Resources

- **Impact EN-1:** The proposed project would not encourage activities which would result in wasteful, inefficient, or unnecessary consumption of energy resources.
- **Impact EN-2:** The proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.
- **Impact C-EN-1:** The proposed project, in combination with reasonably foreseeable future project in the site vicinity, would not result in significant cumulative impacts on energy resources.

Agriculture and Forest Resources

- The proposed project will have no impact on agricultural or forest resources.

Wildfire

- Because San Francisco does not contain any state responsibility areas for fire prevention or lands classified as very high fire hazard severity zones, this topic is not applicable to the proposed project.

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 (unless mitigation to such levels is achieved through adoption of a project alternative). The findings in this Section

III concern mitigation measures set forth in the FMND. These findings discuss mitigation measures identified in the FMND to mitigate the potentially significant impacts of the proposed project. The full text of the mitigation measures is contained in the FMND and in the MMRP, Attachment B. DCP finds that the impacts of the Project identified in this Section III would be reduced to a less-than-significant level through implementation of the mitigation measures contained in the FMND for the reasons specified therein, and imposed as conditions of approval as set forth in Attachment B.

DCP recognizes that some of the mitigation measures are partially within the jurisdiction of other agencies. DCP urges these agencies to assist in implementing these mitigation measures, and finds that these agencies can and should participate in implementing these mitigation measures.

Impact CR-2: The proposed project could cause a substantial adverse change in the significance of an archeological resource pursuant to CEQA Guidelines section 15064.5.

Impact CR-3: The proposed project could disturb human remains, including those interred outside of formal cemeteries

Because the Project involves ground-disturbing activities, which could affect human remains and archaeological resources, the FMND proposes Mitigation Measure M-CR-2 requiring the development of a testing, monitoring and data recovery program, as well as procedures for the treatment of human remains discovered during ground-disturbing activity.

Mitigation Measure M-CR-2: Archaeological Testing

Impact TC-1: The proposed project could result in a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code section 21074.

Because the Project involves ground-disturbing activities, which could affect tribal cultural resources, the FMND proposes Mitigation Measure M-TC-1 requiring the development of a tribal cultural resources interpretive program in the event the Environmental Review Officer determines that a significant archeological resource is present and, in consultation with affiliated Native American tribal representatives, determines that the resource constitutes a tribal cultural resource and that the resource could be adversely affected by the proposed project.

Mitigation Measure M-TC-1: Tribal Cultural Resources Interpretive Program

Impact NO-1: Construction of the proposed project would generate substantial temporary or periodic increases in ambient noise levels.

Because construction of the Project would cause a temporary increase in noise levels at the project site and within the project vicinity area, the FMND proposes Mitigation Measure M-NO-1a requiring general construction noise control measures to ensure that project noise from construction activities is minimized to the maximum extent feasible. The FMND also proposes Mitigation Measure M-NO-1b to reduce nighttime construction delivery noise during Stages 3 and 4.

Mitigation Measure M-NO-1a

Mitigation Measure M-NO-1b

Impact NO-2: During project construction, the proposed project could generate excessive groundborne vibration or groundborne noise levels.

Because construction activities involve impact activities and compaction that could produce detectable vibration at nearby sensitive buildings and sensitive receptors, the FMND propose Mitigation Measure M-NO-2 which requires contractors to use limit the use of vibratory rollers.

Mitigation Measure M-NO-2

Impact AQ-1: The proposed project's construction activities would generate fugitive dust and criteria air pollutants. Construction exhaust emissions would result in a cumulatively considerable net increase in regional non-attainment criteria air pollutants.

Impact AQ-2: The proposed project's construction activities would generate toxic air contaminants, including diesel particulate matter that would expose sensitive receptors to substantial pollutant concentrations.

Impact C-AQ-1: Construction of the proposed project, in combination with past, present, and reasonably foreseeable future development in the project area would result in significant cumulative air quality impacts.

Because construction activity would generate fugitive dust and criteria air pollutants and toxic air contaminants that would expose sensitive receptors to substantial pollutant concentrations, the FMND proposes Mitigation Measure M-AQ-1, which requires engines meet higher emission standards on certain types of construction equipment in order to reduce NOx construction emissions, cancer risk and $PM_{2.5}$ to less-than-significant levels. Implementation of Mitigation Measure M-AQ-1 would also bring the cumulative air quality impacts of the construction activities to a less than significant level.

Mitigation Measure M-AQ-1

Impact GE-5: The proposed project could directly or indirectly destroy a unique paleontological resource or site or unique geological feature.

Because construction activities could directly or indirectly destroy a paleontological resource, the FMND proposes Mitigation Measure M-GE-5a, b, c, & d, requiring the project sponsor or its contractor to retain a qualified paleontologist to train workers, monitor installation of the 36-inch-diameter casings anticipated to return Colma Sands and Old Bay Clay and salvage and prepare any find deemed significant.

Mitigation Measure M-GE-5a, b, c, & d

Mandatory findings of significance

The proposed project would not substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal.

As described above, construction activities associated with the proposed project could result in potential impacts on unknown archeological resources, human remains, and tribal cultural resources. These impacts would be less than significant with implementation of Mitigation Measures M-CR-2, Archeological Testing and Archeological Monitoring, and M-TC-1, Tribal Cultural Resources Interpretive Program.

Also as described above, construction activities associated with the proposed project could result in potential impacts on paleontological resources. These impacts would be less than significant with implementation of Mitigation Measures M-GE-5a through M-GE-5d. Therefore, the proposed project would not result in a significant impact through the elimination of important examples of major periods of California history or prehistory.

Section E of the initial study has addressed cumulative impacts under each environmental topic and determined that the proposed project, in combination with reasonably foreseeable projects, would not result in significant cumulative impacts.

As described above, the proposed project would result in substantial temporary noise level increases in excess of established standards and groundborne vibration impacts on sensitive receptors at the 301 Mission Street. These impacts would be less than significant with implementation of Mitigation Measures M-NO-1a, General Construction Noise Control Measures, M-NO-1b, Noise Reduction Techniques for Equipment Used in Nighttime Delivery Activity, and M-NO-2, Limited Use of Vibratory Rollers.

Also as described above, the proposed project would result in potentially significant impacts related to criteria air pollutants and health risk. These impacts would be less than significant with implementation of Mitigation Measures M-AQ-1, Construction Air Quality. Therefore, the proposed project would not cause substantial adverse effects on human beings, either directly or indirectly, with the implementation of the mitigation measures.

ATTACHMENT B: MITIGATION MONITORING AND REPORTING PROGRAM (MMRP) FOR THE 301 MISSION STREET PERIMETER PILE UPGRADE PROJECT

MITIGATION MONITORING AND REPORTING PROGRAM FOR THE 301 MISSION STREET PERIMETER PILE UPGRADE PROJECT

Measures Adopted as Conditions of Approval	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Schedule and Verification of Compliance
MITIGATION MEASURES FOR THE 301 MISSION STREET PERIMETER PILE UPGRADE PROJECT				
Cultural Resources Mitigation Measure				
Mitigation Measure M-CR-2: Archeological Testing and Monitoring. Based on a reasonable presumption that archeological 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. The project sponsor shall retain the services of an archeological consultant from the rotational Department Qualified Archeological Consultants List (QACL) maintained by the Planning Department archeologist. The project sponsor shall contact the Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL, with specialized expertise in geoarcheology and historical archeology. The archeological consultant shall undertake an archeological testing and monitoring program as specified herein. In addition, the consultant shall be available to conduct a data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less-than-significant level potential effects on a significant archeological resource as defined in CEQA Guidelines section 15064.5(a) and (c).	Project sponsor to retain qualified professional archeological consultant.	Upon publication of the draft CEQA document.	The archaeological consultant shall undertake an archaeological testing and monitoring program as specified herein. (See below regarding archaeological consultant's reports).	Considered complete when project sponsor retains a qualified professional archaeological consultant and scope of ATP/AMP has been approved by the ERO
Consultation with Descendant Communities. On discovery of an archeological site associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group, an appropriate representative of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archeological Resources Report shall be provided to the representative of the descendant group.	Qualified archaeologist to identify descendant monitor; Project sponsor to retain monitor.	Upon discovery of an archaeological site associated with descendant groups, and for the duration of any archaeological investigation of the associated site.	Project sponsor/archaeological consultant shall contact the ERO and appropriate descendant group representative upon discovery of an archaeological site.	Considered complete upon submittal of Final Archeological Resources Report.
Archeological Testing and Monitoring Program. The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan and archeological monitoring plan (ATP/AMP). The ATP/AMP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing and monitoring. The purpose of the archeological testing and monitoring program will be to determine to the extent possible the presence or absence of archeological resources or strata with potential to include archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.	Archeological consultant to prepare in consultation with ERO	Prior to any excavation, site preparation or, geotechnical drilling, submit ATP/AMP to the ERO for approval.	ERO to review and approve ATP/AMP.	Considered compete upon ERO approval of ATP/AMP
The archeological testing and monitoring program shall be conducted in accordance with the approved ATP/AMP, as follows: **Archaeological testing** shall consist of geoarchaeological coring prior to the beginning of project excavations and/or in concert with post-approval geotechnical testing, and shall, at minimum, include sampling of the uppermost five feet of the Young Bay Mud and the uppermost five feet of the Colma Sands Formation, or of the Old Bay Clay, where this stratum directly underlies the Young Bay Mud stratum. At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, modifications to the archeological monitoring program, and/or implementation of an archeological data recovery program, as detailed below. No archeological data recovery shall be undertaken without the prior approval of the ERO or the Planning Department archeologist.	Project sponsor and archeological consultant to implement ATP/AMP in consultation with the ERO.	Testing to be completed concurrent with geotechnical drilling. Upon completion of the archeological testing program.	Archaeological consultant to implement approved ATP/AMP in consultation with ERO. Archaeological consultant and project sponsor to submit results of testing and consult with ER0 on subsequent tasks.	Considered complete upon ERO approval of consultant's initial report of archeological testing results and ERO approval of scope of any subsequent monitoring and/or data recovery.
Archaeological monitoring shall be conducted in accordance with the approved AMP. It is anticipated that at a minimum, this shall include at least intermittent monitoring of excavations within bay fill and the upper portion of the Young Bay Mud stratum, and selective monitoring of the installation of the 36-inch-diameter outer casings. The archeological consultant, project sponsor, and ERO shall meet and consult on any adjustments needed in the scope of archeological monitoring based on the results of geoarchaeological testing and the judgment of the project archaeologist, reasonably prior to the commencement of mass excavation and casing installations. Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO. If no potential archeological resources are identified, the final report shall consist of an Archaeological Testing Results Report/ Archaeological Monitoring Results Report (AMRR/ATRR). If significant resources are identified, the consultant shall prepare a Final Archaeological Resources Report (FARR), the contents of which are detailed below. In addition: • Prior to the beginning of construction soil disturbance, the archeological consultant shall advise all project contractors to be on the	Project sponsor, archaeological consultant, archaeological monitor, and project sponsor's contractors shall implement the applicable provisions of the AMP, if required by the ERO	Upon conclusion of archeological testing and prior to the commencement of post-coring soil-disturbing activities.	Project sponsor and archeological consultant in consultation with the ERO	Considered complete on ERO approval of Archaeological Monitoring Results Report and/or Final Archaeological Resources Report

MITIGATION MONITORING AND REPORTING PROGRAM FOR THE 301 MISSION STREET PERIMETER PILE UPGRADE PROJECT

Measures Adopted as Conditions of Approval	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Schedule and Verification of Compliance
alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource; • The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with the project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits; • The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis; • If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile installation/construction activities and equipment until the deposit is evaluated. If in the case of pile installation or deep foundation activities (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile installation or deep foundation activities may affect an archeological resource, the pile installation or deep foundation activities shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.				
Archeological Data Recovery Program. The archeological data recovery program, when required through the process set forth above, shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical resource that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical. The scope of the ADRP shall include the following elements: • Field Methods and Procedures – Descriptions of proposed field strategies, procedures, and operations • Cataloguing and Laboratory Analysis – Description of selected cataloguing system and artifact analysis procedures • Discard and Deaccession Policy – Description of and rationale for field and post-field discard and deaccession policies • Interpretive Program – Consideration of an on-site/off-site public interpretive program based on the results of the archeological data recovery program • Security Measures – Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities • Final Report – Description of proposed report format and distribution of results • Curation – Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.	Project sponsor and archaeological consultant in consultation with the ERO.	ADRP to be prepared by consultant upon determination by the ERO that an ADRP is required. Archaeological data recovery to be implemented prior to or during construction, as determined by provisions of approved ADRP.	If required, archaeological consultant to prepare and implement an ADRP in consultation with the ERO	Considered complete upon review and approval of the ADRP by the ERO and upon notification of the ERO, by the consultant, that data recovery is complete.
Human Remains, Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and federal laws. This shall include immediate notification of the Medical Examiner of the City and County of San Francisco and, in the event of the Medical Examiner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission, which will appoint a Most Likely Descendant (MLD). The MLD will complete his or her inspection of the remains and make recommendations or preferences for treatment within 48 hours of being granted access to the site (Public Resources Code section 5097.98). The ERO also shall be notified immediately upon the discovery of human remains. The project sponsor and ERO shall make all reasonable efforts to develop a Burial Agreement ("Agreement") with the MLD, as expeditiously as possible, for the treatment and disposition, with appropriate dignity, of human remains and associated or unassociated funerary objects (as detailed in CEQA Guidelines section 15064.5(d)). The Agreement shall take into consideration the appropriate excavation, removal, recordation, scientific analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. If the MLD agrees to scientific analyses of the remains and/or associated or unassociated funerary objects, the archeological consultant shall retain possession of the remains and associated or unassociated funerary objects until completion of any such analyses, after which the remains and associated or unassociated funerary objects shall be reinterred or curated as specified in the Agreement. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept treatment	Project sponsor and archaeological consultant shall notify the San Francisco Medical Examiner and if applicable, Native American Heritage Commission who will appoint a Most Likely Descendent. Project sponsor, ERO, and the Most Likely Descendent shall make all reasonable efforts to develop a burial agreement.	Upon discovery of human remains and as required by PRC 5097.98	Archaeological consultant and project sponsor to report discovery and notification of ME to ERO	Considered complete on completion of burial agreement and/or analysis and/or legal disposition of the remains and associated funerary materials.

MITIGATION MONITORING AND REPORTING PROGRAM FOR THE 301 MISSION STREET PERIMETER PILE UPGRADE PROJECT

Measures Adopted as Conditions of Approval	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Schedule and Verification of Compliance
recommendations of the MLD. However, if the ERO, project sponsor and MLD are unable to reach an Agreement on scientific treatment of the remains and associated or unassociated funerary objects, the ERO, with cooperation of the project sponsor, shall ensure that the remains and/or mortuary materials are stored securely and respectfully until they can be reinterred on the property, with appropriate dignity, in a location not subject to further or future subsurface disturbance. Treatment of historic-period human remains and of associated or unassociated funerary objects discovered during any soil-disturbing activity, additionally, shall follow protocols laid out in the project's archeological treatment documents, and in any related agreement established between the project sponsor, Medical Examiner and the ERO.				
Final Archeological Resources Report. The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. The Draft FARR shall also include an Interpretation Plan for public interpretation of all significant archeological features. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Historical Resources Information Center Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound, one unbound and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.	Project sponsor and archaeological consultant in consultation with the ERO if the project results in archeological discoveries.	After completion of archeological testing, monitoring, data recovery, analysis and interpretation, as applicable.	If applicable, archeological consultant to submit a FARR to ERO for approval; distribute FARR and provide written certification of distribution to ERO .	Considered complete upon approval of FARR by ERO and distribution of FARR as directed by ERO.
Tribal Cultural Resources Mitigation Measure				
Mitigation Measure M-TC-1: Tribal Cultural Resources Interpretive Program. If the Environmental Review Officer (ERO) determines that a significant archeological resource is present, and if in consultation with the affiliated Native American tribal representatives, the ERO determines that the resource constitutes a tribal cultural resource and that the resource could be adversely affected by the proposed project, the proposed project shall be redesigned so as to avoid any adverse effect on the significant tribal cultural resource, if feasible.	Project sponsor, tribal representative and ERO to consult on feasibility of preservation in place.	Prior to further soil disturbing activities that could affect the resource	Archeological consultant shall contact the ERO and appropriate Native American tribe representative upon discovery of an archeological resource that may constitutes a tribal cultural resource.	Upon agreement between ERO and project sponsor that preservation plan shall be prepared and implemented.
If the ERO determines that preservation-in-place of the tribal cultural resource is both feasible and effective, then the archeological consultant shall prepare an archeological resource preservation plan (ARPP). Implementation of the approved ARPP by the project sponsor and the archeological consultant shall be required when feasible.	Project sponsor and archeological consultant	Preservation Plan to be prepared on agreement that preservation in place is feasible and implemented prior to further activities that could affect the resources	Project sponsor and archeological consultant in consultation with the ERO	Archeological consultant submits preservation plan; ERO reviews and approves; project sponsor verifies to ERO that plan has been implemented.
If the ERO, in consultation with the affiliated Native American tribal representatives and the project sponsor, determines that preservation-in-place of the tribal cultural resources is not a sufficient or feasible option, the project sponsor shall implement an interpretive program of the tribal cultural resource in consultation with affiliated tribal representatives. An interpretive plan produced in consultation with the ERO and affiliated tribal representatives, at a minimum, and approved by the ERO would be required to guide the interpretive program. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long-term maintenance program. The interpretive program may include artist installations, preferably by local Native American artists, oral histories with local Native Americans, artifacts displays and interpretation, and educational panels or other informational displays.	Project sponsor in consultation with the ERO and tribal representatives.	Prior to issuance of final certificate of occupancy.	. The ERO to approve final interpretive program. ..	Considered complete upon installation of approved interpretive program, if required. Project sponsor to provide verification to ERO that approved Interpretation program has been implemented
Noise Mitigation Measures				
Mitigation Measure M-NO-1a: General Construction Noise Control Measures. To ensure that project noise from construction activities is minimized to the maximum extent feasible, the project sponsor shall undertake the following: • The project sponsor shall require the general contractor to ensure that equipment and trucks used for project construction utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible). • The project sponsor shall require the general contractor to locate stationary noise sources (such as compressors) as far from adjacent or nearby sensitive receptors as possible, to muffle such noise sources, and to construct barriers around such sources and/or the	Project sponsor and contractor shall prepare a construction noise management plan	Draft construction noise management plan to be submitted to Planning Department and DBI prior to issuance of the first permit.	Prior to the issuance of any building permit, San Francisco Department of Building Inspection and Planning Department shall review and approve Construction Noise Management Plan. Project sponsor, qualified consultant, and/or construction	Considered complete at the completion of construction and submittal of final noise monitoring reports for all construction stages.

MITIGATION MONITORING AND REPORTING PROGRAM FOR THE 301 MISSION STREET PERIMETER PILE UPGRADE PROJECT

Measures Adopted as Conditions of Approval	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Schedule and Verification of Compliance
construction site, which could reduce construction noise by as much as 5 dBA. To further reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, if feasible. • The project sponsor shall require the general contractor to use impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used, along with external noise jackets on the tools, which could reduce noise levels by as much as 10 dBA. • The project sponsor shall include noise control requirements in specifications provided to construction contractors. Such requirements could include, but not be limited to, performing all work in a manner that minimizes noise to the extent feasible; use of equipment with effective mufflers; undertaking the most noisy activities during times of least disturbance to surrounding residents and occupants, as feasible; and selecting haul routes that avoid residential buildings inasmuch as such routes are otherwise feasible. • Prior to the issuance of the building permit, the project sponsor shall submit to the planning department and Department of Building Inspection (building department) a Construction Noise Management Plan identifying all measures be implemented and identifying a contact person and phone number to respond to and track complaints pertaining to construction noise. These measures shall include (1) a procedure and phone numbers for notifying the building department, the Department of Public Health (health department), and the Police Department (during regular construction hours and off-hours); (2) a sign posted on-site describing noise complaint procedures and a complaint hotline number that shall be answered at all times during construction; (3) designation of an on-site construction complaint and enforcement manager for the project; and (4) notification of neighboring residents and non-residential building managers within 300 feet of the project construction area at least 30 days in advance of commencement of construction activities. • The general contractor or other designated person(s) shall prepare a weekly noise monitoring log report that shall be made available to the planning department upon request. The log shall include any noise complaints received, whether in connection with an exceedance or not, as well as any noise complaints received through calls to 311 or DBI if the contractor is made aware of them (for example, via a building department notice, inspection, or investigation). Any weekly report that includes an exceedance or for a period during which a complaint is received shall be submitted to the planning department within three business days following the week in which the exceedance or complaint occurred. A report shall be submitted to the planning department at the completion of construction. The report shall document noise levels, exceedances of standards, if reported, and corrective action(s) taken.			contractor(s) to prepare a weekly noise monitoring log which shall be made available to the Planning Department when requested. Any weekly report that includes an exceedance or for a period during which a complaint is received shall be submitted to the development performance coordinator within 3 business days following the week in which the exceedance or complaint occurred. Project sponsor, qualified consultant, and/or construction contractor(s) to submit final noise monitoring report to the Planning Department development performance coordinator at the completion of each construction stage.	
Mitigation Measure M-NO-1b: Noise Reduction Techniques for Equipment Used in Nighttime Delivery Activity. The project sponsor shall notify the Planning Department Development Performance Coordinator of any night noise permit application filed with the Department of Building Inspection on the day of filing and any emergency/unanticipated activity with the potential to exceed standard as soon as possible. The project sponsor shall implement all of the following noise reduction techniques to reduce nighttime construction delivery noise during Stages 3 and 4: • The crane used for nighttime deliveries shall be directionally positioned such that the exhaust faces away from the building at 301 Mission Street. This measure would be expected to reduce noise levels by 2 to 3 dBA. • Provide acoustically-rated shielding around crane engine. This measure would be expected to reduce noise levels by 5 to 12 dBA depending on the proximity of shielding to the crane engine. • The crane shall be operated in ECO silent mode during nighttime hours. This measure would be expected to reduce noise levels by 3 to 5 dBA. • Forklifts shall employ self-adjusting directional backup alarms. Such alarms constantly measure the background noise and can reduce their sound level by 20 dBA or more.	Project sponsor and contractor	During nighttime delivery activity in Stages 3 and 4 of construction	Planning Department and project contractor.	Considered complete at the completion of construction and submittal of final noise monitoring reports.
Mitigation Measure M-NO-2: Limited Use of Vibratory Rollers. The project sponsor shall require that the contractors use non vibratory excavator mounted compaction wheels and small, smooth drum rollers for final compaction of any asphalt base and asphalt concrete. If needed to meet compaction requirements, smaller vibratory rollers shall be used to minimize vibration levels during repaving activities where needed to meet vibration standards.	Project sponsor and contractor	During construction	San Francisco Department of Building Inspection (DBI)	Considered complete at the completion of construction and submittal of final noise monitoring reports.
Air Quality Mitigation Measure				
Mitigation Measure M-AQ-1: Construction Air Quality. The project sponsor or contractor shall provide the Planning Department with a certification statement that the sponsor or contractor agrees to fully comply with the following requirements which shall be included in contract specifications: • All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes. • The project construction contractor shall not use diesel generators for construction purposes where feasible alternative sources of power are available. • All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission	Project sponsor and contactor	Implement during construction activities	Planning Department Environmental Review Officer (ERO).	Considered complete upon Planning Department review and approval of documentation and completion of construction.

MITIGATION MONITORING AND REPORTING PROGRAM FOR THE 301 MISSION STREET PERIMETER PILE UPGRADE PROJECT

Measures Adopted as Conditions of Approval	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Schedule and Verification of Compliance
reductions of NOx and Particulate Matter, including Tier 4 Interim or Final or alternative fuel engines where such equipment is available and feasible for use. – The following equipment shall have Tier 4 final engines: air compressors, bore/drill rigs, compactor, concrete pump, crawler tractors, excavator, generator sets/power pack, pavers, rollers, rough terrain forklifts, rubber tired loaders, skid steer loaders, and track drill. – The following equipment shall have Tier 4 interim or final engines: backhoes. – The following equipment shall have Tier 1 or newer engines: truck mount drills. • Should any deviations in the construction equipment list or tier levels be required, the project sponsor shall present documentation to the satisfaction of the ERO that any such deviation would not result in an exceedance of the average daily NOx significance threshold or any health risk threshold.				
Biological Resource Mitigation Measure				
Mitigation Measure M-BI-2: Preconstruction Nesting Bird Surveys and Buffer Areas Nesting birds and their nests shall be protected during construction by implementation of the following measures for each construction phase: a. To the extent feasible, conduct initial activities including, but not limited to, vegetation removal, tree trimming or removal, ground disturbance, building demolition, site grading, and other construction activities which may compromise breeding birds or the success of their nests outside of the nesting season (January 15 through August 15). b. If construction during the bird nesting season cannot be fully avoided, a qualified wildlife biologist* shall conduct pre-construction nesting surveys within 14 days prior to the start of construction or demolition at areas that have not been previously disturbed by project activities or after any construction breaks of 14 days or more. Surveys shall be performed for suitable habitat within 250 feet of the project site in order to locate any active nests of common bird species and within 500 feet of the project site to locate any active raptor (birds of prey) nests. c. If active nests are located during the preconstruction nesting bird surveys, a qualified biologist shall evaluate if the schedule of construction activities could affect the active nests and if so, the following measures would apply: i. If construction is not likely to affect the active nest, construction may proceed without restriction; however, a qualified biologist shall regularly monitor the nest at a frequency determined appropriate for the surrounding construction activity to confirm there is no adverse effect. Spot-check monitoring frequency would be determined on a nest-by-nest basis considering the particular construction activity, duration, proximity to the nest, and physical barriers which may screen activity from the nest. The qualified biologist may revise his/her determination at any time during the nesting season in coordination with the Planning Department. ii. If it is determined that construction may affect the active nest, the qualified biologist shall establish a no-disturbance buffer around the nest(s) and all project work shall halt within the buffer until a qualified biologist determines the nest is no longer in use. Typically, these buffer distances are 250 feet for passerines and 500 feet for raptors; however, the buffers may be adjusted if an obstruction, such as a building, is within line-of-sight between the nest and construction. iii. Modifying nest buffer distances, allowing certain construction activities within the buffer, and/or modifying construction methods in proximity to active nests shall be done at the discretion of the qualified biologist and in coordination with the Planning Department, who would notify CDFW. Necessary actions to remove or relocate an active nest(s) shall be coordinated with the Planning Department and approved by CDFW. iv. Any work that must occur within established no-disturbance buffers around active nests shall be monitored by a qualified biologist. If adverse effects in response to project work within the buffer are observed and could compromise the nest, work within the no disturbance buffer(s) shall halt until the nest occupants have fledged. v. Any birds that begin nesting within the project area and survey buffers amid construction activities are assumed to be habituated to construction-related or similar noise and disturbance levels, so exclusion zones around nests may be reduced or eliminated in these cases as determined by the qualified biologist in coordination with the Planning Department, who would notify CDFW. Work may proceed around these active nests as long as the nests and their occupants are not directly impacted. d. In the event inactive nests are observed within or adjacent to the project site at any time throughout the year, any removal or relocation of the inactive nests shall be at the discretion of the qualified biologist in coordination with the Planning Department, who would notify and seek approval from the CDFW, as appropriate. Work may proceed around these inactive nests. * Typical experience requirements for a "qualified biologist" include a minimum of four years of academic training and professional experience in biological sciences and related resource management activities, and a minimum of two years of experience conducting surveys for each species that may be present within the project area.	Project sponsor and construction contactor	Implement during construction activities	Planning Department Environmental Review Officer (ERO).	Considered complete upon Planning Department review and approval of documentation and completion of construction.
Geology and Soils Mitigation Measures				
Mitigation Measure GE-4a: Project Paleontologist The project sponsor or its contractor shall retain a qualified professional paleontologist (qualified paleontologist) prior to the approval of	Project sponsor to retain qualified professional paleontologist.	Prior to approval of demolition or grading permits.	ERO to approve selection of professional paleontologist.	Considered complete when project sponsor retains a

MITIGATION MONITORING AND REPORTING PROGRAM FOR THE 301 MISSION STREET PERIMETER PILE UPGRADE PROJECT

Measures Adopted as Conditions of Approval	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Schedule and Verification of Compliance
demolition or grading permits. The qualified paleontologist shall attend the project kick-off meeting and project progress meetings on an as-needed basis, shall report to the project site for drilling activities associated with installation of the outer casings for the perimeter piles that are anticipated to return Colma Sands or Old Bay Clay materials, and shall implement the duties outlined in Mitigation Measures M-GE-4b through M-GE-4d.				qualified professional paleontologist.
Mitigation Measure GE-4b: Worker Training Prior to the start of ground-disturbing activity related to the installation of the outer casings for the perimeter piles, which is anticipated to return Colma Sands or Old Bay Clay materials, the qualified paleontologist shall prepare paleontological resources sensitivity training materials for use during Project-wide Worker Environmental Awareness Training (or equivalent). The paleontological resources sensitivity training shall be conducted by a qualified environmental trainer working under the supervision of the qualified paleontologist. In the event construction crews are phased, additional trainings shall be conducted for new construction personnel. The training session shall focus on the recognition of the types of paleontological resources that could be encountered within the project site and the procedures to be followed if they are found, as outlined in the approved Paleontological Resources Monitoring and Mitigation Plan in Mitigation Measure M-GE-4c. The project sponsor and/or its contractor shall retain documentation demonstrating that all construction personnel attended the training prior to the start of work on the site, and shall provide the documentation to the City Planning Department Project Manager upon request.	Paleontologist to conduct training.	Prior to any excavation, site preparation or, geotechnical drilling.	ERO to verify that training has been conducted.	Considered complete after qualified professional paleontologist conducts training.
Mitigation Measure M-GE-4c: Paleontological Monitoring The qualified paleontologist shall prepare, and the project sponsor and/or its contractors shall implement, a Paleontological Resources Monitoring and Mitigation Plan (PRMMP). The project sponsor shall submit the plan to the planning department for review and approval at least 30 days prior to the start of construction. This plan shall address specifics of monitoring and mitigation and comply with the City requirements, as follows. • The qualified paleontologist shall identify, and the project sponsor or its contractor(s) shall retain, qualified paleontological resource monitors (qualified monitors). • The qualified paleontologist and/or the qualified monitors under the direction of the qualified paleontologist shall conduct full-time paleontological resources monitoring of the installation of the 36-inch-diameter outer casings for all ground-disturbing activities anticipated to return Colma Sands or Old Bay Clay materials. • Monitors shall have the authority to temporarily halt or divert work away from exposed fossils in order to evaluate and recover the fossil specimens. • If construction or other project personnel discover any potential paleontological resources during construction, regardless of the depth of work or location and regardless of whether the site is being monitored, work at the discovery location shall cease until the qualified paleontologist, project sponsor, and ERO shall meet and consult on the appropriate course of action at the 36-inch-diameter outer casing locations, based on the nature of the recovered paleontological resource and the judgment of the qualified paleontologist, reasonably provided prior to continuing with the installation of outer casings. The qualified paleontologist shall determine the significance of any paleontological resources discovered, and shall determine the appropriate treatment for significant paleontological resources in accordance with City standards. Whether or not a significant paleontological resource has been encountered, the qualified paleontologist shall assess the discovery, make recommendations as to the appropriate treatment, and submit a written report of the findings of the monitoring program to the ERO. Mitigation Measure M-GE-4d regarding significant fossil treatment is described further below. • Monitors shall prepare daily logs detailing the types of activities and soils observed, and any discoveries. The qualified paleontologist shall prepare a final monitoring and mitigation report to document the results of the monitoring effort and any curation of fossils. The project sponsor shall provide the daily logs to the City Planning Department upon request, and shall provide the final report to the City Planning Department upon completion.	Paleontologist to prepare in consultation with ERO.	Prior to any excavation, site preparation or, geotechnical drilling, submit PRMMP to the ERO for approval.	ERO to review and approve PRMMP.	Considered complete upon ERO approval of PRMMP.
Mitigation Measure M-GE-4d: Significant Fossil Treatment If any find is deemed significant following the process outlined in Mitigation Measure M-GE-4c, the qualified paleontologist shall salvage and prepare the fossil for permanent curation with a certified repository with retrievable storage.	Project sponsor and paleontologist in consultation with the ERO.	Upon discovery of fossil.	ERO to verify recovery of fossil.	Considered complete when fossil has been salvaged and prepared for curation.

IMPROVEMENT MEASURES FOR THE 301 MISSION STREET PERIMETER PILE UPGRADE PROJECT				
	Implementation Responsibility	**Mitigation Schedule**	**Monitoring/Reporting Responsibility**	**Monitoring Actions/Schedule and Verification of Compliance**
Geology & Soils Improvement Measure				
Improvement Measure I-GE-1: Sponsor Reimbursement for Engineering Design Review Team Review of Construction and Post-Construction Monitoring Data. The project sponsor should cooperate with the Department of Building Inspection (building department) in its engagement of the Engineering Design Review Team (peer review team) convened during review and evaluation of the monitoring data collected for the project during and post construction. The project sponsor should reimburse the building department for the costs of the monitoring data review and evaluation by the peer review team.	Department of Building Inspection (building department) to invoice the project sponsor for reimbursement of the cost for each of the Engineering Design Review Team's (peer review team's) review and evaluation of the construction and post-construction monitoring data for the project. The project sponsor shall pay the invoice within 60 days of receipt of the peer review team's findings for a particular review and the invoice for such review from the building department.	For the duration of the 10-year monitoring program.	Department of Building Inspection to invoice project sponsor for the cost of each of the peer review team's review and evaluation of construction and post-construction monitoring data and project sponsor to provide timely reimbursement to the city.	Considered complete upon payment by the project sponsor to the Department of Building Inspection Director or designee of the final invoice for the final data review letter from the peer review team with its findings at the conclusion of the post-construction monitoring program.