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Transit Center District Plan Adoption Packet Table of Contents

HEARING DATE: MAY 24, 2012

Case No.: **2007.0558EMTZU**
Transit Center District Plan Adoption
Staff Contact: *Joshua Switzky* - (415) 575-6815
joshua.switzky@sfgov.org

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Transit Center District Plan Adoption Packet Executive Summary

HEARING DATE: MAY 24, 2012

Case No.: **2007.0558EMTZU**
Transit Center District Plan Adoption
Staff Contact: *Joshua Switzky* - (415) 575-6815
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SUMMARY

The San Francisco Planning Department is seeking to adopt and implement the Transit Center District Plan ("the Plan"). The result of a multi-year public and cooperative interagency planning process that began in 2007, the Plan is a comprehensive vision for shaping growth on the southern side of Downtown to respond to and support the construction of the new Transbay Transit Center project, including the Downtown Rail Extension. In addition to laying out policy recommendations to accommodate additional transit-oriented growth, sculpt the downtown skyline, improve streets and open spaces, and expand protection of historic resources, the Plan would result in the potential to generate over $575 million for public infrastructure, particularly the Downtown Rail Extension project.

Adoption of the Plan will consist of numerous actions. These include:

1. Adoption of CEQA Findings, including a Statement of Overriding Considerations
2. General Plan Amendments
3. Planning Code Amendments
4. Zoning Map Amendments
5. Administrative Code Amendments
6. Approval of a Program Implementation Document

Together with actions related to certification of the Final Environmental Impact Report, these actions will constitute the Commission's approval of the Transit Center District Plan and its implementing mechanisms. A detailed staff report and supporting materials for each of these items is included separately for the Commission.

On May 3, 2012 the Planning Commission passed resolutions to Initiate the Amendments to the General Plan, Planning Code, and Zoning Maps and instructed Planning staff to provide public notice for a public hearing on the proposed amendments on or after May 24, 2012. Proper notification was provided according to the requirements of the Planning Code, including a newspaper advertisement 20 days prior to the hearing and mailed notice to all property owners within the Plan Area and within 300 feet of the Plan Area 10 days prior to the hearing.

PRELIMINARY STAFF RECOMMENDATION

Staff recommends adoption of the draft Resolutions for all items related to adoption of the Transit Center District Plan.

PLAN BACKGROUND

In 1985 the City adopted the Downtown Plan into the General Plan to guide growth in the Downtown area. Recognizing the potential for transit-oriented growth in the vicinity of the Transbay Terminal south of Market Street, the Downtown Plan called for concentrating the City's greatest densities and building heights in this area, as well as creating a system to transfer development rights from other parts of the downtown to this area.

Since the adoption of the Downtown Plan several major infrastructure changes have happened or are being undertaken. The Embarcadero Freeway was removed following the 1989 Loma Prieta earthquake, allowing for the renovation of the waterfront and rethinking of the southern side of the downtown. The City and region have embarked on a multi-billion dollar investment in improving and expanding transit infrastructure in the area through construction of a new Transbay Transit Center on the site of the former Transbay Terminal and an extension of intra-city rail from the current terminus near Mission Bay northward into the Transit Center. This is the single largest investment in public transit in San Francisco since the construction of BART and the Market Street Muni subway in the early 1970s. In 2005 the City adopted the Transbay Redevelopment Plan to direct funding toward the Transit Center project and direct the redevelopment of underutilized publicly-owned lands, primarily those that formerly housed the Embarcadero Freeway, into a new high-density residential neighborhood. Together with the Rincon Hill Plan, also adopted in 2005, this new urban neighborhood will become home to over 10,000 people.

In 2006 a Mayor's Interagency Working Group published a report calling for the City to undertake further land use studies around the Transit Center to investigate whether building densities and heights could be increased further in recognition of the transit investment and whether such growth could be leveraged to generated substantial new revenues to help fund the full Transit Center project, including the Downtown Rail Extension.

In 2007 the Planning Department initiated a public planning effort called the Transit Center District Plan, focused on the area roughly bounded by Market Street, Embarcadero, Folsom Street, and Hawthorne Street, whose five fundamental goals were to:

(1) Build on the General Plan's Urban Design Element and Downtown Plan, establishing controls, guidelines and standards to advance existing policies of livability, as well as those that protect the unique quality of place;

(2) Capitalize on major transit investment with appropriate land use in the downtown core, with an eye toward long-term growth considerations;

(3) Create a framework for a network of public streets and open spaces that support the transit system, and provides a wide variety of public amenities and a world-class pedestrian experience;

(4) Generate financial support for the Transit Center project, district infrastructure, and other public improvements; and

(5) Ensure that the Transit Center District is an example of comprehensive environmental sustainability in all regards.

The Planning Department held numerous public workshops and worked with consultants throughout 2008 and 2009, resulting in the publication of a Draft Transit Center District Plan in November 2009. In April 2012 the Planning Department published a Plan Addendum revising and clarifying aspects of the Draft Plan.

The Transit Center District Plan ("the Plan") supports and builds on the Downtown Plan's vision for the area around the Transbay Transit Center as the heart of the new downtown. The Plan enhances and augments the Downtown Plan's patterns of land use, urban form, public space, circulation, and historic preservation, and makes adjustments to this specific sub-area based on today's understanding of the issues and constraints facing the area, particularly in light of the Transit Center project. The Plan's core recommendations include:

- Increasing allowable density and strategically increasing height limits in the Plan area to augment the transit-oriented growth capacity of the area while recognizing the importance of these buildings with respect to city form and their physical influence on both immediate and neighboring districts;

- Ensuring that major development sites incorporate commercial space in order to preserve the job growth capacity for the downtown;

- Enhancing the public realm and circulation system to accommodate growth and provide a world-class pedestrian experience, including widening sidewalks, providing dedicated transit lanes, augmenting the bicycle network, adding signalized mid-block crosswalks, and converting certain alleys into pedestrian plazas;

- Identifying and funding opportunities for new public open space and improved access to planned spaces, including at 2nd/Howard, Transbay Park, Mission Square, and City Park on the roof of the Transit Center, as well as providing additional funding for park improvements in the downtown outside of the Plan area;

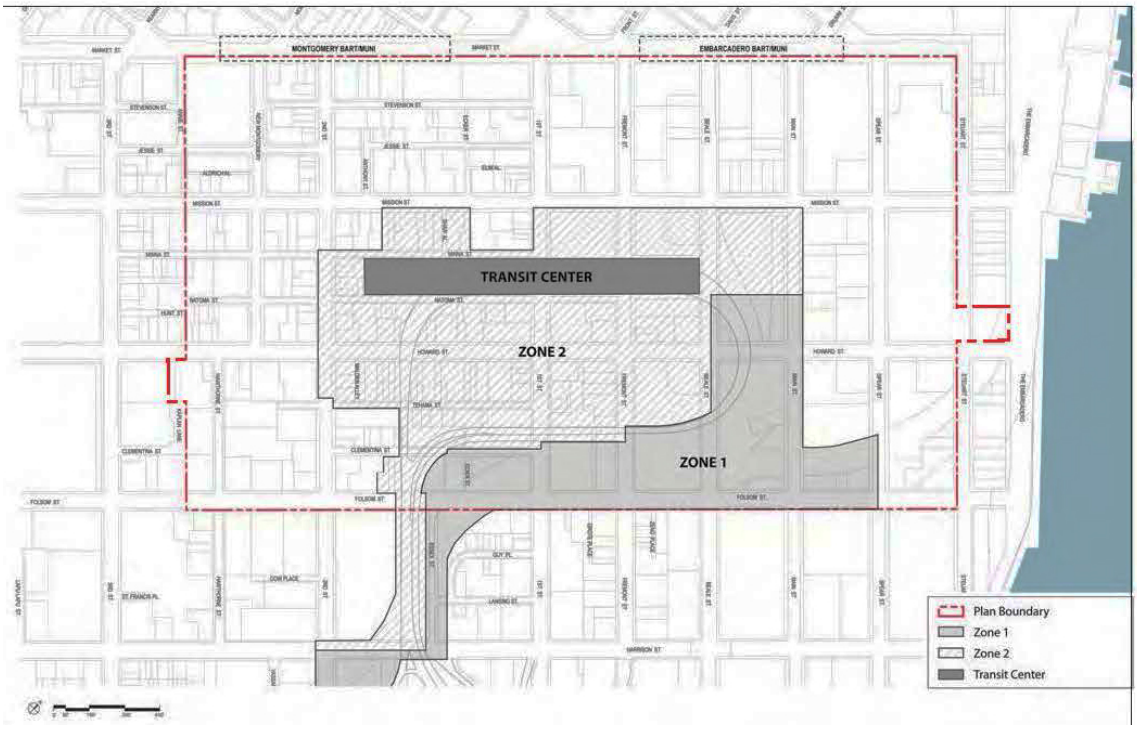
- Enlarging the New Montgomery-2nd Street Conservation District and updating individual resource ratings based on a newly-adopted survey;

- Identifying opportunities to explore advanced district-level energy and water utility systems to improve environmental performance beyond individual buildings; and

• Adopting a funding program including two new key revenue mechanisms – impact fees and a Mello-Roos Community Facilities District – to ensure that new development contributes substantially toward the implementation of necessary public infrastructure, including the Transit Center/Downtown Extension project. Between the two mechanisms, the Plan would create the potential for over $590 million of new revenue for key public improvements, notably over $400 million for the Transit Center and Downtown Rail Extension.

PLAN AREA

The Transit Center District Plan Area consists of approximately 145 acres centered on the Transbay Transit Center, situated between the Northern Financial District, Rincon Hill, Yerba Buena Center and the Bay. The boundaries of the District are roughly Market Street on the north, Embarcadero on the east, Folsom Street on the south, and Hawthorne Street to the west. While these boundaries overlap with those of the Transbay Redevelopment Project Area, this Plan will not affect the adopted land use or development controls for Zone 1 of the Redevelopment Area and is consistent with the overall goals of the Transbay Redevelopment Plan.



ENVIRONMENTAL REVIEW

The Department published the Draft Environmental Impact Report on September 28, 2011. The Planning Commission will consider certification of the Final Environmental Impact Report on the Transit Center District Plan and adoption of CEQA Findings prior to consideration of this item at the hearing on May 24, 2012.

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Exhibit II-1: Adoption of CEQA Findings Case Report

HEARING DATE: MAY 24, 2012

Case No.:	**2007.0558EMTZU**
	Transit Center District Plan – Adoption of CEQA Findings
Staff Contact:	*Joshua Switzky* - (415) 575-6815
	joshua.switzky@sfgov.org
Recommendation:	**Approval**

DESCRIPTION

The Planning Department proposes amending the General Plan of the City and County of San Francisco in order to adopt and implement the Transit Center District Plan. The Plan supports the General Plan's vision of concentrating housing and jobs around the city's greatest concentration of public transit service in the Downtown. The Plan balances increased density in the heart of Downtown with the principles of good place-making that are essential to maintaining and enhancing the distinctive qualities of Downtown San Francisco.

Before agencies of the City can take approval actions that will implement the Transit Center District Plan, they must consider the EIR and adopt certain findings required by CEQA. The CEQA Findings set forth the basis for approving the Transit Center District Plan and its implementing actions (the "Project") and the economic, social and other considerations, which support the rejection of alternatives in the EIR, which were not incorporated into the Project. The Findings provide for adoption by the Planning Commission all of the mitigation measures in the EIR. Finally, the Findings identify the significant adverse environmental impacts of the project that have not been mitigated to a level of insignificance by adoption of mitigation measures, and contain a Statement of Overriding Considerations, setting forth the specific reasons in support of the approval of the implementing actions and the rejection of alternatives not incorporated into the project.

In reviewing the Transit Center District Plan and preparing the amendments to the General Plan, Planning Code, Zoning Maps, and Administrative Code as well as the Program Implementation Document, staff has considered the EIR mitigation measures. Staff has also concluded that approval of these amendments and actions now under consideration will not create new environmental effects or substantially increase the severity of previously identified significant effects and no new information has come to light that would require a review of the EIR. Therefore, Staff recommends that the Planning Commission adopt the proposed CEQA Findings.

PRELIMINARY STAFF RECOMMENDATION

Staff recommends adoption of the draft Resolution adopting Findings pursuant to the California Environmental Quality Act, including a Statement of Overriding Considerations, for actions related to the Transit Center District Plan.

ENVIRONMENTAL REVIEW

The Department published the Draft Environmental Impact Report on September 28, 2011**.** The Planning Commission will consider certification of the Final Environmental Impact Report on the Transit Center District Plan prior to consideration of this item at the hearing on May 24, 2012.

RELATED ACTIONS

As part of its actions approving the Transit Center District Plan, the Planning Commission will consider Amendments to the General Plan, Planning Code, Zoning Maps and Administrative Code, and approval of a Program Implementation Document. These proposed actions are discussed in separate Staff Reports.

ATTACHMENTS

Exhibit II-2 Draft Resolution Adopting CEQA Findings and Statement of Overriding Consideration

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Planning Commission Draft Resolution

HEARING DATE MAY 24, 2012

Date:	May 24, 2012
Case No.:	**2007.0558EMTZU**
	Transit Center District Plan – Adoption of CEQA Findings
Staff Contact:	Joshua Switzky - (415) 575-6815
	joshua.switzky@sfgov.org
Recommendation:	**Approval**

ADOPTING ENVIRONMENTAL FINDINGS AND A STATEMENT OF OVERRIDING CONSIDERATIONS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND STATE GUIDELINES IN CONNECTION WITH THE ADOPTION OF THE TRANSIT CENTER DISTRICT PLAN AND RELATED ACTIONS NECESSARY TO IMPLEMENT SUCH PLAN.

WHEREAS, the Planning Department, the Lead Agency responsible for the implementation of the California Environmental Quality Act ("CEQA") has undertaken a planning and environmental review process for the proposed Transit Center District Plan and provided appropriate public hearings before the Planning Commission.

In 1985, the City adopted the Downtown Plan into the General Plan to guide growth in the Downtown area. Recognizing the potential for transit-oriented growth in the vicinity of the Transbay Terminal south of Market Street, the Downtown Plan called for concentrating the City's greatest densities and building heights in this area, as well as creating a system to transfer development rights from other parts of the downtown to this area.

Since the adoption of the Downtown Plan several major infrastructure changes have happened or are being undertaken. The Embarcadero Freeway was removed following the 1989 Loma Prieta earthquake, allowing for the renovation of the waterfront and rethinking of the southern side of the downtown. The City and region have embarked on a multi-billion dollar investment in improving and expanding transit infrastructure, further enhancing the transit accessibility of the area, through construction of a new Transbay Transit Center on the site of the former Transbay Terminal and an extension of intra-city rail from the current terminus at 4th and King Streets into the Transit Center. This is the single largest investment in public transit in San Francisco since the construction of BART in the early 1970s. In 2005 the City adopted the Transbay Redevelopment Plan to direct funding toward the Transit Center project and direct the redevelopment of underutilized publicly-owned lands, primarily those that formerly housed the Embarcadero Freeway, into a new high-density residential neighborhood.

In 2006, a Mayor's Interagency Working Group published a report calling for the City to investigate further land use studies around the Transit Center as to whether building densities and heights could be increased further in recognition of the transit investment and as to whether such growth could be leveraged to generated substantial new revenues to help fund the full Transit Center project, including the Downtown Rail Extension.

In 2007, the Planning Department initiated a public planning effort called the Transit Center District Plan, focused on the area roughly bounded by Market Street, Embarcadero, Folsom Street, and Hawthorne Street, whose five fundamental goals were to:

(1) Build on the General Plan's Urban Design Element and Downtown Plan, establishing controls, guidelines and standards to advance existing policies of livability, as well as those that protect the unique quality of place;
(2) Capitalize on major transit investment with appropriate land use in the downtown core, with an eye toward long-term growth considerations;
(3) Create a framework for a network of public streets and open spaces that support the transit system, and provides a wide variety of public amenities and a world-class pedestrian experience;
(4) Generate financial support for the Transit Center project, district infrastructure, and other public improvements; and
(5) Ensure that the Transit Center District is an example of comprehensive environmental sustainability in all regards.

The Planning Department held numerous public workshops and worked with consultants throughout 2008 and 2009, resulting in the publication of a Draft Transit Center District Plan in November 2009. In April 2012 the Planning Department published a Plan Addendum revising and clarifying aspects of the Draft Plan.

The Transit Center District Plan ("the Plan"), a sub-area plan of the Downtown Plan, supports and builds on the Downtown Plan's vision for the area around the Transbay Transit Center as the heart of the new downtown. The Plan enhances and augments the Downtown Plan's patterns of land use, urban form, public space, circulation, and historic preservation, and makes adjustments to this specific sub-area based on today's understanding of the issues and constraints facing the area, particularly in light of the Transit Center project. The Plan's core recommendations include:

- Increasing allowable density and strategic increases to height limits in the Plan area to increase the transit-oriented growth capacity of the area while recognizing the importance of these buildings with respect to city form and impacts to the immediate and neighboring districts;

- Ensuring that major development sites incorporate commercial space in order to preserve the job growth capacity for the downtown;

- Enhancing the public realm and circulation system to accommodate growth and provide a world-class pedestrian experience, including widening sidewalks, providing dedicated

transit lanes, augmenting the bicycle network, adding signalized mid-block crosswalks, and converting certain alleys into pedestrian plazas;

- Identifying and funding opportunities for new public open space and improved access to planned spaces, including at 2nd/Howard, Transbay Park, Mission Square and City Park on the roof of the Transit Center, as well as providing additional funding for park improvements in the downtown outside of the Plan area;

- Enlarging the New Montgomery-2nd Street Conservation District and updating individual resource ratings based on a newly-adopted survey;

- Identifying opportunities to explore advanced district-level energy and water utility systems to improve environmental performance beyond individual buildings; and

- Adopting a funding program including two new key revenue mechanisms – impact fees and a Mello-Roos Community Facilities District – to ensure that new development contributes substantially toward the implementation of necessary public infrastructure, including the Transit Center/Downtown Extension project.

The San Francisco Planning Department is seeking to adopt and implement the Transit Center District Plan. The core policies and supporting discussion in the Plan have been incorporated into a Sub-Area Plan proposed to be added to the Downtown Plan. The Sub-Area Plan, together with other General Plan, Planning Code, Zoning Map, and Administrative Code Amendments, and approval of an Implementation Document provide a comprehensive set of policies, regulatory controls and implementation programming to realize the vision of the Plan.

The actions listed in Attachment A hereto ("Actions") are part of a series of considerations in connection with the adoption of the Transit Center District Plan and various implementation actions ("Project"), as more particularly described in Attachment A hereto.

The Planning Department determined that an Environmental Impact Report (hereinafter "EIR") was required for the proposed Transit Center District Plan and provided public notice of that determination by publication in a newspaper of general circulation on July 20, 2008.

Notices of availability of the DEIR and of the date and time of the public hearing were posted in the project area by Department staff on September 28, 2011.

On September 28, 2011, copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, to adjacent property owners, and to government agencies, the latter both directly and through the State Clearinghouse.

Notice of Completion was filed with the State Secretary of Resources via the State Clearinghouse on September 28, 2011.

The Commission held a duly advertised public hearing on said DEIR on November 3, 2011 at which opportunity for public comment was given, and public comment was received on the DEIR. The period for acceptance of written comments ended on November 28, 2011.

The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 60 day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIR. This material was presented in a Draft Comments and Responses document, published on May 10, 2012, distributed to the Commission and all parties who commented on the DEIR, and made available to others upon request at the Department.

A Final Environmental Impact Report (hereinafter "FEIR") was prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the Comments and Responses document all as required by law.

The Planning Commission, on May 24, 2012, by Motion No. _____, reviewed and considered the FEIR and found that the contents of said report and the procedures through which the FEIR was prepared, publicized and reviewed complied with the provisions of CEQA, the CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code.

Also by Motion No. , the Planning Commission, finding that the FEIR was adequate, accurate and objective, reflected the independent judgment of the Planning Commission and that the Comments and Responses document contains no significant revisions to the DEIR, adopted findings of significant impacts associated with the Project and certified the completion of the FEIR for the Project in compliance with CEQA and the CEQA Guidelines.

The Planning Department prepared proposed Findings, as required by CEQA, including mitigation measures and significant environmental impacts analyzed in the FEIR, adoption of such measures, rejection of alternatives, and overriding considerations for approving the Project, including all of the actions listed in Attachment A hereto, and a proposed mitigation monitoring and reporting program, attached as Exhibit 1 to Attachment A. These materials were made available to the public and this Planning Commission for the Planning Commission's review, consideration, and actions.

THEREFORE BE IT RESOLVED, that the Planning Commission has reviewed and considered the FEIR and hereby adopts the Project Findings attached hereto as Attachment A, including adoption of Exhibit 1, the mitigation monitoring and reporting program, and imposition of those mitigation measures in that are within the Planning Commission jurisdiction as project conditions, and incorporates the same herein by this reference.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting of May 24, 20012.

Linda D. Avery

Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED:

ATTACHMENT A

TRANSIT CENTER DISTRICT PLAN

**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS:
FINDINGS OF FACT, EVALUATION OF MITIGATION MEASURES AND ALTERNATIVES, AND STATEMENT OF OVERRIDING CONSIDERATIONS**

SAN FRANCISCO PLANNING COMMISSION

In determining to approve the proposed Transit Center District Plan Project and related approval actions ("Project"), the San Francisco Planning Commission ("Planning Commission" or "Commission") makes and adopts the following findings of fact and statement of overriding considerations and adopts the following recommendations regarding mitigation measures and alternatives 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.

I. Introduction

This document is organized as follows:

Section I provides a description of the proposed Project, the environmental review process for the Project, the Planning Commission 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;

Section IV identifies significant impacts that cannot be avoided or reduced to less-than significant levels;

Section V discusses why recirculation of the EIR is not required;

Section VI evaluates the economic, legal, social, technological, and other considerations that support the rejection of the alternatives analyzed in the EIR; and

Section VII presents a statement of overriding considerations setting forth specific reasons in support of the Planning Commission's actions in light of the environmental consequences of the project.

Section VIII includes a statement incorporating the Final EIR by reference.

Attached to these findings as Exhibit 1 is the Mitigation Monitoring and Reporting Program ("MMRP") for the mitigation measures that have been proposed for adoption. The Mitigation Monitoring and Reporting Program is required by CEQA Section 21081.6 and CEQA Guidelines Section 15091. It provides a table setting forth each mitigation measure listed in the Final EIR ("FEIR") that is required to reduce or avoid a significant adverse impact. Exhibit 1 also specifies the agency responsible for implementation of each measure and establishes monitoring actions and a monitoring schedule.

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

A. Project Description

The **Transit Center District Plan** proposes new planning policies and controls for land use; urban form, including building height and design; street change/public realm improvements; historic preservation; and sustainability. The area subject to the Project is centered on the new Transit Center, and is bounded generally by Market, Steuart, and Folsom Streets, and a line east of Third Street (the "Plan area"). The Project would allow height limit increases permitting up to about six buildings at a height of 700 feet or taller, including the proposed Transit Tower. It also includes financial support for the new Transit Center, which is under construction and will replace the former Transbay Terminal as a regional transit hub.

B. Environmental Review

The Planning Department determined that an Environmental Impact Report ("EIR") was required for the Project. The Planning Department published the Draft EIR (State Clearinghouse No. 2008072073) and provided public notice of the availability of the Draft EIR for public review and comment on September 28, 2011.

On September 28, 2011, a Notice of Completion and copies of the Draft EIR were distributed to the State Clearinghouse. Notices of availability for the Draft EIR of the date and time of the public hearings were posted on the Planning Department's website on September 28, 2011.

The Planning Commission held a duly noticed public hearing on the Draft EIR on November 3, 2011. At this hearing, opportunity for public comment was given, and public comment was received on the Draft EIR. The Planning Department accepted public comments on the Draft EIR from September 28, 2011, to November 28, 2011.

The Planning Department published the Comments and Responses on the Draft EIR on May 10, 2012. This document includes responses to environmental comments on the Draft EIR made at the public hearing on November 3, 2011, as well as written comments submitted on the Draft EIR during the public review period from September 28, 2011, to November 28, 2011. The comments and responses document also contains text changes to the Draft EIR to correct or clarify information presented in the DEIR, including changes to the DEIR text made in response to comments.

C. Planning Commission Actions

The Planning Commission is being requested to take the following actions to approve, recommend to the Board of Supervisors, and implement the Project.

- Certify the Final EIR.
- Adopt CEQA findings and a Mitigation Monitoring and Reporting Program.
- Determine consistency of the Transit Center District Plan Project with the General Plan and Planning Code Section 101.1 Priority Policies, and recommend adoption to the Board of Supervisors.
- Approve and recommend to the Board of Supervisors adoption of amendments to the General Plan constituting the Transit Center District Plan.
- Approve and recommend to the Board of Supervisors related amendments to the San Francisco Planning Code and Zoning Maps including related amendments to the Administrative Code and an associated implementation plan.

D. Location of Records

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

- The Transit Center District Plan.
- The EIR, and all documents referenced in or relied upon by the EIR.
- All information (including written evidence and testimony) provided by City staff to the Planning Commission relating to the EIR, the proposed approvals and entitlements, the Project, and the alternatives set forth in the EIR.

- All information (including written evidence and testimony) presented to the Planning Commission by the environmental consultant and subconsultants who prepared the EIR, or incorporated into reports presented to the Planning Commission.

- All information (including written evidence and testimony) presented to the City from other public agencies relating to the Project or the EIR.

- All applications, letters, testimony and presentations presented to the City by the Transbay Joint Power Authority ("TJPA"), the project sponsor for the Transbay Transit Center and the proposed Transit Tower, and its consultants in connection with the Project.

- All information (including written evidence and testimony) presented at any public hearing or workshop related to the Project and the EIR.

- For documentary and information purposes, all locally-adopted land use plans and ordinances, including, without limitation, general plans, specific plans and ordinances, together with environmental review documents, findings, mitigation monitoring programs and other documentation relevant to planned growth in the area.

- The MMRP.

- All other documents comprising the record pursuant to Public Resources Code Section 2116.76(e)

The public hearing transcript, a copy of all letters regarding the Final EIR received during the public review period from September 28, 2011 to November 28, 2011, the administrative record, and background documentation for the Final EIR are located at the Planning Department, 1650 Mission Street, Suite 400, San Francisco. Linda Avery, Commission Secretary, is the custodian of these documents and materials.

II. Impacts Found Not To Be Significant, Thus Requiring No Mitigation

Finding: Based on substantial evidence in the whole record of this proceeding, the Planning Commission finds that the implementation of the Project and associated Area Plans would not result in any significant environmental impacts in the following areas: Land Use; Population, Housing, Business Activity and Employment (Growth Inducement); Greenhouse Gas Emissions; Recreation and Public Space; Utilities and Service Systems; Public Services; Geology, Soils, and Seismicity; Hydrology and Water Quality; Mineral and Energy Resources; and Agricultural and Forest Resources. Each of these topics is analyzed and discussed in detail including, but not limited to, in the EIR Chapters: IV.A; IV.C; IV.K; IV.L; IV.M; IV.O; IV.P; IV.R, IV.S; V.A; 7.A-C (IS); 8.A-C (IS); 9.A, B (IS); 10.A-C (IS); 11.A-B (IS).

III. Findings of Potentially Significant Impacts That Can Be Avoided Or Reduced To A Less Than Significant Level

Finding: CEQA requires agencies to adopt mitigation measures that would avoid or substantially lessen a project's identified significant impacts or potential significant impacts if such measures are feasible.

The findings in this Section III and in Section IV concern impacts identified in the EIR and mitigation measures set forth in the FEIR. These findings discuss mitigation measures as proposed in the FEIR and recommended for adoption by this Commission, the Board of Supervisors, and other City entities that can be implemented by City agencies or departments. Except for minor revisions shown in double underline and ~~strike through~~ text in the language of Mitigation Measures M-CP-3d, M-TR-1c, M-NO-1a, M-NO-1e, M-AQ-2, M-AQ-3, M-AQ-5, M-AQ-7, and M-HZ-2c in Response to Comments on the DEIR, the mitigation measures proposed for adoption in this section are identical to the mitigation measures identified in the DEIR. The Draft EIR and Response to Comments document provides additional evidence as to how these measures would avoid or reduce the identified impacts, though in some cases not to a less than significant level, as described herein. Such analysis, as statement in Section VIII, is incorporated herein by reference.

As explained previously, **Exhibit 1**, attached, contains the Mitigation Monitoring and Reporting Program required by CEQA Section 21081.6 and CEQA Guidelines Section 15091. It provides a table setting forth each mitigation measure listed in Chapter V of the EIR that is required to reduce or avoid a significant adverse impact. **Exhibit 1** also specifies the agency responsible for implementation of each measure, establishes monitoring actions and a monitoring schedule.

The Planning Commission finds, based on the record before it, that the mitigation measures proposed for adoption in the FEIR are feasible, and that they can and should be carried out by the identified agencies at the designated time. This Planning Commission urges other agencies to adopt and implement applicable mitigation measures set forth in the FEIR that are within the jurisdiction and responsibility of such entities. The Planning Commission acknowledges that if such measures are not adopted and implemented, the Project may result in additional significant unavoidable impacts. For this reason, and as discussed in Section VI, the Planning Commission is adopting a Statement of Overriding Considerations as set forth in Section VII.

All mitigation measures identified in the FEIR that would reduce or avoid significant adverse environmental impacts are proposed for adoption and are set forth in **Exhibit 1**, in the Mitigation Monitoring and Reporting Program. With the exception of Mitigation Measure A-1 which is rejected due to infeasibility as discussed under Section IV.B., the Planning Commission agrees to and adopts all mitigation measures set forth in the FEIR.

A. Cultural Resources

1. Impact – Disturbance or Destruction of Archeological Resources

a) Potentially Significant Impact

The EIR finds that development projects in the Plan area could cause a substantial adverse change in the significance of archeological resources.

b) Mitigation Measure M-CP-1 and Conclusion

The Planning Commission finds the potentially significant impacts listed above would be reduced to a less-than-significant level with implementation of Mitigation Measure M-CP-1, p. 254, which would require the implementation of a Subsequent Archeological Testing Program, as follows:

When a project is to be developed within the Transit Center District Plan Area, it will be subject to preliminary archeological review by the Planning Department archeologist. This in-house review will assess whether there are gaps in the necessary background information needed to make an informed archaeological sensitivity assessment. This assessment will be based upon the information presented in the Transit Center District Plan Archeological Research Design and Treatment Plan (Far Western Anthropological Research Group, Inc., *Archaeological Research Design and Treatment Plan for the Transit Center District Plan Area, San Francisco, California*, February 2010), as well as any more recent investigations that may be relevant. If data gaps are identified, then additional investigations, such as historic archival research or geoarchaeological coring, may be required to provide sufficiently detailed information to make an archaeological sensitivity assessment.

If the project site is considered to be archaeologically sensitive and 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 Planning Department pool of qualified archaeological consultants as provided by the Planning Department archaeologist. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure and with the requirements of the Transit Center District Plan archeological research design and treatment plan at the direction of the ERO. In instances of inconsistency between the requirement of the project archaeological research design and treatment plan and of this archaeological mitigation

measure, the requirements of this archaeological mitigation measure shall prevail. 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 monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sections 15064.5 (a) (c).

Archeological Testing Program. The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP 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. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.

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, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or

B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

Archeological Monitoring Program. If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented, the archeological consultant shall prepare an archeological monitoring plan (AMP):

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the

archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;

- Archeological monitoring shall conform to the requirements of the final AMP reviewed and approved by the ERO;
- The archeological consultant shall advise all project contractors to be on the 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 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 driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity 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.

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.

Archeological Data Recovery Program. The archeological data recovery program 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 property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

- Field Methods and Procedures. Descriptions of proposed field strategies, procedures, and operations.
- Cataloguing and Laboratory Analysis. Description of selected cataloguing system and artifact analysis procedures.
- Discard and Deaccession Policy. Description of and rationale for field and post-field discard and deaccession policies.
- Interpretive Program. Consideration of an on-site/off-site public interpretive program during the course 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.

Human Remains and 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 Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage

Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.

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. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey 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 Major Environmental Analysis 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.

2. Impact – Physical Damage to Historic Architectural Resources

a) Potentially Significant Impact

The EIR finds that construction activity in the Plan area could result in damage to historic architectural resources.

b) Mitigation Measure M-CP-5 and Conclusion

The Planning Commission finds the potentially significant impacts listed above would be reduced to a less-than-significant level with implementation of Mitigation Measure M-CP-5a, p. 270, which would require the implementation of Construction Best Practices for Historical Resources, and Mitigation Measure M-CP-5b, also on p. 270, which would require Construction Monitoring Program for Historical Resources, as follows:

M-CP-5a: Construction Best Practices for Historical Resources. The project sponsor of a development project in the Plan area shall incorporate into construction specifications

for the proposed project a requirement that the construction contractor(s) use all feasible means to avoid damage to adjacent and nearby historic buildings, including, but not necessarily limited to, staging of equipment and materials as far as possible from historic buildings to avoid direct impact damage; using techniques in demolition (of the parking lot), excavation, shoring, and construction that create the minimum feasible vibration; maintaining a buffer zone when possible between heavy equipment and historical resource(s) within 125 feet, as identified by the Planning Department; appropriately shoring excavation sidewalls to prevent movement of adjacent structures; design and installation of the new foundation to minimize uplift of adjacent soils; ensuring adequate drainage from adjacent sites; covering the roof of adjacent structures to avoid damage from falling objects; and ensuring appropriate security to minimize risks of vandalism and fire.

M-CP-5b: Construction Monitoring Program for Historical Resources. The project sponsor shall undertake a monitoring program to minimize damage to adjacent historic buildings and to ensure that any such damage is documented and repaired. The monitoring program would include the following components. Prior to the start of any ground-disturbing activity, the project sponsor shall engage a historic architect or qualified historic preservation professional to undertake a preconstruction survey of historical resource(s) identified by the Planning Department within 125 feet of planned construction to document and photograph the buildings' existing conditions. Based on the construction and condition of the resource(s), the consultant shall also establish a maximum vibration level that shall not be exceeded at each building, based on existing condition, character-defining features, soils conditions, and anticipated construction practices (a common standard is 0.2 inches per second, peak particle velocity). To ensure that vibration levels do not exceed the established standard, the project sponsor shall monitor vibration levels at each structure and shall prohibit vibratory construction activities that generate vibration levels in excess of the standard.

Should vibration levels be observed in excess of the standard, construction shall be halted and alternative techniques put in practice, to the extent feasible. The consultant shall conduct regular periodic inspections of each building during ground-disturbing activity on the project site. Should damage to either building occur, the building(s) shall be remediated to its preconstruction condition at the conclusion of ground-disturbing activity on the site.

B. Noise and Vibration

1. Impact – Construction Noise

a) Potentially Significant Impact

The EIR finds that construction activities in the Plan area could expose persons to temporary increases in noise levels substantially in excess of ambient levels. The EIR concludes that such impacts could occur individually (as a result of construction of a single new building) as well as cumulatively (the joint contributions of all new buildings).

b) Mitigation Measure M-NO-2 and Conclusion

The Planning Commission finds the potentially significant impacts listed above would be reduced to a less-than-significant level with implementation of Mitigation Measure M-NO-2a, Noise Control Measures During Pile Driving, p. 360; and Mitigation Measure M-NO-2b, General Construction Noise Control Measures, p. 361, as follows:

M-NO-2a: Noise Control Measures During Pile Driving. For individual projects that require pile driving, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. These attenuation measures shall include as many of the following control strategies, and any other effective strategies, as feasible:

- The project sponsor of a development project in the Plan area shall require the construction contractor to erect temporary plywood noise barriers along the boundaries of the project site to shield potential sensitive receptors and reduce noise levels;
- The project sponsor of a development project in the Plan area shall require the construction contractor to implement "quiet" pile-driving technology (such as pre-drilling of piles, sonic pile drivers, and the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;
- The project sponsor of a development project in the Plan area shall require the construction contractor to monitor the effectiveness of noise attenuation measures by taking noise measurement; and
- The project sponsor of a development project in the Plan area shall require that the construction contractor limit pile driving activity to result in the least disturbance to neighboring uses.

M-NO-2b: General Construction Noise Control Measures. To ensure that project noise from construction activities is minimized to the maximum extent feasible, the project sponsor of a development project in the Plan area shall undertake the following:

- The project sponsor of a development project in the Plan area 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 of a development project in the Plan area 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 construction site, which could reduce construction noise by as much as five dBA. To further reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, if feasible.
- The project sponsor of a development project in the Plan area 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 of a development project in the Plan area 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 each building permit, along with the submission of construction documents, the project sponsor of a development project in the Plan area shall submit to the Planning Department and Department of Building Inspection (DBI) a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include (1) a procedure and phone numbers for notifying DBI, the Department of Public Health, 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

extreme noise generating activities (defined as activities generating noise levels of 90 dBA or greater) about the estimated duration of the activity.

C. Wind

1. Impact – Increase in Pedestrian-Level Wind Speeds

a) Potentially Significant Impact

The EIR finds that, absent mitigation, implementation of the draft Plan would not cause large increases in pedestrian wind speeds or wind speeds in publicly accessible open spaces over a substantial portion of the Plan area. The EIR finds that such impacts could occur individually (as a result of a single new building) as well as cumulatively (the joint contributions of all new buildings), but would be avoidable through design of subsequent projects.

b) Mitigation Measure M-WI-2 and Conclusion

The Planning Commission finds the potentially significant impacts listed above would be reduced to a less-than-significant level with implementation of Mitigation Measure M-WI-2, p. 462, which would require that new towers be designed to minimize pedestrian wind speeds, as follows:

M-WI-2: Tower Design to Minimize Pedestrian Wind Speeds. As part of the design development for buildings on Parcel F and at the 524 Howard Street, 50 First Street, 181 Fremont Street and Golden Gate University sites, the project sponsor(s) shall consider the potential effect of these buildings on pedestrian-level winds and on winds in the City Park atop the Transit Center. If wind-tunnel testing identifies adverse impacts, the project sponsor(s) shall conduct additional mitigation testing to resolve impacts to the maximum degree possible and to the satisfaction of Planning Department staff. Design features could include, but not be limited to, setting a tower atop a podium, which can interfere with "downwash" of winds from higher elevations toward the ground; the use of setbacks on tower facades, particularly those facades facing into prevailing winds, which can have similar results; using chamfered and/or rounded corners to minimize the acceleration of upper-level winds as they round corners; façade articulation; and avoiding the placement of large, unbroken facades into prevailing winds.

D. Biological Resources

1. Impact – Adverse Effects to Special-Status Animal Species

a) Potentially Significant Impact

The EIR finds that development under the draft Plan has the potential to adversely impact species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

b) Mitigation Measure M-BI-1 and Conclusion

The Planning Commission finds the potentially significant impacts listed above would be reduced to a less-than-significant level with implementation of Mitigation Measure M-BI-1a, Pre-Construction Bird Surveys, p. 565, and Mitigation Measure M-BI-1b, Pre-Construction Bat Surveys, p. 566, as follows:

M-BI-1a: Pre-Construction Bird Surveys. Conditions of approval for building permits issued for construction within the Plan area shall include a requirement for pre-construction breeding bird surveys when trees or vegetation would be removed or buildings demolished as part of an individual project. Pre-construction nesting bird surveys shall be conducted by a qualified biologist between February 1st and August 15th if vegetation (trees or shrubs) removal or building demolition is scheduled to take place during that period. If special-status bird species are found to be nesting in or near any work area or, for compliance with federal and state law concerning migratory birds, if birds protected under the federal Migratory Bird Treaty Act or the California Fish and Game Code are found to be nesting in or near any work area, an appropriate no-work buffer zone (e.g., 100 feet for songbirds) shall be designated by the biologist. Depending on the species involved, input from the California Department of Fish and Game (CDFG) and/or the U.S. Fish and Wildlife Service (USFWS) Division of Migratory Bird Management may be warranted. As recommended by the biologist, no activities shall be conducted within the no-work buffer zone that could disrupt bird breeding. Outside of the breeding season (August 16 – January 31), or after young birds have fledged, as determined by the biologist, work activities may proceed. Birds that establish nests during the construction period are considered habituated to such activity and no buffer shall be required, except as needed to avoid direct destruction of the nest, which would still be prohibited.

M-BI-1b: Pre-Construction Bat Surveys. Conditions of approval for building permits issued for construction within the Plan area shall include a requirement for pre-construction special-status bat surveys when large trees are to be removed or underutilized or vacant buildings are to be demolished. If active day or night roosts are found, the bat biologist shall take actions to make such roosts unsuitable habitat prior to tree removal or building demolition. A no disturbance buffer shall be created around active bat roosts being used for maternity or hibernation purposes at a distance to be determined in consultation with CDFG. Bat roosts initiated during construction are presumed to be unaffected, and no buffer would necessary.

E. Hazards and Hazardous Materials

1. Impact – Potential Exposure to Contaminated Soil and Groundwater

a) Potentially Significant Impact

The EIR finds that excavation in the Transit Center District Plan area would require the handling of potentially contaminated soil and groundwater, potentially exposing workers and the public to hazardous materials, or resulting in a release to the environment during construction.

b) Mitigation Measure M-HZ-2 and Conclusion

The Planning Commission finds the potentially significant impacts listed above would be reduced to a less-than-significant level with implementation of Mitigation Measure M-HZ-2a, Mitigation Measure M-HZ-2b, and Mitigation Measure M-HZ-2c, pp. 640 – 642, which would require appropriate soil assessment and corrective action, as follows:

M-HZ-2a: Site Assessment and Corrective Action for Sites Located Bayward of Historic Tide Line. For any project located bayward of the historic high tide line the project sponsor shall initiate compliance with, and ensure that the project fully complies with, Article 22A of the San Francisco Health Code. In accordance with this article, a site history report shall be prepared, and if appropriate, a soil investigation, soil analysis report, site mitigation plan, and certification report shall also be prepared. If the presence of hazardous materials is indicated, a site health and safety plan shall also be required. The soil analysis report is submitted to DPH. If required on the basis of the soil analysis report, a site mitigation plan shall be prepared to 1) assess potential environmental and health and safety risks; 2) recommend cleanup levels and mitigation measures, if any are necessary, that would be protective of workers and visitors to the property; 3) recommend measures to mitigate the risks identified; 4) identify appropriate waste disposal and handling requirements; and 5) present criteria for on-site reuse of soil. The recommended measures would be completed during construction. Upon completion, a certification report shall be prepared documenting that all mitigation measures recommended in the site mitigation report have been completed and that completion of the mitigation measures has been verified through follow-up soil sampling and analysis, if required.

If the approved site mitigation plan includes leaving hazardous materials in soil or the groundwater with containment measures such as landscaping or a cap to prevent exposure to hazardous materials, the project sponsor shall ensure the preparation of a risk management plan, health and safety plan, and possibly a cap maintenance plan in accordance with DPH requirements. These plans shall specify how unsafe exposure to

hazardous materials left in place would be prevented, as well as safe procedures for handling hazardous materials should site disturbance be required. DPH could require a deed notice, for example, prohibiting or limiting certain future land uses, and the requirements of these plans and the deed restriction would transfer to the new property owners in the event that the property was sold.

M-HZ-2b: Site Assessment and Corrective Action for Projects Landward of the Historic High Tide Line. For any project that is not located bayward of the historic high tide line, the project sponsor shall ensure that a site-specific Phase I environmental site assessment is prepared prior to development. The site assessment shall include visual inspection of the property; review of historical documents; and review of environmental databases to assess the potential for contamination from sources such as underground storage tanks, current and historical site operations, and migration from off-site sources. The project sponsor shall ensure that the Phase I assessment and any related documentation is provided to the Planning Department's Environmental Planning (EP) division and, if required by EP, to DPH for review and consideration of potential corrective action.

Where the Phase I site assessment indicates evidence of site contamination, additional data shall be gathered during a Phase II investigation, including sampling and laboratory analysis of the soil and groundwater for the suspected chemicals to identify the nature and extent of contamination. If the level(s) of chemical(s) would create an unacceptable risk to human health or the environment, appropriate cleanup levels for each chemical, based on current and planned land use, shall be determined in accordance with accepted procedures adopted by the lead regulatory agency providing oversight (e.g., the DTSC, the RWQCB, or DPH). At sites where there are ecological receptors such as sensitive plant or animal species that could be exposed, cleanup levels shall be determined according to the accepted ecological risk assessment methodology of the lead agency, and shall be protective of ecological receptors known to be present at the site.

If agreed-upon cleanup levels were exceeded, a remedial action plan or similar plan for remediation shall be prepared and submitted review and approval by the appropriate regulatory agency. The plan shall include proposed methods to remove or treat identified chemicals to the approved cleanup levels or containment measures to prevent exposure to chemicals left in place at concentrations greater than cleanup levels.

Upon determination that a site remediation has been successfully completed, the regulatory agency shall issue a closure letter to the responsible party. For sites that are cleaned to levels that do not allow unrestricted land use, or where containment measures were used to prevent exposure to hazardous materials, the DTSC may require a limitation on the future use of the property. The types of land use restriction include

deed notice, deed restriction, or a land use restriction that binds current and future owners. A risk management plan, health and safety plan, and possibly a cap maintenance plan could be required. These plans would specify procedures for preventing unsafe exposure to hazardous materials left in place and safe procedures for handling hazardous materials should site disturbance be required. The requirements of these plans and the land use restriction shall transfer to the new property owners in the event that the property is sold.

M-HZ-2c: Site Assessment and Corrective Action for All Sites. The project sponsor shall characterize the site, including subsurface features such as utility corridors, and identify whether volatile chemicals are detected at or above risk screening levels in the subsurface. If so, a screening evaluation shall be conducted in accordance with guidance developed by the DTSC to estimate worst case risks to building occupants from vapor intrusion using site specific data and conservative assumptions specified in the guidance. If an unacceptable risk were indicated by this conservative analysis, then additional site data shall be collected and a site specific vapor intrusion evaluation, including fate and transport modeling, shall be required to more accurately evaluate site risks. Should the site specific evaluation identify substantial risks, then additional measures shall be required to reduce risks to acceptable levels. These measures could include remediation of site soil and/or groundwater to remove vapor sources, or, should this be infeasible, use of engineering controls such as a passive or active vent system and a membrane system to control vapor intrusion. Where engineering controls are used, a deed restriction shall be required, and shall include a description of the potential cause of vapors, a prohibition against construction without removal or treatment of contamination to approved risk-based levels, monitoring of the engineering controls to prevent vapor intrusion until risk-based cleanup levels have been met, and notification requirements to utility workers or contractors who may have contact with contaminated soil and groundwater while installing utilities or undertaking construction activities. In addition, if remediation is necessary, the project sponsor shall implement long-term monitoring at the site as needed. The frequency of sampling and the duration of monitoring will depend upon site-specific conditions and the degree of volatile chemical contamination.

The screening level and site-specific evaluations shall be conducted under the oversight of DPH and methods for compliance shall be specified in the site mitigation plan prepared in accordance with this measure, and subject to review and approval by the DPH. The deed restriction, if required, shall be recorded at the San Francisco Office of the Assessor-Recorder after approval by the DPH and DTSC.

2. Impact – Potential Exposure to Hazardous Building Materials

a) <u>Potentially Significant Impact</u>

The EIR finds that demolition and renovation of buildings in the Transit Center District Plan area could potentially expose workers and the public to hazardous building materials including asbestos-containing materials, lead-based paint, PCBs, DEHP, and mercury, or result in a release of these materials to the environment during construction.

b) Mitigation Measure M-HZ-3 and Conclusion

The Planning Commission finds the potentially significant impacts listed above would be reduced to a less-than-significant level with implementation of Mitigation Measure M-HZ-3, p. 645, which would require hazardous building materials abatement, as follows:

M-HZ-3: Hazardous Building Materials Abatement. The project sponsor of any development project in the Plan area shall ensure that any building planned for demolition or renovation is surveyed for hazardous building materials including PCB-containing electrical equipment, fluorescent light ballasts containing PCBs or DEHP, and fluorescent light tubes containing mercury vapors. These materials shall be removed and properly disposed of prior to the start of demolition or renovation. Old light ballasts that are proposed to be removed during renovation shall be evaluated for the presence of PCBs and in the case where the presence of PCBs in the light ballast cannot be verified, they shall be assumed to contain PCBs, and handled and disposed of as such, according to applicable laws and regulations. Any other hazardous building materials identified either before or during demolition or renovation shall be abated according to federal, state, and local laws and regulations.

IV. Significant Impacts That Cannot Be Avoided or Reduced to a Less Than Significant Level

Finding: Based on substantial evidence in the whole record of these proceedings, the Planning Commission finds that, where feasible, changes or alterations can and should be incorporated into, the Plan to reduce the significant environmental impacts listed below as identified in the FEIR. The Planning Commission determines that the following significant impacts on the environment, as reflected in the FEIR, are unavoidable, but under Public Resources Code Section 21081(a)(3) and (b), and CEQA Guidelines 15091(a)(3), 15092(b)(2)(B), and 15093, the City determines that the impacts are acceptable due to the overriding considerations described in Section VII below. This finding is supported by substantial evidence in the record of this proceeding.

A. Aesthetics

1. Impact – Adverse Effects on Public Views from Long-Range Viewpoints

a) Potentially Significant Impact

The EIR finds that implementation of the draft Plan draft Plan would alter public views of the Plan area from key long-range vantage points. The EIR concludes that such impacts could occur individually (as a result of construction of Plan area buildings) as well as cumulatively (the contribution of Plan area buildings to the effect from all new buildings, including those on Rincon Hill and outside the Plan area to the west).

b) Mitigation Measure and Conclusion

As stated on EIR p. 153, the increases in density and height of the proposed development would result in changes in the built forms, perceptible most clearly in long-range views of the Plan area. The EIR finds that the proposed changes would not generally constitute a substantial departure from the types and massing of structures that already exist in the Plan area, and that the proposed Transit Tower and a limited number of other buildings taller than existing development would be separated by sufficient distance and would incorporate setbacks and sculpted massing such that they would not adversely affect important views. However, the EIR finds that, in views from central vantage points including Twin Peaks and Portola Drive, views of the Bay, Bay Bridge, and Yerba Buena Island would be overwhelmed and potentially obscured by Plan area buildings, and that policy established through the General Plan recognizes that such an outcome would be adverse. For this reason, the Planning Commission finds that the impact is conservatively considered significant and unavoidable. No feasible mitigation is identified for this impact. However, the EIR addresses this impact in the discussion of alternatives, in Chapter VI (see Section VI, Evaluation of Project Alternatives, below).

B. Cultural Resources

1. Impact – Adverse Effects on Historical Resources

a) Potentially Significant Impact

The EIR finds that implementation of the draft Plan could result in adverse impacts to historic architectural resources through demolition or substantial alteration. This impact would be both individual and cumulative.

b) Mitigation Measure M-CP-3 and Conclusion

The EIR identifies Mitigation Measure M-CP-3a, p. 267, which would require documentation of historical resources; Mitigation Measure M-CP-3b, p. 268, which would require the creation of public information displays concerning historical resources; Mitigation Measure M-CP-3c, p. 268, which would that historical resources be

made available for relocation, and Mitigation Measure M-CP-3d, p. 268, which would require that materials from historical resources be made available for salvage, as follows:

M-CP-3a: HABS/HAER Documentation. Prior to demolition or substantial adverse alteration of historical resource(s), the project sponsor of a development project in the Plan area shall contract with a qualified preservation architect, historic preservation expert, or other qualified individual to fully document the structure(s) to be demolished or altered. Documentation shall be undertaken following consultation with Planning Department preservation staff and the Historic Preservation Commission, and shall at a minimum be performed to HABS Level II documentation standards. According to HABS Standards, Level II documentation consists of the following tasks:

- Written data: A brief report documenting the existing conditions and history of the building shall be prepared, focusing on the building's architectural and contextual relationship with the greater Western SoMa neighborhood.
- Photographs: Photographs with large-format (4x5-inch) negatives shall be shot of exterior and interior views of all three project site buildings. Historic photos of the buildings, where available, shall be photographically reproduced. All photos shall be printed on archival fiber paper.
- Drawings: Existing architectural drawings (elevations and plans) of all three the project site buildings, where available, shall be photographed with large format negatives or photographically reproduced on Mylar.
- The completed documentation package shall be submitted to local and regional archives, including but not limited to, the San Francisco Public Library History Room, the California Historical Society and the Northwest Information Center at Sonoma State University in Rohnert Park.

M-CP-3b: Public Interpretative Displays. Prior to demolition or substantial adverse alteration of historical resource(s) that are significant due to event(s) that occurred in the building at the development site, the project sponsor of a development project in the Plan area shall develop, in consultation with Planning Department preservation staff, a permanent interpretative program/and or display that would commemorate such event(s). The program/display would be installed at a publicly accessible location, either at or near the project site or in another appropriate location (such as a library or other depository). The content and location of the display shall be presented to the Historic Preservation Commission for review and comment.

M-CP-3c: Relocation of Historical Resources. Prior to demolition or substantial alteration of historical resource(s), the project sponsor of a development project in the Plan area shall make any historical resources that would otherwise be demolished or substantially altered in an adverse manner available for relocation by qualified parties.

M-CP-3d: Salvage of Historical Resources. Prior to demolition of historical resource(s) that are significant due to architecture (resource(s) that embody the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values), the project sponsor of a development project in the Plan area shall consult with a Planning Department Preservation Technical Specialist and/or other qualified parties regarding salvage of materials from the affected resource(s) for public information or reuse in other locations.

The EIR finds that, while the foregoing mitigation measures would reduce the adverse impacts of the proposed Plan on historical resources, they would not reduce the impacts to a less-than-significant level, because it cannot be stated cannot be stated with certainty that no historical resources would be demolished or otherwise adversely affected in the Plan area with implementation of the draft Plan. Therefore, the Planning Commission finds that the impacts are considered significant and unavoidable.

C. Transportation

1. Impact – Adverse Effects on Intersection Levels of Service

a) Potentially Significant Impact

The EIR finds that traffic growth related to the draft Plan, including the street changes, would adversely affect local intersection operation, and therefore would conflict with established measures of effectiveness for the performance of the circulation system.

b) Mitigation Measure M-TR-1 and Conclusion

The EIR identifies Mitigation Measure M-TR-1a through M-MR-TR-1m, p. 291 -- 296, which would changes to signal timing, lane striping, prohibition of certain turning movements, and similar alterations to intersection operations, as follows:

M-TR-1a: Signal Timing Optimization. The Municipal Transportation Agency (MTA) could optimize signal timing at the following intersections to reduce impacts on intersection LOS to a less-than-significant level, by either improving conditions to LOS D or better or by avoiding the draft Plan's contribution to increased vehicle delay (mitigated LOS in parentheses):

- Stockton / Geary Streets (LOS F, p.m.)

- Kearny / Sutter Streets (LOS F, p.m.)
- Battery and California Streets (LOS D, a.m. and p.m.)
- Embarcadero / Washington Streets (LOS F, p.m.)
- Third / Folsom Streets (LOS F, p.m. peak)
- Beale / Folsom Streets (LOS F, p.m. peak)
- Embarcadero / Folsom Streets (LOS F, a.m. and p.m. peak)

Altering signal timing to change the amount of green-light time at the aforementioned intersections would either improve level of service to LOS D or better or, where the intersection would still operate at an unacceptable LOS E or F, avoid the draft Plan's contribution to increased vehicle delay, thereby reducing impacts to a less than significant level. However, because the feasibility of these changes is not known at this time, given that MTA would have to further evaluate signal progression (timing of related traffic signals) and pedestrian crossing time requirement prior to changing signal timing, impacts at these intersections would remain significant and unavoidable, due to the uncertainty of implementing this measure.

M-TR-1b: Taxi Left-Turn Prohibition. At the intersection of Third /Mission Streets, the Municipal Transportation Agency (MTA) could expand existing prohibitions on peak-hour left turn to include taxis, thereby permitting only buses to make left turns. Prohibiting eastbound left turns by taxis would either improve LOS or avoid the draft Plan's contribution to increased vehicle delay, thereby reducing impacts to a less than significant level. However, because the feasibility of these changes is not known at this time, given that MTA would have to further evaluate area-wide traffic circulation and volumes, the impacts at this intersection would remain significant and unavoidable, due to the uncertainty of implementing this measure.

M-TR-1c: Beale / Mission Streets Bulbs and Optimization. At the intersection of Beale and Mission Streets, the Municipal Transportation Agency (MTA) and Department of Public Works (DPW) could install bulb-outs on the north and south crosswalks to reduce pedestrian crossing distances and times and optimize the signal timing plan at this intersection during the weekday p.m. peak hour by reallocating green time from the less-congested eastbound / westbound Mission Street approaches to the southbound Beale Street approach. Implementation of this measure would avoid the draft Plan's contribution to increased vehicle delay, thereby reducing impacts to a less than significant level. However, because the feasibility of these changes is not known at this time, given that MTA and DPW would have to further evaluate signal progression, pedestrian crossing time, and area-wide traffic circulation and volumes, the impacts at this intersection would remain significant and unavoidable, due to the uncertainty of implementing this measure.

M-TR-1d: Steuart / Howard Streets Restriping. At the intersection of Steuart and Howard Streets, the Municipal Transportation Agency (MTA) could remove two on-

street parking spaces on the south side of Howard Street immediately west of the intersection and stripe the eastbound approach as one through lane and one shared through-right lane. The proposed design for eastbound Howard Street after extension of the westbound Howard Street bicycle lane to The Embarcadero calls for one wide curb lane and one parking lane, but a second eastbound travel lane at the intersection could be provided by removing up to two on-street parking spaces. Implementation of this measure would improve conditions at Steuart / Howard Streets to LOS D, thereby reducing impacts to a less than significant level. However, because the feasibility of these changes is not known at this time, given that MTA would have to further evaluate area-wide traffic circulation and volumes, the impacts at this intersection would remain significant and unavoidable, due to the uncertainty of implementing this measure.

M-TR-1e: Beale / Folsom Streets Left-Turn Prohibition and Signal Optimization. At the intersection of Beale and Folsom Streets, the Municipal Transportation Agency (MTA) could prohibit eastbound right turns from Folsom Street in the p.m. peak hour and optimize the signal timing by reallocating green time from the eastbound / westbound Folsom Street approaches to the northbound / southbound Beale Street approaches. Implementation of this measure would avoid the draft Plan's contribution to increased vehicle delay, thereby reducing impacts to a less than significant level. However, because the feasibility of these changes is not known at this time, given that MTA would have to further evaluate signal progression, pedestrian crossing time requirements, and area-wide traffic circulation and volumes, the impacts at this intersection would remain significant and unavoidable, due to the uncertainty of implementing this measure.

M-TR-1f: Third / Harrison Streets Restriping. At the intersection of Third and Harrison Streets, the Municipal Transportation Agency (MTA) could convert one of the two eastbound lanes leaving the intersection into an additional westbound through lane by restriping the east (Harrison Street) leg of the intersection. In order to allow sufficient turning radius and clearance for heavy vehicles such as buses and trucks, two on-street parking spaces on the south side of Harrison Street east of the intersection would be removed. Implementation of this measure would avoid the draft Plan's contribution to increased vehicle delay, thereby reducing impacts to a less than significant level. However, because the feasibility of these changes is not known at this time, given that MTA would have to further evaluate intersection lane geometry and area-wide traffic circulation and volumes, the impacts at this intersection would **remain significant and unavoidable, d**ue to the uncertainty of implementing this measure.

M-TR-1g: Hawthorne / Harrison Streets Restriping. At the intersection of Hawthorne and Harrison Streets, the Municipal Transportation Agency (MTA) could stripe an additional westbound through lane approaching the intersection by converting one of the two eastbound lanes. Implementation of this measure would avoid the draft Plan's

contribution to increased vehicle delay, thereby reducing impacts to a less than significant level. However, because the feasibility of these changes is not known at this time, given that MTA would have to further evaluate intersection lane geometry and area-wide traffic circulation and volumes, the impacts at this intersection would remain significant and unavoidable, due to the uncertainty of implementing this measure.

M-TR-1h: Second / Harrison Streets Turn Prohibition and Optimization. At the intersection of Second and Harrison Streets, the Municipal Transportation Agency (MTA) could prohibit eastbound left turns during the p.m. peak hour. Implementation of this measure would avoid the draft Plan's contribution to increased vehicle delay, thereby reducing impacts to a less than significant level. However, because the feasibility of these changes is not known at this time, given that MTA would have to further evaluate signal progression, pedestrian crossing time requirements, area-wide traffic circulation and volumes, the impacts at this intersection would remain **significant** and unavoidable, due to the uncertainty of implementing this measure.

M-TR-1i: Third / Bryant Streets Bulbs and Optimization. At the intersection of Third and Bryant Streets, the Municipal Transportation Agency (MTA) and Department of Public Works (DPW) could install bulb-outs on the south crosswalk to reduce pedestrian crossing distances and times and optimize the signal timing plan at this intersection during the weekday p.m. peak hour by reallocating green time from the eastbound Bryant Street approach to the northbound Third Street approach. Implementation of this measure would avoid the draft Plan's contribution to increased vehicle delay, thereby reducing impacts to a less than significant level. However, because the feasibility of these changes is not known at this time, given that MTA would have to further evaluate signal progression, pedestrian crossing time requirements, and area-wide traffic circulation and volumes, the impacts at this intersection would remain significant and unavoidable, due to the uncertainty of implementing this measure.

M-TR-1j: Second / Bryant Streets Bulbs and Optimization. At the intersection of Second and Bryant Streets, the Municipal Transportation Agency (MTA) and Department of Public Works (DPW) could install bulb-outs on the east and west crosswalks to reduce pedestrian crossing distances and times and optimize the signal timing plan at this intersection during the weekday p.m. peak hour by reallocating green time from the northbound / southbound Second Street approaches to the eastbound Bryant Street approach. Implementation of this measure would avoid the draft Plan's contribution to increased vehicle delay, thereby reducing impacts to a less than significant level. However, because the feasibility of these changes is not known at this time, given that MTA would have to further evaluate signal progression, pedestrian crossing time requirements, and area-wide traffic circulation and volumes, the impacts at this intersection would remain significant and unavoidable, due to the uncertainty of implementing this measure.

M-TR-1k: Second / Tehama Streets Restriping and Optimization. At the intersection of Second and Tehama Streets, the Municipal Transportation Agency (MTA) could prohibit eastbound and westbound left turns (from Tehama Street) during the a.m. and p.m. peak hours. Implementation of this measure would improve operations to LOS D, thereby reducing impacts to a less than significant level. However, because the feasibility of these changes is not known at this time, given that MTA would have to further evaluate signal progression, pedestrian crossing time requirements, and area-wide traffic circulation and volumes, the impacts at this intersection would remain significant and unavoidable, due to the uncertainty of implementing this measure.

M-TR-1l: Mid-Block Signalized Intersection Improvements. At the signalized intersections proposed in the public realm plan at Second / Natoma Streets; First / Minna Streets; First / Natoma Streets; Fremont / Tehama Streets; and Fremont Street / Transit Center Bus Plaza, the following improvements could improve traffic operations.

- At Second / Natoma Streets, the Municipal Transportation Agency (MTA) could install bulb-outs on the north and south crosswalks to reduce pedestrian crossing distances and times, allowing more green time for through traffic along Second Street. The traffic signal could also be designed to give priority to transit vehicles. However, due to two-way traffic along Second Street and the close proximity of the proposed crossing to the Second / Howard Streets intersection, this measure may not be sufficient to reduce the proposed mid-block crossing's impacts to traffic and transit operations. In addition, while bulb-outs would reduce crossing distance, a sufficiently high volume of pedestrians heading to and from the Transit Center may warrant retaining longer pedestrian phases to ensure adequate crossing times and throughput, so as not to introduce substantial queuing or congestion at the crosswalk or surrounding sidewalk. Accordingly, the feasibility of this measure is uncertain, and this impact is considered significant and unavoidable.

- At First / Minna Streets and First / Natoma Streets, reducing impacts would require additional lane capacity on First Street, although that would result in increased pedestrian crossing distances that would require longer pedestrian signal phases. This would also preclude the public realm plan's proposed sidewalk widening on First Street adjacent to the Transit Center. Moreover, additional lanes would not alleviate downstream congestion on First Street leading to the Bay Bridge. Eliminating one or both of the mid-block crossings might result in congested sidewalks on First Street. In addition, traffic signals at these two locations may be necessary for freight and passenger loading-related traffic circulation to and from Minna and Natoma Streets, regardless of whether pedestrian crossings are provided. Accordingly, no feasible mitigation was identified and this impact is considered significant and unavoidable.

- At Fremont / Natoma Streets and Fremont Street at the Transit Center Bus Plaza, the signal could be designed with two signal phases instead of three. One phase would be for northbound Fremont Street, and the second, for all five bus bays to exit the Bus Plaza, as well as pedestrians crossing Fremont Street at both Natoma Street and at the Bus Plaza. This would increase traffic capacity on Fremont Street and reduce the potential for queues on Fremont Street and the Bay Bridge. However, the Municipal Transportation Agency has determined that a two-phase signal would create operational and safety concerns for transit and pedestrians. Accordingly, no feasible mitigation was identified and this impact is considered significant and unavoidable.

For the reasons noted above, the impacts at these mid-block intersections would remain significant and unavoidable.

M-TR-1m: Downtown Traffic Signal Study. As part of a Regional Traffic Signalization and Operations Program project, the Municipal Transportation Agency (MTA) could conduct a study of Downtown-area traffic signal systems, with the aim of recalibrating cycle lengths, offsets, and splits at Downtown-area intersections to optimize traffic flow and minimize unnecessary delays (without impacting other modes of travel). Implementation of such a study could improve operations throughout the Plan area and elsewhere in Downtown. However, because the outcome of such an analysis is not known, intersection impacts would remain significant and unavoidable.

Mitigation (indicated in parentheses) could reduce average vehicle delay at the following intersections, but not to a less-than-significant level because further mitigation would require increased lane capacity that would preclude one or more proposed sidewalk improvements under the draft Plan's public realm plan, and because further signal timing optimization would require coordination with other signals that could increase overall vehicle delay. Therefore, impacts at the following intersections would be significant and unavoidable:

- New Montgomery / Mission Streets (Optimize signal timing)
- Third / Howard Streets (Optimize signal timing)
- New Montgomery / Howard Streets (Optimize signal timing)
- Fremont / Howard Streets (Prohibit eastbound p.m. peak left turns and optimize signal)
- Main / Howard Streets (Prohibit eastbound p.m. peak left turns and optimize signal)
- Spear / Howard Streets (Add northbound and southbound left-turn pockets, prohibit eastbound p.m. peak left turns and optimize signal)

No mitigation is feasible to reduce impacts at the following intersections to a less-than-significant level because, while increased lane capacity and/or signal timing optimization and, in some cases, installation of corner pedestrian bulbs to allow for less green time for pedestrian crossing could improve level of service for one or more approaches, the applicable mitigation strategy would increase delays for transit vehicles on Market and Mission Streets and also cause increased pedestrian delays or, in some instances, precluding proposed sidewalk or transit improvements under the draft Plan's public realm plan. Therefore, impacts at the following intersections would be significant and unavoidable:

- Third / Kearny / Market / Geary Streets
- Montgomery / Market / New Montgomery Streets
- First / Market Streets
- Fremont / Market / Front Streets
- Beale / Market / Davis / Pine Streets
- Second / Mission Streets
- First / Mission Streets
- Fremont / Mission Streets
- Second / Howard Streets
- First / Howard Streets
- Beale / Howard Streets
- Hawthorne / Folsom Streets
- Second / Folsom Streets
- First / Folsom Streets
- Spear / Folsom Streets
- Fourth / Harrison Streets / I-80 WB On-Ramp
- First / Harrison Streets / I-80 EB On-Ramp

No mitigation is feasible to reduce impacts at the following intersection to a less-than-significant level because additional lane capacity is unavailable and/or signal timing optimization would not improve level of service to an acceptable level. Therefore, impacts at the following intersection would be significant and unavoidable:

- Essex / Harrison Streets / I-80EB On-Ramp

No mitigation is required for the following intersections, which would experience significant impacts only in the absence of the public realm improvements that are part of the draft Plan:

Spear / Mission Streets (without the public realm improvements, could be mitigated by changing signal phasing and optimizing signal timing)

The EIR finds that the feasibility of mitigation identified in the EIR to reduce the impacts of the Project on intersection levels of service to a less than significant level is unknown, and in some cases no mitigation is available. Therefore, the Planning Commission finds that the impacts are considered significant and unavoidable.

2. Impact – Effects on Freeway Ramp Operations

a) Potentially Significant Impact

The EIR finds that traffic growth related to the draft Plan would increase congestion at the Fourth/Harrison Streets and First/Harrison Streets freeway on-ramps, thereby conflicting with established measures of effectiveness for the circulation performance.

b) Mitigation Measure and Conclusion

As stated on EIR p. 298, no feasible mitigation is available for the impacts at the Fourth and Harrison Streets and First and Harrison Streets ramps, because there is insufficient physical space for additional capacity without redesign of the I-80 aerial structures. Other potential measures to improve operations would involve reducing the traffic volumes entering the weaving section, either through ramp metering, tolling, or other means. Ramp metering, however, would likely exacerbate congestion on roads leading to the on-ramp (i.e., Fourth Street and Harrison Street), while tolling would need to be implemented as a systemwide improvement in order to prevent concentration of vehicular traffic and increased congestion on non-tolled facilities. Moreover, any changes to the ramps would require approval of Caltrans, which operates the freeways and ramps. Therefore, the Planning Commission finds that this impact is significant and unavoidable.

3. Impact – Effects on Transit Capacity and Delay

a) Potentially Significant Impact

The EIR finds that transit ridership related to the draft Plan, including the street changes, would cause a substantial increase in transit demand that could not be accommodated by adjacent transit capacity, resulting in unacceptable levels of transit service; and would cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service levels could result. Additionally, the area-wide shortfall of parking within the Plan area could potentially result in a mode shift of more persons onto transit, which would further increase ridership in comparison to capacity.

b) Mitigation Measure and Conclusion

The EIR identifies Mitigation Measure M-TR-3a, p. 306, under which the San Francisco Municipal Transportation Agency (SFMTA) would install transit-only lanes and transit queue-jump lanes; Mitigation Measure M-TR-3b, p. 307, under which SFMTA would reserve the use of Mission Street boarding islands for Muni buses; Mitigation Measure M-TR-3c, p. 307, which calls for transit improvements on Plan area streets; Mitigation Measure M-TR-3d, p. 308, which would provide for additional transit funding, and Mitigation Measure M-TR-3e, p. 308, which would provide for additional funding for regional transit , as follows:

M-TR-3a: Installation and Operation of Transit-Only and Transit Queue-Jump Lanes. To reduce or avoid the effects of traffic congestion on Muni service, at such time as the transit-vehicle delay results in the need to add additional vehicle(s) to one or more Muni lines, the Municipal Transportation Agency (MTA) could stripe a portion of the approach lane at applicable intersections to restrict traffic to buses only during the p.m. peak period, thereby allowing Muni vehicles to avoid traffic queues at certain critical intersections and minimizing transit delay. Each queue-jump lane would require the prohibition of parking during the p.m. peak period for the distance of the special lane.

For the 41 Union, MTA could install a p.m. peak-hour transit-only lane along Beale Street approaching and leaving the intersection of Beale/Mission Street, for a distance of 150 to 200 feet. Five parking spaces on the west side of Beale Street north of Mission Street could be eliminated when the transit lane is in effect to allow for a right-turn pocket. MTA could also install a p.m. peak-hour queue-jump lane on the eastbound Howard Street approach to the intersection of Beale/Howard Streets, for a distance of 100 feet. If the foregoing were ineffective, MTA could consider re-routing the 41 Union to less-congested streets, if available, or implementing actions such as providing traffic signal priority to Muni buses.

For the 11-Downtown Connector and 12 Folsom Pacific, MTA could install a p.m. peak-hour queue-jump lane on the southbound Second Street approach to the intersection to the intersection of Second/Folsom Streets, for a distance of approximately 150 feet. When the lane is in effect, five on-street parking spaces on the west side of Second Street north of Folsom Street could be eliminated, as well as a portion of the southbound bicycle lane approaching the intersection. If the foregoing were ineffective, MTA could consider re-routing the 11-Downtown Connector and 12 Folsom to less-congested streets, if available, or implementing actions such as providing traffic signal priority to Muni buses.

The MTA could also evaluate the effectiveness and feasibility of installing an eastbound transit-only lane along Folsom Street between Second and Third Streets, which would minimize delays incurred at these intersections by transit vehicles. The study would

create a monitoring program to determine the implementation extent and schedule, which may include conversion of one eastbound travel lane into a transit-only lane.

M-TR-3b: Exclusive Muni Use of Mission Street Boarding Islands. To reduce or avoid conflicts between Muni buses and regional transit service (Golden Gate Transit and SamTrans) using the relocated transit-only center lanes of Mission Street between First and Third Streets, MTA could reserve use of the boarding islands for Muni buses only and provide dedicated curbside bus stops for regional transit operators. Regional transit vehicles would still be allowed to use the transit-only center lanes between stops, but would change lanes to access the curbside bus stops. This configuration would be similar to the existing Muni stop configuration along Market Street, where two different stop patterns are provided, with each route assigned to only one stop pattern.

M-TR-3c: Transit Improvements on Plan Area Streets. To reduce or avoid the effects of traffic congestion on regional transit service operating on surface streets (primarily Golden Gate Transit and SamTrans), MTA, in coordination with applicable regional operators, could conduct study the effectiveness and feasibility of transit improvements along Mission Street, Howard Street, Folsom Street, First Street, and Fremont Street to reduce delays incurred by transit vehicles when passing through the Plan area. The study would examine a solutions including, but not limited to the following:

- Installation of transit-only lanes along Howard Street and Folsom Street, which could serve both Muni buses (e.g., 12 Folsom-Pacific) and Golden Gate Transit buses heading to / from Golden Gate's yard at Eighth and Harrison Streets;
- Extension of a transit-only lane on Fremont Street south to Howard Street and installation of transit-actuated queue-jump phasing at the Fremont Street / Mission Street intersection to allow Golden Gate Transit buses to make use of the Fremont Street transit lane (currently only used by Muni vehicles); and
- Transit signal priority treatments along Mission, Howard, and Folsom Streets to extend major-street traffic phases or preempt side-street traffic phases to reduce signal delay incurred by SamTrans and Golden Gate Transit vehicles.
- Golden Gate Transit and SamTrans could consider rerouting their lines onto less-congested streets, if available, in order to improve travel times and reliability. A comprehensive evaluation would need to be conducted before determining candidate alternative streets, considering various operational and service issues such as the cost of any required capital investments, the availability of layover space, and proximity to ridership origins and destinations.

M-TR-3d: Increased Funding to Offset Transit Delays. Sponsors of development projects within the Plan area could be subject to a fair share fee that would allow for the purchase of additional transit vehicle(s) to mitigate the impacts on transit travel time. In

the case of Muni operations, one additional vehicle would be required. For regional operators, the analysis also determined that on-street delays could require the deployment of additional buses on some Golden Gate Transit and SamTrans routes.

Funds for the implementation of this measure are expected to be generated from a delineated portion of the impact fees that would be generated with implementation of the draft Plan, and are projected to be adequate and sufficient to provide for the capital cost to purchase the additional vehicle and facility costs to store and maintain the vehicle.

M-TR-3e: Increased Funding of Regional Transit. Sponsors of development projects within the Plan area could be subject to one or more fair share fees to assist in service improvements, such as through the purchase of additional transit vehicles and vessels or contributions to operating costs, as necessary to mitigate Plan impacts. These fee(s) could be dedicated to Golden Gate Transit, North Bay ferry operators, AC Transit, BART, and/or additional North Bay and East Bay transit operators. Depending on how the fee(s) were allocated, Caltrain and SamTrans might also benefit, although lesser impacts were identified for these South Bay operators.

Funds for the implementation of this measure are expected to be generated from a delineated portion of the impact fees that would be generated with implementation of the draft Plan.

Implementation of Mitigation Measure M-TR-3a could reduce the effects of traffic congestion on Muni headways. However, as stated on FEIR p. 306-307, it cannot be determined whether the impact would be reduced to a less-than-significant level, because the efficacy of the improvements is not certain, pending trial implementation and additional review by MTA. Because the effectiveness of the above mitigation measures is unknown, this impact is considered significant and unavoidable. Moreover, it is noted that, because there is finite right-of-way at Plan area intersections, installation of transit-only lanes and/or transit queue-jump lanes could increase traffic congestion and, possibly, transit delays at other locations.

As stated on FEIR p. 307, the feasibility and effectiveness of Mitigation Measure M-TR-3b in reducing impacts to both Muni and regional transit is uncertain. In particular, relocation of the Mission Street transit-only lanes while still requiring regional transit vehicles to use curbside stops may result in unsafe maneuvers for regional transit vehicles and increase the potential for collisions and conflict between buses and vehicles or bicycles. Alternatively, regional transit operators could use only the curb lane, eliminating increased potential for collisions due to merging in and out of the transit-only lanes, but this would subject regional transit vehicles to substantial travel time delays as a result of

traveling in mixed-flow traffic. Accordingly, this impact is considered significant and unavoidable.

Implementation of Mitigation Measure M-TR-3c could reduce the effects of traffic congestion on regional transit operations. However, as stated on FEIR p. 308, it cannot be determined whether the impact would be reduced to a less-than-significant level. Therefore, this impact is considered significant and unavoidable. Moreover, it is noted that, because there is finite right-of-way at Plan area intersections, adding transit-only lanes could increase congestion for other traffic and, possibly, increase transit delays.

Implementation of Mitigation Measure M-TR-3d could incrementally reduce the effects of traffic congestion on Muni and regional transit operations. However, as stated on FEIR p. 308, inasmuch as operational costs (primarily drivers' salaries) would not be included in this fee, the effect would not be fully mitigated and this impact is considered significant and unavoidable.

Funds for the implementation of Mitigation Measure M-TR-3e are expected to be generated from a delineated portion of the impact fees that would be generated with implementation of the draft Plan. However, as stated on FEIR p. 309, it would be speculative at this time to presume that sufficient funding could be available to offset project effects. Additional funding would likely have to be identified, whether from public or private sources, or a combination thereof, potentially including project sponsors of individual development projects in the Plan area, in order to purchase and operate additional transit vehicles and, potentially in some cases, to increase rail system capacity. Adoption of the draft Plan is anticipated to be accompanied by additional development impact fees, such as were adopted in the Eastern Neighborhoods and Market Octavia Plan areas. However, because it is not known whether or how much additional funding would be generated for transit, and because no other definite funding sources have been identified, the Planning Commission finds that this impact is significant and unavoidable.

4. Impact – Pedestrian Crowding

a) Potentially Significant Impact

The EIR finds that pedestrian activity resulting from implementation of the draft Plan would cause the level of service at sidewalks, street corners, and crosswalks to deteriorate.

b) Mitigation Measure and Conclusion

The EIR identifies Mitigation Measure M-TR-4, p. 312, under which the SFMTA widen Plan area sidewalks, as follows:

M-TR-4: Widen Crosswalks. To ensure satisfactory pedestrian level of service at affected crosswalks, the Municipal Transportation Agency, Sustainable Streets Division, could conduct periodic counts of pedestrian conditions (annually, for example) and could widen existing crosswalk widths, generally by 1 to 3 feet, at such times as pedestrian LOS is degraded to unacceptable levels.

As stated on p. 312 of the FEIR, Implementation of Mitigation Measure M-TR-4 would reduce potential LOS impacts to a less-than-significant level at each of the affected crosswalks. It is noted that the street corner congestion that would occur at First/Mission Streets, New Montgomery/Howard Streets, and Beale/Howard Streets, a significant impact due to Plan growth only but not with the inclusion of the public realm improvements, would be resolved by the sidewalk improvements (bulbs and widening) proposed as part of the draft Plan's public realm improvements. However, because the feasibility of these changes is not known at this time, given that MTA would have to further evaluate and consider crosswalk widening in light of other circulation considerations, the Planning Commission finds that these impacts are conservatively judged to remain significant and unavoidable.

5. Impact – Creation of Additional Pedestrian Hazards

a) Potentially Significant Impact

The EIR finds that development of large projects pursuant to the draft Plan would create potentially hazardous conditions for pedestrians and otherwise interfere with pedestrian accessibility.

b) Mitigation Measure and Conclusion

The EIR identifies Mitigation Measure M-TR-5, p. 313, which would require sponsors of subsequent development projects, where warranted, to have loading dock attendances on duty to minimize potential pedestrian impacts, as follows:

M-TR-5: Garage/Loading Dock Attendant. If warranted by project-specific conditions, the project sponsor of a development project in the Plan area shall ensure that building management employs attendant(s) for the project's parking garage and/or loading dock, as applicable. The attendant would be stationed as determined by the project-specific analysis, typically at the project's driveway to direct vehicles entering and exiting the building and avoid any safety-related conflicts with pedestrians on the sidewalk during the a.m. and p.m. peak periods of traffic and pedestrian activity, with extended hours as dictated by traffic and pedestrian conditions and by activity in the project garage and loading dock. (See also Mitigation Measure M-TR-4b, above.) Each project shall also install audible and/or visible warning devices, or comparably effective warning devices

as approved by the Planning Department and/or the Sustainable Streets Division of the Municipal Transportation Agency, to alert pedestrians of the outbound vehicles from the parking garage and/or loading dock, as applicable.

As stated on p. 313 of the FEIR, because it cannot be stated with certainty that pedestrian conflicts and safety hazards with respect to driveway operation would be fully mitigated, the Planning Commission finds that this impact is conservatively judged to be significant and unavoidable.

6. Impact – Creation of Additional Bicycle Hazards

a) Potentially Significant Impact

The EIR finds that implementation of the draft Plan would create potentially hazardous conditions for bicyclists or otherwise substantially interfere with bicycle accessibility to the site and adjoining areas and would result in a loading demand during the peak hour of loading activities that could not be accommodated within proposed on-site loading facilities or within convenient on-street loading zones, and create potentially hazardous conditions or significant delays affecting traffic, transit, bicycles, and pedestrians.

b) Mitigation Measure and Conclusion

The EIR identifies Mitigation Measure M-TR-7a, p. 316, which would require sponsors of subsequent development projects to development and implement a loading dock management plan, and Mitigation Measure M-TR-7b, p. 317, under which the SFMTA could augment the on-street freight loading supply, as follows:

M-TR-7a: Loading Dock Management. To ensure that off-street loading facilities are efficiently used and that trucks longer than can be safely accommodated are not permitted to use a building's loading dock, the project sponsor of a development project in the Plan area shall develop a plan for management of the building's loading dock and shall ensure that tenants in the building are informed of limitations and conditions on loading schedules and truck size. Such a management plan could include strategies such as the use of an attendant to direct and guide trucks (see Mitigation Measure M-TR-5), installing a "Full" sign at the garage/loading dock driveway, limiting activity during peak hours, installation of audible and/or visual warning devices, and other features. Additionally, as part of the project application process, the project sponsor shall consult with the Municipal Transportation Agency concerning the design of loading and parking facilities. Typically, a building property manager dictates the maximum size of trucks that can be accommodated by a building's loading dock, and when trucks may access the project site.

M-TR-7b: Augmentation of On-Street Loading Space Supply. To ensure the adequacy of the Plan area's supply of on-street spaces, the Municipal Transportation Agency (MTA) could convert existing on-street parking spaces within the Plan Area to commercial loading use. Candidate streets might include the north side of Mission Street between Second Street and First Street, both sides of Howard Street between Third Street and Fremont Street, and both sides of Second Street between Howard Street and Folsom Street. The MTA and Planning Department could also increase the supply of on-street loading "pockets" that would be created as part of the draft Plan's public realm improvements.

Increasing the supply of on-street loading spaces would reduce the potential for disruption of traffic and transit circulation in the Plan Area as a result of loading activities. However, the feasibility of increasing the number of on-street loading spaces is unknown. Locations for additional loading pockets have not been identified, and the feasibility of adding spaces is uncertain, as any such spaces would reduce pedestrian circulation area on adjacent sidewalks. Locations adjacent to transit-only lanes would also not be ideal for loading spaces because they may introduce new conflicts between trucks and transit vehicles. Given these considerations, potential locations for additional on-street loading spaces within the Plan area are limited, and it is unlikely that a sufficient amount of spaces could be provided to completely offset the net loss in supply.

As stated on FEIR p. 317, while loading dock management (Mitigation Measure M-TR-6a) would improve operations, it cannot be stated with certainty that the impact due to increased loading demand would be mitigated to a less-than-significant level. With respect to the supply of on-street loading, Mitigation Measure M-TR-7b would be infeasible; in particular, because implementation of the draft Plan would reduce the number of available on-street spaces, compared to existing conditions, the loading shortfall would have a significant and unavoidable effect on Muni and regional transit operators (primarily Golden Gate Transit and SamTrans) that use City streets. The Planning Commission, therefore, finds that the loading shortfall would result in a significant and unavoidable impact on transit operators and on bicycle movement and safety.

7. Impact – Construction-Period Impacts

a) Potentially Significant Impact

The EIR finds that plan area construction, including construction of individual projects along with ongoing construction of the Transit Center, would result in disruption of nearby streets, transit service, and pedestrian and bicycle circulation.

b) Mitigation Measure and Conclusion

The EIR identifies Mitigation Measure M-TR-9, p. 321, which would require sponsors of subsequent development projects to develop Construction Management Plans, as follows:

M-TR-9: Construction Coordination. To minimize potential disruptions to transit, traffic, and pedestrian and bicyclists, the project sponsor and/or construction contractor for any individual development project in the Plan area shall develop a Construction Management Plan that could include, but not necessarily be limited to, the following:

- Limit construction truck movements to the hours between 9:00 a.m. and 4:00 p.m. (or other times, if approved by the Municipal Transportation Agency) to minimize disruption of traffic, transit, and pedestrian flow on adjacent streets and sidewalks during the weekday a.m. and p.m. peak periods.
- Identify optimal truck routes to and from the site to minimize impacts to traffic, transit, pedestrians, and bicyclists; and,
- Encourage construction workers to use transit when commuting to and from the site, reducing the need for parking.

The sponsor shall also coordinate with the Municipal Transportation Agency/Sustainable Streets Division, the Transbay Joint Powers Authority, and construction manager(s)/contractor(s) for the Transit Center project, and with Muni, AC Transit, Golden Gate Transit, and SamTrans, as applicable, to develop construction phasing and operations plans that will result in the least amount of disruption that is feasible to transit operations, pedestrian and bicycle activity, and vehicular traffic.

As stated on FEIR p. 321, given the proximity of the sites to each other and the Transbay Transit Center, as well as the uncertainty regarding construction schedules, construction activities would likely result in disruptions and secondary impacts to traffic, transit, pedestrians, and bicycles, even with implementation of this mitigation measure. Therefore, the Planning Commission finds this impact is significant and unavoidable.

D. Noise and Vibration

1. Impact – Exposure of Sensitive Receptors to High Noise Levels

a) Potentially Significant Impact

The EIR finds that implementation of the draft Plan could result in exposure of persons to noise levels in excess of standards in the *San Francisco General Plan* and could introduce new sensitive uses that would be affected by existing noise levels.

b) Mitigation Measure and Conclusion

The EIR identifies Mitigation Measure M-NO-1a, p. 357, which would require a noise survey prior to approval subsequent development projects; Mitigation Measure M-NO-1b, p. 357, which would require that noise levels be minimized at residential open space; Mitigation Measure M-NO-1c, p. 357, which would require that noise levels be minimized at non-residential sensitive receptors; Mitigation Measure M-NO-1d, p. 357, which would require that existing mechanical equipment noise be considered in the design of new residential projects; and Mitigation Measure M-NO-1a, p. 357, which would require that noise from interior mechanical equipment be minimized, as follows:

M-NO-1a: Noise Survey and Measurements for Residential Uses. For new residential development located along streets with noise levels above 70 dBA Ldn, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within two blocks of the project site, and including at least one 24 hour noise measurement (with average and maximum noise level readings taken so as to be able to accurately describe maximum levels reached during nighttime hours), prior to completion of the environmental review for each subsequent residential project in the Plan area. The analysis shall be completed by person(s) qualified in acoustical analysis and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Planning Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.

M-NO-1b: Noise Minimization for Residential Open Space. To minimize effects on residential development in the Plan area, the Planning Department, through its building permit review process and in conjunction with the noise analysis set forth in Mitigation Measure M NO 1a, shall require that open space required under the Planning Code for residential uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Implementation of this measure could involve, among other things, site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles of urban design.

M-NO-1c: Noise Minimization for Non-Residential Uses. To reduce potential effects on new non-residential sensitive receptors such as child care centers, schools, libraries,

and the like, for new development including such noise-sensitive uses, the Planning Department shall require, as part of its building permit review process, the preparation of an acoustical analysis by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that daytime interior noise levels of 50 dBA, based on the General Plan Environmental Protection Element, can be attained.

M-NO-1d: Mechanical Equipment Noise Standard. The Planning Department shall require that, as part of required the noise survey and study for new residential uses (Mitigation Measure M-NO-1a), all reasonable efforts be made to identify the location of existing rooftop mechanical equipment, the predicted noise generated by that equipment, and the elevation at which the predicted noise level would be of potential concern for new residential uses, as well as the necessary noise insulation for the new residential uses, where applicable.

M-NO-1e: Interior Mechanical Equipment. The Planning Department shall require, as part of subsequent project-specific review under CEQA, that effects of mechanical equipment noise on adjacent and nearby noise-sensitive uses be evaluated by a qualified acoustic consultant and that control of mechanical noise, as specified by the acoustical consultant, be incorporated into the final project design of new buildings to achieve the maximum feasible reduction of building equipment noise, consistent with *Building Code* and Noise Ordinance requirements and CEQA thresholds, such as through the use of quieter equipment, fully noise-insulated enclosures around rooftop equipment, and/or incorporation of mechanical equipment into intermediate building floor(s).

Implementation of the above mitigation measures would reduce noise impacts to the maximum extent feasible, consistent with the *San Francisco General Plan*, and would render this impact less than significant with respect to new residential development and other new sensitive land uses. However, as stated on FEIR p. 359, it cannot be stated with certainty that existing sensitive land uses would not be adversely affected by increased noise levels, particularly with respect to traffic noise. Therefore, because it is not generally feasible to retrofit existing uses to increase noise insulation, the Planning Commission finds that this impact is significant and unavoidable. It should be noted that the identification of this program level potentially significant impact does not preclude the finding of future less-than-significant impacts for subsequent projects, for which project-specific analysis finds that those project(s) would meet applicable thresholds of significance.

2. Impact – Construction-Generated Noise and Vibration

a) Potentially Significant Impact

The EIR finds that construction activities in the Plan area could expose persons to temporary increases in vibration levels substantially in excess of ambient levels. The EIR also identifies a cumulative impact due to construction-generated noise resulting from potential construction of multiple projects in proximity to one another (including ongoing construction of the new Transbay Transit Center) at the same time.

b) Mitigation Measures M-NO-2a, M-CP-5a, M-CP-5b, and M-C-NO and Conclusion

The EIR identifies Mitigation Measure M-NO-2a, p. 360, Noise Control Measures During Pile Driving, which would reduce vibration impacts of construction (see Section III, Findings of Potentially Significant Impacts That Can Be Avoided Or Reduced To A Less Than Significant Level above). The EIR also identifies Mitigation Measure M-CP-5a, p. 270, which would require the implementation of Construction Best Practices for Historical Resources, and Mitigation Measure M-CP-5b, also on p. 270, which would require Construction Monitoring Program for Historical Resources; these measures would also reduce vibration-related impacts (see Section III, Findings of Potentially Significant Impacts That Can Be Avoided Or Reduced To A Less Than Significant Level above). The EIR identifies Mitigation Measure M-C-NO, p. 369, which would require that sponsors of subsequent development projects participate in any City-sponsored construction noise control program, as follows:

M-C-NO: Cumulative Construction Noise Control Measures. In addition to implementation of Mitigation Measure NO-2a and Mitigation Measure NO-2b (as applicable), prior to the time that construction of the proposed project is completed, the project sponsor of a development project in the Plan area shall cooperate with and participate in any City-sponsored construction noise control program for the Transit Center District Plan area or other City-sponsored areawide program developed to reduce potential effects of construction noise in the project vicinity. Elements of such a program could include a community liaison program to inform residents and building occupants of upcoming construction activities, staggering of construction schedules so that particularly noisy phases of work do not overlap at nearby project sites, and, potentially, noise and/or vibration monitoring during construction activities that are anticipated to be particularly disruptive.

Implementation of Mitigation Measures M-NO-2a, M-CP-5a and M-CP-5b would reduce the vibration impact from future construction throughout most of the Plan area to a less than significant level. However, certain uses in close proximity to construction sites could, depending on the source and nature of the vibration, experience construction-related vibration that would be considered significant and unavoidable. It should be

noted that the identification of this program level potentially significant impact does not preclude the finding of future less-than-significant impacts for subsequent projects, for which project-specific analysis finds that those project(s) would meet applicable thresholds of significance.

With implementation of Mitigation Measures M-NO-2a, M-NO-2b, and M-C-NO, cumulative construction noise impacts would be reduced, but not necessarily to a less-than–significant level. It is also noted that the limitation on annual office development codified in *Planning Code* Section 321 could result in some "metering" of office development over time. While there is enough available space in the inventory of space available for large buildings to accommodate all Plan area buildings with applications currently on file, the entire amount of office space anticipated under the Plan represents about six years of annual allocations, or twice the amount of the current inventory. Therefore, if a number of additional projects—either in or outside of the Plan area—were to be proposed soon, not all could be approved at the same time. This could incrementally reduce the potential for cumulative construction noise in the Plan area. For purposes of a conservative assessment, however, the Planning Commission finds that this impact is significant and unavoidable. It should be noted that the identification of this program level potentially significant impact does not preclude the finding of future less-than-significant impacts for subsequent projects, for which project-specific analysis finds that those project(s) would meet applicable thresholds of significance.

E. Air Quality

1. Impact – Exposure of New Receptors to Fine Particulate Matter ($PM_{2.5}$) and Air Toxics

a) Potentially Significant Impact

The EIR finds that the draft Plan would expose new sensitive receptors to substantial concentrations of $PM_{2.5}$ and toxic air contaminants. This impact would be both individual and cumulative.

b) Mitigation Measure and Conclusion

The EIR identifies Mitigation Measure M-AQ-2, p. 403, which would require subsequent evaluation of development projects that would house sensitive receptors, as follows:

M-AQ-2: Implementation of Risk and Hazard Overlay Zone and Identification of Health Risk Reduction Policies. To reduce the potential health risk resulting from exposure of new sensitive receptors to health risks from roadways, and stationary sources, and other non-permitted sources $PM_{2.5}$ and TACs, the Planning Department shall require analysis of potential site-specific health risks for all projects that would include sensitive receptors, based on criteria as established by the Planning

Department, as such criteria may be amended from time to time. For purposes of this measure, sensitive receptors are considered to include dwelling units; child-care centers; schools (high school age and below); and inpatient health care facilities, including nursing or retirement homes and similar establishments. Parks and similar spaces are not considered sensitive receptors for purposes of this measure unless it is reasonably shown that a substantial number of persons are likely to spend three hours per day, on a daily basis, at such facilities.

Development projects in the Plan area that would include sensitive receptors shall undergo, during the environmental review process and no later than the first project approval action, a screening-level health risk analysis, consistent with methodology approved by the Planning Department, to determine if health risks from pollutant concentrations would exceed BAAQMD thresholds or other applicable criteria as determined by the Environmental Review Officer. If one or more thresholds would be exceeded at the site of the subsequent project where sensitive receptors would be located, the project (or portion of the project containing sensitive receptors, in the case of a mixed-use project) shall be equipped with filtration systems with a Minimum Efficiency Reporting Value (MERV) rating of 13 or higher, as necessary to reduce the outdoor-to-indoor infiltration of air pollutants by 80 percent. The ventilation system shall be designed by an engineer certified by the American Society of Heating, Refrigeration and Air- Conditioning Engineers, who shall provide a written report documenting that the system offers the best available technology to minimize outdoor to indoor transmission of air pollution. The project sponsor shall present a plan to ensure ongoing maintenance of ventilation and filtration systems and shall ensure the disclosure to buyers and/or renters regarding the findings of the analysis and inform occupants as to proper use of any installed air filtration.

The above measure would require development projects in the Plan area to undergo site-specific evaluation and to incorporate the maximum feasible mitigation for impacts resulting from $PM_{2.5}$ or toxic air contaminant levels in excess of adopted thresholds. However, as stated on FEIR p. 404, because it cannot be determined with certainty that this mitigation measure would reduce impacts to below BAAQMD's significance thresholds, the Planning Commission finds that this impact is significant and unavoidable. However, it is noted that, in the case of individual development projects in the Plan area, site- and project-specific equipment and other considerations may lead to a conclusion that the project-specific effect can be mitigated to a less-than-significant level.

2. Impact – Exposure of Existing and New Receptors to New Sources of $PM_{2.5}$ and Air Toxics

a) Potentially Significant Impact

The EIR finds that the draft Plan would expose existing and future sensitive receptors to substantial levels of $PM_{2.5}$ and toxic air contaminants from new vehicles and equipment. This impact would be both individual and cumulative.

b) Mitigation Measure and Conclusion

The EIR identifies Mitigation Measure M-AQ-3, p. 405, which would require a survey of sensitive receptors, and analysis of impacts to those receptors where applicable, prior to siting of new sources of toxic air contaminants, as follows:

M-AQ-3: Siting of Uses that Emit DPM and Other TACs. To minimize potential exposure of sensitive receptors to diesel particulate matter (DPM), for new development including warehousing and distribution centers, and for new development including commercial, industrial or other uses that would be expected to generate substantial levels of toxic air contaminants (TACs) as part of everyday operations, whether from stationary or mobile sources, the Planning Department shall require, during the environmental review process but no later than the first project approval action, the preparation of an analysis that includes, at a minimum, a site survey to identify residential or other sensitive uses within 1,000 feet of the project site, and an assessment of the health risk from potential stationary and mobile sources of TACs generated by the project. If risks to nearby receptors are found to exceed applicable significance thresholds, then emissions controls would be required prior to project approval to ensure that health risks would not be significant.

The above measure would require development projects in the Plan area to undergo site-specific evaluation and to incorporate maximum feasible mitigation for impacts resulting from or toxic air contaminant levels in excess of adopted thresholds. However, as stated on FEIR p. 406, because it cannot be determined with certainty that mitigation would result in health risks that would be below applicable BAAMQD significance thresholds, the Planning Commission finds that this impact is significant and unavoidable. However, it is noted that, in the case of individual development projects in the Plan area, site- and project-specific equipment and other considerations may lead to a conclusion that the project-specific effect can be mitigated to a less-than-significant level.

3. Impact – Construction-Period Criteria Pollutant Emissions

a) Potentially Significant Impact

The EIR finds that implementation of the draft Plan would result in construction-period emissions of criteria air pollutants, including ozone precursors, that would contribute to

an existing or projected air quality violation or result in a cumulatively considerable increase in criteria pollutants, and could expose sensitive receptors to substantial levels of construction dust. This impact would be both individual and cumulative.

b) Mitigation Measure and Conclusion

The EIR identifies Mitigation Measure M-AQ-4a, p. 408, which would require minimization of construction vehicle emissions, and Mitigation Measure M-AQ-4b, p. 409, which would require sponsors of certain subsequent development projects to implement a dust control plan, as follows:

M-AQ-4a: Construction Vehicle Emissions Minimization. To reduce construction vehicle emissions, the project sponsor shall incorporate the following into construction specifications:

- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

M-AQ-4b: Dust Control Plan. To reduce construction-related dust emissions, the project sponsor of each development project in the Plan area and each public infrastructure project (such as improvements to the public realm) in the Plan area on a site of one-half acre or less but that would require more than 5,000 cubic yards of excavation lasting four weeks or longer shall incorporate into construction specifications the requirement for development and implementation of a site-specific Dust Control Plan as set forth in Article 22B of the *San Francisco Health Code*. The Dust Control Plan shall require the project sponsor to: submit a map to the Director of Public Health showing all sensitive receptors within 1,000 feet of the site; wet down areas of soil at least three times per day; provide an analysis of wind direction and install upwind and downwind particulate dust monitors; record particulate monitoring results; hire an independent, third party to conduct inspections and keep a record of those inspections; establish shut-down conditions based on wind, soil migration, etc.; establish a hotline for surrounding community members who may be potentially affected by project-related dust; limit the area subject to construction activities at any one time; install dust curtains and windbreaks on the property lines, as necessary; limit the amount of soil in hauling trucks to the size of the truck bed and secure soils with a tarpaulin; enforce a 15 mph speed limit for vehicles entering and exiting construction areas; sweep affected streets with water sweepers at the end of the day; install and utilize wheel washers to clean truck tires; terminate construction activities when winds exceed 25 miles per hour; apply soil stabilizers to inactive areas; and sweep adjacent streets to reduce particulate emissions. The project sponsor would be required to designate an individual to monitor compliance with dust control requirements.

Notwithstanding implementation of Mitigation Measure M-AQ-4a, it is possible that one or more of the development projects in the Plan area could result in project-specific significant construction exhaust emissions impacts, even with this mitigation measure. Therefore, the Planning Commission finds that the impacts associated with construction equipment exhaust emissions of criteria pollutants that would result from implementation of the draft Plan are significant and unavoidable. It should be noted that the identification of this program level potentially significant impact does not preclude the finding of future less-than-significant impacts for subsequent projects that comply with BAAQMD screening criteria or meet applicable thresholds of significance.

Even though implementation of Mitigation Measure M-AQ-4b would reduce construction dust emissions to less-than-significant levels, emissions of criteria pollutants from construction could exceed applicable thresholds for individual projects, despite implementation of Mitigation Measure M-AQ-4a. Therefore, as state above, the City finds that this impact is significant and unavoidable. As noted, identification of this program level potentially significant impact does not preclude the finding of future less-than-significant impacts for subsequent development projects in the Plan area that comply with BAAQMD screening criteria or meet applicable thresholds of significance.

4. Impact – Construction-Period Emissions of Toxic Air Contaminants

a) Potentially Significant Impact

The EIR finds that implementation of the draft Plan could expose sensitive receptors to substantial levels of toxic air contaminants generated by construction equipment. This impact would be both individual and cumulative.

b) Mitigation Measure and Conclusion

The EIR identifies Mitigation Measure M-AQ-5, p. 411, which would require minimization of construction vehicle emissions, as follows:

M-AQ-5: Construction Vehicle Emissions Evaluation and Minimization. To reduce the potential health risk resulting from project construction activities, the project sponsor of each development project in the Plan area shall undertake a project-specific health risk analysis, or other appropriate analysis as determined by the Environmental Planning Division of the Planning Department, for diesel-powered and other applicable construction equipment, using the methodology recommended by the Planning Department. If the analysis determines that construction emissions would exceed applicable health risk significance threshold(s) identified by the Planning Department, the project sponsor shall include in contract specifications a requirement that the contractor use the cleanest possible construction equipment and exercise best practices

for limiting construction exhaust. Measures may include, but are not limited to, the following:

- 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 shall develop a Construction Emissions Minimization demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would be reduced to the maximum extent feasible. Acceptable options for reducing emissions include, as the primary option, use of Interim Tier 4 equipment where such equipment is available and feasible for use, use of equipment meeting Tier 2/Tier 3 or higher emissions standards, the use of other late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available;
- All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM, including Tier 2/3 or alternative fuel engines where such equipment is available and feasible for use;
- All contractors shall use equipment that meets ARB's most recent certification standard for off-road heavy duty diesel engines; and
- The project construction contractor shall not use diesel generators for construction purposes where feasible alternative sources of power are available.

During the environmental review process, the project sponsor shall submit a Construction Emissions Minimization Plan demonstrating compliance with the requirements of this mitigation measure.

Implementation of the Mitigation Measure M-AQ-5 would result in the maximum feasible reduction of diesel emissions that would contribute to construction-period health risk, thereby lowering both lifetime cancer risk and the concentration of PM2.5 to which sensitive receptors near certain subsequent development projects would be exposed. However, as stated on FEIR p. 412, although in many cases, the use of interim Tier 4 or Tier 2/ Tier 3 equipment with Level 3 VDECS diesel construction equipment would reduce the health risk to a level that would not exceed any of the significance thresholds identified by the BAAQMD, because it cannot be stated with certainty that either cancer risk or PM2.5 concentration would be reduced to below the BAAQMD-recommended significance thresholds, and because of the uncertainty concerning the availability and feasibility of using construction equipment that meets the requirements of Mitigation Measure M-AQ-5, the Planning Commission finds that this impact is significant and unavoidable. However, identification of this program level potentially significant impact does not preclude the finding of future less-than-significant impacts

for subsequent development projects in the Plan area that meet applicable thresholds of significance.

F. Shadow

1. Impact – Creation of Additional Shadow on City Parks

a) Potentially Significant Impact

The EIR finds that the draft Plan would adversely affect the use of various parks under the jurisdiction of the Recreation and Park Department and, potentially, other open spaces. This impact would occur individually (shadow from Plan area buildings) and would also occur cumulatively (shadow from Plan area buildings in conjunction with shadow from new towers outside the Plan area).

b) Mitigation Measure and Conclusion

As stated on EIR p. 520, no feasible mitigation is available to reduce the shadow impacts on existing parks to a less-than-significant level, because it not possible to lessen the intensity or otherwise reduce the shadow cast by a building at a given height and bulk. Additionally, it is not normally possible to relocate an existing park or to add park space to existing parks. Therefore, the Planning Commission finds that this impact is significant and unavoidable. It is noted, however, that the Project proposes to create or fund the creation of up to 11 acres of new open space (including the City Park atop the Transit Center) and to set aside funds from fees generated by new development in the Plan area to make improvements to parks that would be shaded by Plan area buildings, notably Portsmouth Square and St. Mary's Square. EIR Chapter VI, Alternatives, discusses shadow impacts of alternatives that would reduce building heights from those proposed in the draft Plan (see Section VI, Evaluation of Project Alternatives, below).

V. Why Recirculation is Not Required

Finding: For the reasons set forth below and elsewhere in the Administrative Record, none of the factors are present which would necessitate recirculation of the Final EIR under CEQA Guideline Section 15088.5 or the preparation of a subsequent or supplemental EIR under CEQA Guideline Section 15162. The Comments and Responses document thoroughly addressed all public comments that the Planning Department received on the Draft EIR. In response to these comments, the Planning Department added new and clarifying text to the EIR and modified some mitigation measures.

The Comments and Responses document, which is incorporated herein by reference, analyzed all of these changes, including the Project, and determined that these changes did not constitute new information of significance that would alter any of the conclusions of the EIR. Further,

additional changes to the Project have been incorporated into the project after publication of the Comments and Responses document. These changes have been addressed orally by staff or in staff reports, which statements and reports are incorporated herein by reference, and based on this information, the Planning Department has determined that these additional changes do not constitute new information of significance that would alter any of the conclusions of the EIR.

Based on the information set forth above and other substantial evidence in light of the whole record on the Final EIR, the Commission determines that the Project, is within the scope of project analyzed in the Final EIR; (2) approval of Project will not require important revisions to the Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (3) taking into account the Project and other changes analyzed in the Final EIR, no substantial changes have occurred with respect to the circumstances under which the Project are undertaken which would require major revisions to the Final EIR due to the involvement of new significant environmental effects, or a substantial increase in the severity of effects identified in the Final EIR; and (4) no new information of substantial importance to the Project has become available which would indicate (a) the Project or the approval actions will have significant effects not discussed in the Final EIR, (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 Final EIR would substantially reduce one or more significant effects on the environment. Consequently, there is no need to recirculate the Final EIR under CEQA Guideline 15088.5 or the preparation of a subsequent or supplemental EIR under CEQA Guideline Section 15162.

VI. Evaluation of Project Alternatives

This Section describes the alternatives analyzed in the EIR and the reasons for rejecting the alternatives. This Section also outlines the proposed Project's (for purposes of this section, "Preferred Project") purposes (the "Project objectives"), describes the components of the alternatives, and explains the rationale for selecting or rejecting alternatives.

CEQA mandates that an EIR evaluate a reasonable range of alternatives to the project, which would "feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen effects of the project, and evaluate the comparative merits of the project." (CEQA Guidelines, Section 15126.6(a)).

CEQA requires that every EIR evaluate a "No Project" alternative as part of the range of alternatives analyzed in the EIR. The Transit Center District Plan EIR's No Project analysis was prepared in accordance with CEQA Guidelines Sections 15126.6(e)(3)(A) and (C).

Alternatives provide a basis of comparison to the Preferred Project in terms of beneficial, significant, and unavoidable impacts. This comparative analysis is used to consider reasonable feasible ways to avoid or substantially lessen the significant environmental consequences of the Preferred Project.

A. Reasons for Selection of the Preferred Project

The EIR analyzes the following alternatives:

- No Project Alternative (Alternative A);
- Reduced Project Alternative (Alternative B);
- Reduced Shadow Alternative (Alternative C); and
- Developer Scenario (Alternative D).

These alternatives are discussed in greater detail in Chapter VI, Alternatives, of the EIR.

B. Alternatives Rejected and Reasons for Rejection

The Planning Commission recommends rejection of the alternatives set forth in the FEIR and listed below because the Planning Commission finds that there is substantial evidence, including evidence of economic, legal, social, technological, and other considerations described in this Section in addition to those described in Section VII below under CEQA Guidelines 15091(a)(3), that make such alternatives infeasible .

1. No Project Alternative

The No Project Alternative, with respect to the draft Plan, is the maintenance of the existing zoning and height and bulk controls in the Plan area, and no adoption of the draft Plan. This alternative assumes that development in Zone 1 of the approved Transbay Redevelopment Plan area—primarily along the north side of Folsom Street east of Essex Street, and also between Beale and Main Streets south of Mission Street—would proceed as approved. Approved development in the Rincon Hill Plan area also would proceed, and projects proposed west of the Transit Center District Plan area also would be undertaken, although at generally lesser heights than currently presumed.

The No Project Alternative would not be desirable nor meet the Preferred Project objectives for the following reasons.

Job Capacity and Transit-Oriented Growth: Under the No Project Alternative the capacity of the district to accommodate further job growth would not be increased. This would result in San Francisco not being able to accommodate projected job growth according to regional policy direction to direct growth to existing urban areas served by public transit. Downtown San Francisco, and the Transit Center District specifically, is the most transit-served district in the

Bay Area. The downtown C-3 districts currently have limited remaining capacity for job growth. The No Project Alternative would result in the City having to direct job growth to other, significantly less transit-served parts of the City and region, resulting in increases in air pollution, greenhouse gas emissions, congestion, and other effects of regional urban sprawl. For example, the No Project Alternative, by limiting development on the site of the proposed Transit Tower to a 30-foot-tall building, would create only a negligible amount of new office or retail space. Thus, the No Project Alternative would limit the economic growth of the City more than the Preferred Project and limit the ability of Downtown San Francisco to continue to be the premier concentration of economic activity in the region.

Visual Quality and Urban Form: Goals for enhancing the urban form of the downtown skyline and at the pedestrian scale would not be met as height limits, bulk controls, setbacks, and other requirements proposed in the Plan would not be adopted. In particular, the No Project Alternative would only permit a 30-foot-tall building on the proposed Transit Tower site, which would not create the visual focal point for downtown San Francisco. Under the No Project Alternative the skyline would continue to be flat and "benched" with numerous buildings at a height of 600 feet and would not recognize the Transit Center District as the center of downtown. Rincon Hill on the far southern end and Transamerica and 555 California on the far northern end would continue to be the tallest buildings on the skyline. At the street level, necessary setbacks to accommodate increased pedestrian activity would not be implemented.

Historic Resources: The proposed Plan would result in increased protection for identified historic resources through expansion of the New Montgomery-Second Street Conservation District, designation of 43 buildings as Category I, III, or IV buildings in Article 11 of the Planning Code, and change of one building from Category III to Category IV. The No Project Alternative would not result in expansion of the Conservation District or addition of the 43 buildings to Article 11, leaving these resources undesignated locally and subject to substantial development pressure. Further, the No Project would not allow these 43 buildings to sell Transferrable Development Rights that would permanently remove development potential from the lots and thereby protect the resources.

Public Improvement and Funding Program: Under the No Project scenario, no new impact fees related to open space, streets or transportation would be adopted and a Mello-Roos District would not be adopted. These mechanisms are projected to generate approximately $590 million over 20 years for public improvements, including over $400 million for the Transit Center and Downtown Rail Extension Project. Without these funds, the Downtown Rail Extension project may not be able to be constructed. Local open space, streetscape and circulation improvements necessary and desirable to accommodate the substantial additional high-density high-rise growth which will still occur in the Plan area (at somewhat lower densities than under the Preferred Project) will not be funded or implemented. New connections to the rooftop park on the Transit Center will not be built. In addition, the No Project Alternative would only permit a

30-foot-tall building on the proposed Transit Tower site, which would provide little to no land sale and tax increment revenue to support the Transit Center Project.

For the reasons listed above and in Section VII, Statement of Overriding Considerations, the Planning Commission hereby rejects the No Project Alternative.

2. Reduced Project Alternative (Alternative B)

The Reduced Project Alternative assumes construction on each of the "soft" development sites identified in this EIR, but at lesser heights and intensity than would be permitted under the draft Plan. The heights are those at which development would cast no additional shadow on parks under the jurisdiction of the Recreation and Park Department, beyond that which could occur from buildings developed to existing height limits. As a result of the lesser heights, it is assumed that development of Plan area sites containing historical resources would proceed in a different manner than would be allowed under the draft Plan, thereby reducing the Plan's impacts on historic architectural resources. In particular, this alternative assumes that development at five sites in the Plan area that contain identified or potential historic architectural resources would generally be undertaken consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties (or otherwise determined by Planning Department preservation staff to result in less-than-significant impacts under CEQA, to the maximum extent feasible) in order that historical resources on these sites are minimally affected. This alternative would include some of the public realm improvements, subject to funding, that are proposed under the draft Plan.

The Reduced Project Alternative would not be desirable nor meet the Preferred Project objectives for the following reasons.

Job Capacity and Transit-Oriented Growth: Under the No Project Alternative the capacity of the district to accommodate further job growth would not be increased substantially above existing zoning as only one potential office development site not already entitled under existing zoning, as opposed to at least five, would be upzoned to increase office capacity. The largest and least constrained sites (such as the Transit Tower site) capable of accommodating the most desirable layouts for office space would not be increased in capacity. This would diminish San Francisco's ability to accommodate projected job growth according to regional policy direction to direct growth to existing urban areas served by public transit. Downtown San Francisco, and the Transit Center District specifically, is the most transit-served district in the Bay Area. The downtown C-3 districts currently have limited remaining capacity for job growth. The Reduced Project Alternative would result in the City having to direct job growth to other, significantly less transit-served parts of the City and region, resulting in increases in air pollution, greenhouse gas emissions, congestion, and other effects of regional urban sprawl. The Reduced Project Alternative would also limit the economic growth of the City more than the Plan and limit the ability of Downtown San Francisco to continue to be the premier concentration of economic activity in the region.

Visual Quality and Urban Form: Goals for enhancing the urban form of the downtown skyline proposed in the Plan would not be achieved. Under the Reduced Project Alternative the skyline would continue to be flat and "benched" with numerous buildings at a height of approximately 600 feet and would not recognize the Transit Center District as the center of downtown. Rincon Hill on the far southern end and Transamerica and 555 California on the far northern end would continue to be the most prominent buildings on the skyline. In particular, the Reduced Project Alternative would only allow for a 550-foot-tall building on the Transit Tower site, rather than the 1,070-foot building contemplated by the Preferred Project. Thus, this alternative would not create a new visual focus for downtown within the Plan area because the 550-foot-tall building would be the same size as several other existing downtown buildings and proposed Plan area buildings.

Public Improvement and Funding Program: Under the Reduced Project Alternative, significantly lesser revenue from a Mello-Roos District and lesser impact fees related to open space, streets or transportation would be collected. Under the Plan, these mechanisms are projected to generate approximately $590 million over 20 years for public improvements, including over $400 million for the Transit Center and Downtown Rail Extension Project. Under the Reduced Project Alternative the maximum combined amount of revenue from all sources would be $345 million, a decrease of $245 million. Without these funds, the Downtown Rail Extension project may not be able to be constructed. Local open space, streetscape and circulation improvements necessary and desirable to accommodate the substantial additional high-density high-rise growth which will still occur in the Plan area (at somewhat lower densities than under the Plan) will be funded and implemented to a much lesser extent.

In addition, the Reduced Project Alternative, by limiting the proposed Transit Tower to a 550-foot-tall building, would provide substantially less land sale and tax increment to support the Transit Center project than the 1,070-foot building due to two major factors: (1) the 550-foot building would have about 56 percent less floor area than the proposed Transit Tower, and (2) the higher floors of the 1,070-foot-building would command higher rents and would be of much greater value than the rent in a shorter building. This reduction in revenue would also reduce the amount of funding available for the other infrastructure projects, such as Mission Square and the surrounding streetscape, which would reduce the quality of the ground level pedestrian spaces around the building.

For the reasons listed above and in Section VII, Statement of Overriding Considerations, the Planning Commission hereby rejects the Reduced Project Alternative.

3. Reduced Shadow Alternative (Alternative C)

The Reduced Shadow Alternative is premised on reducing to some degree the new shadow resulting from the Plan while retaining in large measure the draft Plan's fundamental urban design concept that the Transit Tower, which would identify the location of the new Transit

Center, be the City's tallest and most prominent building—the "crown" of the downtown core that rises notably above the dense cluster of downtown buildings, as stated in draft Plan Policy 2.1. In contrast to Alternative B, which is based on site-by-site evaluation of building heights to reduce shadow on Section 295 parks, Alternative C would retain the Transit Tower as the tallest building in the Plan area. This alternative would also proportionally adjust the proposed height limits on the other sites in the Plan area in relation to the Transit Tower in order to maintain similar massing/height relationships as contemplated under the draft Plan's urban form concepts. This alternative would include some of the public realm improvements, subject to funding, that area proposed under the draft Plan.

The Reduced Shadow Alternative would not be desirable nor meet the Preferred Project objectives for the following reasons.

Job Capacity and Transit-Oriented Growth: Under the Reduced Shadow Alternative the capacity of the district to accommodate further job growth would not be increased sufficiently to address capacity concerns in the downtown. This would diminish San Francisco's ability to accommodate projected job growth according to regional policy direction to direct growth to existing urban areas served by public transit. Downtown San Francisco, and the Transit Center District specifically, is the most transit-served district in the Bay Area. The downtown C-3 districts currently have limited remaining capacity for job growth. The Reduced Shadow Alternative would result in the City having to direct job growth to other, significantly less transit-served parts of the City and region, resulting in increases in air pollution, greenhouse gas emissions, congestion, and other effects of regional urban sprawl. The Reduced Shadow Alternative would also limit the economic growth of the City more than the Plan and limit the ability of Downtown San Francisco to continue to be the premier concentration of economic activity in the region.

Shadow Impacts: While the Reduced Shadow Alternative would have reduced shadow impacts on open spaces than the proposed Plan, there still would be significant and unavoidable impacts to four open spaces similar to the impacts from the proposed Plan, including Portsmouth Square, St. Mary's Square, Union Square, and Willy Woo Wong Playground. The net benefit to reducing shadow impacts under this Alternative would be minor while the reduced opportunities for transit-oriented growth and public funding program would be significant compared to the proposed Plan.

Public Improvement and Funding Program: Under the Reduced Shadow Alternative, significantly lesser revenue from a Mello-Roos District and lesser impact fees related to open space, streets or transportation would be collected. Under the proposed Plan, these mechanisms are projected to generate approximately $590 million over 20 years for public improvements, including over $400 million for the Transit Center and Downtown Rail Extension Project. Under the Reduced Shadow Alternative the maximum combined amount of revenue from all sources would be approximately $515 million, a decrease of $75 million. Without these funds, the

Downtown Rail Extension project may not be able to be constructed. Local open space, streetscape and circulation improvements necessary and desirable to accommodate the substantial additional high-density high-rise growth which will still occur in the Plan area (at somewhat lower densities than under the Plan) will be funded and implemented to a lesser extent.

For the reasons listed above and in Section VII, Statement of Overriding Considerations, the Planning Commission hereby rejects the Reduced Shadow Alternative.

4. Developer Scenario (Alternative D)

This alternative differs from the draft Plan in that development assumptions for certain specific sites would reflect project applications that are on file at the Planning Department. In up to three instances, this alternative would therefore permit taller buildings than the draft Plan proposes, while for two other sites, lesser height is assumed. Although this alternative would result in several buildings being taller than proposed with the draft Plan development assumptions for the Developer Scenario Alternative would be similar to those of the Plan with respect to office space, and somewhat less intensive than the Plan with respect to residential units and hotel space. This is because the projects with applications on file at the Planning Department propose a different mix of uses than the Plan forecasts assume for those sites, propose generally larger residential units than the Plan assumes, and because an office project was approved in 2011 at 350 Mission Street at a lesser height than proposed in the draft Plan.

The Developer Scenario Alternative would not be desirable nor meet the Preferred Project objectives for the following reason.

Visual Quality and Urban Form: Goals for enhancing the urban form of the downtown skyline and the enhancing public views of and through the district would not be met. Building heights proposed under the Developer Alternative would over-emphasize the importance of certain buildings, particularly the Palace Hotel Tower, very distant from the Transit Center on the skyline, in contrast to the coordinated and sculpted form proposed under the Plan which confines the concentration of buildings taller than the current 600-foot skyline benchmark to the area immediately around the Transit Center. Under the Developer Alternative proposed towers at 50 1st Street and 181 Fremont would either be too close in height to the Transit Tower and other planned buildings to maintain the desired sculpted skyline form, prominence of the Transit Tower, and separation of tall buildings on the skyline.

For the reason listed above and in Section VII, Statement of Overriding Considerations, the Planning Commission hereby rejects the Developer Alternative.

C. Environmentally Superior Alternative

The Planning Commission finds that Alternative B, Reduced Project, is considered the environmentally superior alternative for purposes of CEQA Guidelines section 15126.6(e)(2) because it would substantially reduce shadow impacts on parks subject to Section 295 and effects on historic architectural resources, compared to the proposed Project, . To the extent that development precluded under the Reduced Project Alternative from taking place in the Transit Center District were to occur elsewhere in the Bay Area, however, employees in and residents of that development could potentially generate substantially greater impacts on transportation systems, air quality, and greenhouse gases than would be the case for development of a similar amount of office space in the more compact and better-served-by-transit Plan area. This would be particularly likely for development in more outlying parts of the region where fewer services and less transit access is provided. Therefore, while it would be speculative to attempt to quantify or specify the location of the impacts, it is acknowledged that, while the Reduced Project Alternative would incrementally reduce local impacts, in the Transit Center District and in San Francisco, it could also increase regional emissions of criteria air pollutants and greenhouse gases, and to increase regional traffic congestion. It could also incrementally increase impacts related to "greenfield" development on previously undeveloped locations in the Bay Area and, possibly, beyond.

VII. STATEMENT OF OVERRIDING CONSIDERATIONS

Notwithstanding the significant effects noted above, pursuant to CEQA Section 21081(b) and the CEQA Guidelines Section 15093, the Planning Commission finds, after considering the FEIR and based on substantial evidence in the administrative record as a whole and as set forth herein, that specific overriding economic, legal, social, and other considerations outweigh the identified significant effects on the environment. Moreover, in addition to the specific reasons discussed in Section VI above, the Planning Commission finds that the alternatives rejected above are also rejected for the following specific economic, social, or other considerations resulting from Project approval and implementation:

A. The purpose of the Transit Center District Plan (the "Plan") is to increase the density of development in the southern Financial District and thereby provide critical funding for the Transbay Transit Center/Downtown Rail Extension Project—the centerpiece of the Plan—and other infrastructure in the Plan Area.

The Plan is an outgrowth of the 2006 Report of the City and County of San Francisco Interagency Working Group. To address the funding shortfall for the construction of the complete Transit Center Project, in February 2006 the City convened a Working Group consisting of the Mayor's Office, the Planning Department, the Office of the City Administrator, the San Francisco Redevelopment Agency, SFMTA, and the SFCTA to make recommendations to help ensure that the entirety of the Transit Center Project is completed – including both the terminal and rail components – as soon as possible.

The Working Group recommended that the goal of identifying additional funds to complete the Transit Center Project could be created by capturing additional value through intensified development around the Transit Center and by reducing Project costs. The Working Group stated that the purpose of the Report is to ensure that whatever strategy is adopted for proceeding with the Transit Center Project maximizes the likelihood that the full vision of Transbay, including bringing rail into an inter-modal station in downtown San Francisco, is fully realized.

The Working Group Report recommended that the City create a special zoning district around the Transit Center to permit a limited number of tall buildings, including two on public parcels, and allowances for additional development in exchange for financial contributions to the Transbay Project and other public infrastructure. The Report also proposed forming a Mello-Roos Community Facilities District ("CFD") to levy a special tax to provide the majority of that funding for the Transit Center Project. The Working Group further proposed that the revenues generated by the additional development allowed by the overlay zoning district be prioritized to fund construction of the Transit Center Project. The zoning concept that grew out of the Report is that which is proposed as the Transit Center District Plan.

B. Adoption and implementation of the Plan will expand the capacity for transit-oriented growth, particularly job growth, in the most transit-accessible location in the Bay Area, thereby promoting transit usage and reducing regional urban sprawl and its substantial negative regional environmental, economic, and health impacts, including air and water pollution, greenhouse gas emissions, congestion, and loss of open space and habitat. The Association of Bay Area Governments is projecting a need to accommodate approximately 170,000 jobs in San Francisco by 2040 in order to meet the City's share of regional jobs under a Sustainable Communities Strategy. At least half of those jobs are projected to be office jobs. The City currently does not have sufficient capacity to accommodate that many office jobs, particularly not in locations served by major regional public transit. The Transit Center District is well served by existing BART, Muni Metro, Muni bus, regional bus and ferry service. The Transbay Transit Center, under construction, and the planned DTX to bring Caltrain commuter rail and California High Speed Rail service in the Transit Center will substantially improve transit access and increase transit capacity. No other location in the region features transit access as robust as the Plan area. In the Transit Center District as many as 80% of workers take transit to work, 10% walk or bicycle, and no more than 10% drive or carpool. In other parts of the region, including core city centers and other parts of San Francisco, significantly higher percentages of workers drive to work. Job growth is severely constrained geographically in San Francisco, because only 12.5% of the City's land permits office uses and such uses must compete with housing and other uses in much of this area. In order to accommodate job growth, particularly in transit-served locations such as the Plan area, rezoning is necessary in order to increase capacity. The proposed Plan is consistent with the City's Transit First policy and with regional mandates to reduce greenhouse gas emissions and promote transit usage.

C. The Transit Center District Plan is exemplary transit-oriented development. It promotes the Sustainable Communities Strategies required by the Sustainable Communities and Climate Protection Act of 2008 (SB 375, Steinberg, Statutes of 2008) and related transportation, affordable housing, job creation, environmental protection, and climate change goals. The new Transit Center, which is at the center of the Plan area and the impetus for the Plan, will be a regional multi-modal facility connecting 11 different transportation systems under a single roof - local, intercity and regional buses, and Caltrain, and is designed to accommodate high-speed rail and Amtrak. Phase 1 of the Project consists of a Temporary Terminal and the Transit Center, which includes above-grade bus levels, the below-grade train box serving Caltrain commuter rail and high-speed rail, a 5.4-acre rooftop park, bus ramps connecting to the Bay Bridge, and bus storage. Phase 2 consists of the Downtown Rail Extension ("DTX"), which includes the improvements necessary to extend the rail connections into the train box. Phase 1 has been under construction since 2009 when the TJPA broke ground for the Temporary Terminal. Construction of the new Transit Center began in 2010 and scheduled for completion in 2017. The Transit Center will provide numerous benefits for San Francisco and the entire Bay Area. With the construction of the DTX, Caltrain daily ridership will increase by 20,000 passengers per day (a 67% increase) by bringing Caltrain directly into the Transit Center from its current terminus at 4th and King Streets. The Transit Center rail facilities are being designed also to accommodate service by California High Speed Rail.

D. Plan adoption and implementation will generate approximately $590 million in net new revenues for public infrastructure from development impact fees and a Mello-Roos Community Facilities District. Per the Funding Program established in the Program Implementation Document, of this amount approximately $420 million would be available to the Transbay Joint Powers Authority to fund the Transit Center/Downtown Rail Extension project and related infrastructure. This funding is a vital piece of the overall funding plan for the Downtown Rail Extension, a $2 billion project, as it can leverage larger sources of additional funds. Approximately $170 million from these new funds would be used to fund local open space, streetscape and transportation improvements to support growth in the downtown, including improvements to open spaces in the broader downtown area.

E. Plan implementation will promote the retention and rehabilitation of 43 historic resources not currently protected by local designations, as well as the expansion of the New Montgomery-Second Street Conservation District.

F. Plan adoption and implementation will substantially enhance the City skyline by accentuating the currently flat and crowded downtown form with a new clear crown at the center of the skyline, which will be created by the Transit Tower in front of the Transit Center and a limited number of adjacent tall structures, thereby balancing and centering the skyline currently defined by tall peaks at its extreme northern and southern ends with Transamerica and Rincon Hill. This improved skyline would be consistent with City policy to identify the

center of the downtown transit access and activity and provide focal orientation from throughout the area.

G. Plan implementation will contribute funding or directly create over 11 acres of new public open space, including the 5.4-acre City Park on the Transit Center, a public plaza at 2nd/Howard Streets, linear park "Living Streets," and transformation of several alleys, including Natoma and Shaw alleys, into pedestrian-only plazas. The Plan also will result in numerous new public connections to the elevated City Park, thereby enhancing access and activation to this new largest downtown open space. None of the alternatives analyzed would eliminate significant and unavoidable shadow impacts on public open spaces, including Union Square, Portsmouth Square and St Mary's Square. These alternatives still result in significant and unavoidable shadow impacts that are not substantially less than those of the proposed Plan. and do not achieve the other Plan objectives and benefits, particularly by reducing by $75-590 million the potential revenue for the Transit Center/Downtown Rail Extension project and other public improvements, including over $10 million for public improvements to downtown parks such as Portsmouth Square.

H. Plan adoption and implementation will create an attractive and pedestrian-oriented neighborhood scale of development through incorporation of design controls and development standards related to building bases and ground floors, setbacks, and other measures.

I. Plan adoption and implementation will enact transportation measures, through Planning Code requirements and streetscape and traffic improvements, to encourage and facilitate the use of transit, walking, bicycling, car-sharing, and other non-single occupant auto modes of transportation for commuting, daily needs and recreation. Enhancements to transit, aside from substantial funding contributions to realize the Downtown Rail Extension, include dedicated transit lanes on Mission Street and other streets, expanded bicycle lanes on several area streets, and widened sidewalks with pedestrian amenities. Funds to be generated by new Plan revenue sources will also help fund capacity improvements at Embarcadero and Montgomery BART stations and studies to reduce congestion and manage parking in the downtown area.

Having considered these benefits of the proposed Project, including the benefits and considerations discussed above, the Planning Commission finds that the Project's benefits outweigh its unavoidable adverse environmental effects, and that the adverse environmental effects are therefore considered acceptable. The Planning Commission further finds that each of the Project benefits discussed above is a separate and independent basis for these findings.

VIII. INCORPORATION BY REFERENCE

The Final EIR is hereby incorporated into these Findings in its entirety. Without limitation, this incorporation is intended to elaborate on the scope and nature of the mitigation measures, the

basis for determining the significance of impacts, the comparative analysis of alternatives, and the reasons for approving the Project in spite of the potential for associated significant and unavoidable adverse environmental effects.

EXHIBIT 1:
MITIGATION MONITORING AND REPORTING PROGRAM
(Including the Text of the Mitigation Measures Adopted as Conditions of Approval and Proposed Improvement Measures)

1. MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
D. Cultural and Paleontological Resources				
Archeological Resources				
M-CP-1: Subsequent Archeological Testing Program. When a project is to be developed within the Transit Center District Plan Area, it will be subject to preliminary archeological review by the Planning Department archeologist. This in-house review will assess whether there are gaps in the necessary background information needed to make an informed archaeological sensitivity assessment. This assessment will be based upon the information presented in the Transit Center District Plan Archeological Research Design and Treatment Plan (Far Western Anthropological Research Group, Inc., *Archaeological Research Design and Treatment Plan for the Transit Center District Plan Area, San Francisco, California*, February 2010), as well as any more recent investigations that may be relevant. If data gaps are identified, then additional investigations, such as historic archival research or geoarchaeological coring, may be required to provide sufficiently detailed information to make an archaeological sensitivity assessment. If the project site is considered to be archaeologically sensitive and 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 Planning Department ("Department") pool of qualified archaeological consultants as provided by the Department archaeologist. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure and with the requirements of the Transit Center District Plan archeological research design and treatment plan at the direction of the ERO. In instances of inconsistency between the requirement of the project archaeological research design and treatment plan and of this archaeological	Planning staff, for preliminary review; Project sponsor and project archeologist for each subsequent project undertaken pursuant to the Transit Center District Plan, for any subsequently required investigations.	During environmental review of projects, then as specified in ATP/ AMT/ARDTP.	ERO to review and approve any required Archeological Testing Program.	Project archeologist to report to ERO on progress of any required investigation monthly, or as required by ERO. Considered complete upon review and approval by ERO of results of Archeological Testing Program/ Archeological Monitoring Program/ Archeological Data Recovery Program, as applicable.

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D. Cultural and Paleontological Resources (continued)				
mitigation measure, the requirements of this archaeological mitigation measure shall prevail. 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 monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sections 15064.5 (a) (c). *Archeological Testing Program*. The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP 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. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA. 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, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological				

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D. Cultural and Paleontological Resources (continued)				
resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either: A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible. *Archeological Monitoring Program.* If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented, the archeological consultant shall prepare an archeological monitoring plan (AMP): ▪ The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context; ▪ Archeological monitoring shall conform to the requirements of the final AMP reviewed and approved by the ERO; ▪ The archeological consultant shall advise all project contractors to be on the 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;				

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D. Cultural and Paleontological Resources (continued)				
▪ 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 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 driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity 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. 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. *Archeological Data Recovery Program*. The archeological data recovery program 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				

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D. Cultural and Paleontological Resources (continued)				
resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical. The scope of the ADRP shall include the following elements: ▪ Field Methods and Procedures. Descriptions of proposed field strategies, procedures, and operations. ▪ Cataloguing and Laboratory Analysis. Description of selected cataloguing system and artifact analysis procedures. ▪ Discard and Deaccession Policy. Description of and rationale for field and post-field discard and deaccession policies. ▪ Interpretive Program. Consideration of an on-site/off-site public interpretive program during the course 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. *Human Remains and 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				

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D. Cultural and Paleontological Resources (continued)				
of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. *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. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey 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 Major Environmental Analysis 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.				

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Historical Resources *M-CP-3a: HABS/HAER Documentation.* Prior to demolition or substantial adverse alteration of historical resource(s), the project sponsor of a development project in the Plan area shall contract with a qualified preservation architect, historic preservation expert, or other qualified individual to fully document the structure(s) to be demolished or altered. Documentation shall be undertaken following consultation with Planning Department preservation staff and the Historic Preservation Commission, and shall at a minimum be performed to HABS Level II documentation standards. According to HABS Standards, Level II documentation consists of the following tasks: ▪ Written data: A brief report documenting the existing conditions and history of the building shall be prepared, focusing on the building's architectural and contextual relationship with the greater Western SoMa neighborhood. ▪ Photographs: Photographs with large-format (4x5-inch) negatives shall be shot of exterior and interior views of all three project site buildings. Historic photos of the buildings, where available, shall be photographically reproduced. All photos shall be printed on archival fiber paper. ▪ Drawings: Existing architectural drawings (elevations and plans) of all three the project site buildings, where available, shall be photographed with large format negatives or photographically reproduced on Mylar. ▪ The completed documentation package shall be submitted to local and regional archives, including but not limited to, the San Francisco Public Library History Room, the California Historical Society and the Northwest Information Center at Sonoma State University in Rohnert Park.	Project sponsor and qualified historic preservation individual for each subsequent project undertaken pursuant to the Transit Center District Plan.	Prior to the start of any demolition or adverse alteration on a designated historical resource.	Planning Department Preservation Technical Specialist to review and approve HABS documentation.	Considered complete upon submittal of final HABS documentation.
M-CP-3b: Public Interpretative Displays. Prior to demolition or substantial adverse alteration of historical resource(s) that are significant due to event(s) that occurred in the building at the development site, the project sponsor of a development project in the Plan area shall develop, in consultation with Planning Department preservation staff, a permanent interpretative program/and or display that would	Project sponsor and qualified historic preservation individual for each subsequent project undertaken pursuant	Prior to the start of any demolition or adverse alteration on a designated historical	Planning Department Preservation Technical Specialist and Historic Preservation Commission to review and approve	Considered complete upon installation of display.

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D. Cultural and Paleontological Resources (continued)				
commemorate such event(s). The program/display would be installed at a publicly accessible location, either at or near the project site or in another appropriate location (such as a library or other depository). The content and location of the display shall be presented to the Historic Preservation Commission for review and comment.	to the Transit Center District Plan.	resource.	interpretive display.	
M-CP-3c: Relocation of Historical Resources. Prior to demolition or substantial alteration of historical resource(s), the project sponsor of a development project in the Plan area shall make any historical resources that would otherwise be demolished or substantially altered in an adverse manner available for relocation by qualified parties.	Project sponsor for each subsequent project undertaken pursuant to the Transit Center District Plan.	Prior to the start of any demolition or adverse alteration on a designated historical resource.	ERO to review confirmation from project sponsor that resource(s) were made available for relocation.	Considered complete upon submittal to ERO by project sponsor of documentation confirming that resource(s) were made available for relocation.
M-CP-3d: Salvage of Historical Resources. Prior to demolition of historical resource(s) that are significant due to architecture (resource(s) that embody the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values), the project sponsor of a development project in the Plan area shall consult with a Planning Department Preservation Technical Specialist and/or other qualified parties regarding salvage of materials from the affected resource(s) for public information or reuse in other locations.	Project sponsor and qualified historic preservation individual for each subsequent project undertaken pursuant to the Transit Center District Plan.	Prior to the start of any demolition or adverse alteration on a designated historical resource.	Planning Department Preservation Technical Specialist shall participate in discussions with project sponsor regarding building salvage.	Considered complete upon submittal to ERO by project sponsor of documentation confirming that resource(s) were made available for salvage.
M-CP-5a. Construction Best Practices for Historical Resources. The project sponsor of a development project in the Plan area shall incorporate into construction specifications for the proposed project a requirement that the construction contractor(s) use all feasible means to avoid damage to adjacent and nearby historic buildings, including, but not necessarily limited to, staging of equipment and materials as far as possible from historic buildings to avoid direct impact damage; using techniques in demolition (of the parking lot), excavation, shoring, and construction that create the minimum feasible vibration; maintaining a buffer zone when possible between heavy equipment and historical resource(s) within 125 feet,	Project sponsor and qualified historic preservation individual for applicable subsequent projects undertaken pursuant to the Transit Center District Plan.	Prior to the issuance of contract specifications for construction proximate to a designated historical resource.	ERO and, optionally, Planning Department Preservation Technical Specialist, to review construction specifications.	Considered complete upon submittal to ERO by project sponsor of construction specifications.

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as identified by the Planning Department; appropriately shoring excavation sidewalls to prevent movement of adjacent structures; design and installation of the new foundation to minimize uplift of adjacent soils; ensuring adequate drainage from adjacent sites; covering the roof of adjacent structures to avoid damage from falling objects; and ensuring appropriate security to minimize risks of vandalism and fire.				
M-CP-5b. Construction Monitoring Program for Historical Resources. The project sponsor shall undertake a monitoring program to minimize damage to adjacent historic buildings and to ensure that any such damage is documented and repaired. The monitoring program would include the following components. Prior to the start of any ground-disturbing activity, the project sponsor shall engage a historic architect or qualified historic preservation professional to undertake a preconstruction survey of historical resource(s) identified by the Planning Department within 125 feet of planned construction to document and photograph the buildings' existing conditions. Based on the construction and condition of the resource(s), the consultant shall also establish a maximum vibration level that shall not be exceeded at each building, based on existing condition, character-defining features, soils conditions, and anticipated construction practices (a common standard is 0.2 inches per second, peak particle velocity). To ensure that vibration levels do not exceed the established standard, the project sponsor shall monitor vibration levels at each structure and shall prohibit vibratory construction activities that generate vibration levels in excess of the standard. Should vibration levels be observed in excess of the standard, construction shall be halted and alternative techniques put in practice, to the extent feasible. The consultant shall conduct regular periodic inspections of each building during ground-disturbing activity on the project site. Should damage to either building occur, the building(s) shall be remediated to its preconstruction condition at the conclusion of ground-disturbing activity on the site.	Project sponsor, project contractor, and qualified historic preservation individual for applicable subsequent projects undertaken pursuant to the Transit Center District Plan.	Prior to the start of demolition, earth moving, or construction activity proximate to a designated historical resource.	Planning Department Preservation Technical Specialist shall review and approve construction monitoring program.	Considered complete upon submittal to ERO of post-construction report on construction monitoring program and effects, if any, on proximate historical resources.

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M-C-CP: Mitigation of Cumulative Historical Resources Impacts. Implement Mitigation Measures M-CP-3a, HABS/HAER Documentation, and M-CP-3b, Public Interpretive Displays, and M-CP-3c, Relocation of Historical Resources, and M-CP-3d, Salvage of Historical Resources.	See Measures M-CP-3a, M-CP-3b, M-CP-3c, and M-CP-3d.			
E. Transportation				
Traffic				
M-TR-1a: Signal Timing Optimization. The Municipal Transportation Agency (MTA) could optimize signal timing at the following intersections to reduce impacts on intersection LOS to a less-than-significant level, by either improving conditions to LOS D or better or by avoiding the draft Plan's contribution to increased vehicle delay (mitigated LOS in parentheses): ▪ Stockton / Geary Streets (LOS F, p.m.) ▪ Kearny / Sutter Streets (LOS F, p.m.) ▪ Battery and California Streets (LOS D, a.m. and p.m.) ▪ Embarcadero / Washington Streets (LOS F, p.m.) ▪ Third / Folsom Streets (LOS F, p.m. peak) ▪ Beale / Folsom Streets (LOS F, p.m. peak) ▪ Embarcadero / Folsom Streets (LOS F, a.m. and p.m. peak)	S.F. Municipal Transportation Agency (MTA)	Monitor intersections periodically through traffic counts; implement feasible alterations to signal timing when LOS degrades.	S.F. MTA, Planning Department	Considered complete upon implementation of timing changes by MTA.
M-TR-1b: Taxi Left-Turn Prohibition. At the intersection of Third / Mission Streets, the Municipal Transportation Agency (MTA) could expand existing prohibitions on peak-hour left turn to include taxis, thereby permitting only buses to make left turns.	S.F. Municipal Transportation Agency (MTA)	Evaluate feasibility of turn prohibition; implement if feasible and warranted.	S.F. MTA, Planning Department	Considered complete upon implementation of turn prohibition by MTA.
M-TR-1c: Beale / Mission Streets Bulbs and Optimization. At the intersection of Beale and Mission Streets, the Municipal Transportation Agency (MTA) and Department of Public Works (DPW) could install bulb-outs on the north and south crosswalks to reduce pedestrian	S.F. Municipal Transportation Agency (MTA)	Evaluate feasibility of sidewalk bulbs and signal timing changes;	S.F. MTA, Planning Department	Considered complete upon construction of sidewalk bulbs and implementation of signal timing changes by MTA.

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E. Transportation (continued)				
crossing distances and times and optimize the signal timing plan at this intersection during the weekday p.m. peak hour by reallocating green time from the less-congested eastbound / westbound Mission Street approaches to the southbound Beale Street approach.		implement if feasible and warranted.		
M-TR-1d: Steuart / Howard Streets Restriping. At the intersection of Steuart and Howard Streets, the Municipal Transportation Agency (MTA) could remove two on-street parking spaces on the south side of Howard Street immediately west of the intersection and stripe the eastbound approach as one through lane and one shared through-right lane. The proposed design for eastbound Howard Street after extension of the westbound Howard Street bicycle lane to The Embarcadero calls for one wide curb lane and one parking lane, but a second eastbound travel lane at the intersection could be provided by removing up to two on-street parking spaces.	S.F. Municipal Transportation Agency (MTA)	Evaluate feasibility of restriping; implement if feasible and warranted.	S.F. MTA, Planning Department	Considered complete upon implementation of restriping by MTA.
M-TR-1e: Beale / Folsom Streets Left-Turn Prohibition and Signal Optimization. At the intersection of Beale and Folsom Streets, the Municipal Transportation Agency (MTA) could prohibit eastbound right turns from Folsom Street in the p.m. peak hour and optimize the signal timing by reallocating green time from the eastbound / westbound Folsom Street approaches to the northbound / southbound Beale Street approaches.	S.F. Municipal Transportation Agency (MTA)	Evaluate feasibility of turn prohibition; implement if feasible and warranted.	S.F. MTA, Planning Department	Considered complete upon implementation of turn prohibition by MTA.
M-TR-1f: Third / Harrison Streets Restriping. At the intersection of Third and Harrison Streets, the Municipal Transportation Agency (MTA) could convert one of the two eastbound lanes leaving the intersection into an additional westbound through lane by restriping the east (Harrison Street) leg of the intersection. In order to allow sufficient turning radius and clearance for heavy vehicles such as buses and trucks, two on-street parking spaces on the south side of Harrison Street east of the intersection would be removed.	S.F. Municipal Transportation Agency (MTA)	Evaluate feasibility of restriping; implement if feasible and warranted.	S.F. MTA, Planning Department	Considered complete upon implementation of restriping by MTA.

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E. Transportation (continued)				
M-TR-1g: Hawthorne / Harrison Streets Restriping. At the intersection of Hawthorne and Harrison Streets, the Municipal Transportation Agency (MTA) could stripe an additional westbound through lane approaching the intersection by converting one of the two eastbound lanes.	S.F. Municipal Transportation Agency (MTA)	Evaluate feasibility of restriping; implement if feasible and warranted.	S.F. MTA, Planning Department	Considered complete upon implementation of restriping by MTA.
M-TR-1h: Second / Harrison Streets Turn Prohibition and Optimization. At the intersection of Second and Harrison Streets, the Municipal Transportation Agency could prohibit eastbound left turns during the p.m. peak hour.	S.F. Municipal Transportation Agency (MTA)	Evaluate feasibility of turn prohibition; implement if feasible and warranted.	S.F. MTA, Planning Department	Considered complete upon implementation of turn prohibition by MTA.
M-TR-1i: Third / Bryant Streets Bulbs and Optimization. At the intersection of Third and Bryant Streets, the Municipal Transportation Agency (MTA) and Department of Public Works (DPW) could install bulb-outs on the south crosswalk to reduce pedestrian crossing distances and times and optimize the signal timing plan at this intersection during the weekday p.m. peak hour by reallocating green time from the eastbound Bryant Street approach to the northbound Third Street approach.	S.F. Municipal Transportation Agency (MTA)	Evaluate feasibility of sidewalk bulbs and signal timing changes; implement if feasible and warranted.	S.F. MTA, Planning Department	Considered complete upon construction of sidewalk bulbs and implementation of signal timing changes by MTA.
M-TR-1j: Second / Bryant Streets Bulbs and Optimization. At the intersection of Second and Bryant Streets, the Municipal Transportation Agency (MTA) and Department of Public Works (DPW) could install bulb-outs on the east and west crosswalks to reduce pedestrian crossing distances and times and optimize the signal timing plan at this intersection during the weekday p.m. peak hour by reallocating green time from the northbound / southbound Second Street approaches to the eastbound Bryant Street approach.	S.F. Municipal Transportation Agency (MTA)	Evaluate feasibility of sidewalk bulbs and signal timing changes; implement if feasible and warranted.	S.F. MTA, Planning Department	Considered complete upon construction of sidewalk bulbs and implementation of signal timing changes by MTA.

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E. Transportation (continued)				
M-TR-1k: Second / Tehama Streets Restriping and Optimization. At the intersection of Second and Tehama Streets, the Municipal Transportation Agency (MTA) could prohibit eastbound and westbound left turns (from Tehama Street) during the a.m. and p.m. peak hours.	S.F. Municipal Transportation Agency (MTA)	Evaluate feasibility of restriping and signal timing changes; implement if feasible and warranted (may be warranted only in conjunction with project at 41 Tehama Street).	S.F. MTA, Planning Department	Considered complete upon implementation of restriping and signal timing changes by MTA.
M-TR-1m: Downtown Traffic Signal Study. As part of a Regional Traffic Signalization and Operations Program project, the Municipal Transportation Agency (MTA) could conduct a study of Downtown-area traffic signal systems, with the aim of recalibrating cycle lengths, offsets, and splits at Downtown-area intersections to optimize traffic flow and minimize unnecessary delays (without impacting other modes of travel).	S.F. Municipal Transportation Agency (MTA)	Evaluate feasibility of Downtown traffic signal study; implement if feasible and warranted.	S.F. MTA	Considered complete upon initiation of traffic signal study.
Transit				
M-TR-3a: Installation and Operation of Transit-Only and Transit Queue-Jump Lanes. To reduce or avoid the effects of traffic congestion on Muni service, at such time as the transit-vehicle delay results in the need to add additional vehicle(s) to one or more Muni lines, the Municipal Transportation Agency (MTA) could stripe a portion of the approach lane at applicable intersections to restrict traffic to buses only during the p.m. peak period, thereby allowing Muni vehicles to avoid traffic queues at certain critical intersections and minimizing transit delay. Each queue-jump lane would require the prohibition of parking during the p.m. peak period for the distance of the special lane.	S.F. Municipal Transportation Agency (MTA)	Evaluate feasibility of transit-only lanes and transit queue-jump lanes; implement if feasible and warranted.	S.F. MTA, Planning Department	Considered complete upon determination as to feasibility of such lanes and, if applicable, initiation of their installation, if applicable.

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For the 41 Union, MTA could install a p.m. peak-hour transit-only lane along Beale Street approaching and leaving the intersection of Beale/Mission Street, for a distance of 150 to 200 feet. Five parking spaces on the west side of Beale Street north of Mission Street could be eliminated when the transit lane is in effect to allow for a right-turn pocket. MTA could also install a p.m. peak-hour queue-jump lane on the eastbound Howard Street approach to the intersection of Beale/Howard Streets, for a distance of 100 feet. If the foregoing were ineffective, MTA could consider re-routing the 41 Union to less-congested streets, if available, or implementing actions such as providing traffic signal priority to Muni buses. For the 11-Downtown Connector and 12 Folsom Pacific, MTA could install a p.m. peak-hour queue-jump lane on the southbound Second Street approach to the intersection to the intersection of Second/Folsom Streets, for a distance of approximately 150 feet. When the lane is in effect, five on-street parking spaces on the west side of Second Street north of Folsom Street could be eliminated, as well as a portion of the southbound bicycle lane approaching the intersection. If the foregoing were ineffective, MTA could consider re-routing the 11-Downtown Connector and 12 Folsom to less-congested streets, if available, or implementing actions such as providing traffic signal priority to Muni buses. The MTA could also evaluate the effectiveness and feasibility of installing an eastbound transit-only lane along Folsom Street between Second and Third Streets, which would minimize delays incurred at these intersections by transit vehicles. The study would create a monitoring program to determine the implementation extent and schedule, which may include conversion of one eastbound travel lane into a transit-only lane.				
M-TR-3b: Exclusive Muni Use of Mission Street Boarding Islands. To reduce or avoid conflicts between Muni buses and regional transit service (Golden Gate Transit and SamTrans) using the relocated transit-only center lanes of Mission Street between First and Third Streets, MTA could reserve use of the boarding islands for Muni buses only and provide dedicated curbside bus stops for regional transit operators. Regional transit vehicles	S.F. Municipal Transportation Agency (MTA)	Evaluate feasibility of Muni-only boarding island use; implement if feasible and warranted.	S.F. MTA, Planning Department	Considered complete upon determination as to feasibility of Muni-only boarding island use.

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E. Transportation (continued)				
would still be allowed to use the transit-only center lanes between stops, but would change lanes to access the curbside bus stops. This configuration would be similar to the existing Muni stop configuration along Market Street, where two different stop patterns are provided, with each route assigned to only one stop pattern.				
M-TR-3c: Transit Improvements on Plan Area Streets. To reduce or avoid the effects of traffic congestion on regional transit service operating on surface streets (primarily Golden Gate Transit and SamTrans), MTA, in coordination with applicable regional operators, could conduct study the effectiveness and feasibility of transit improvements along Mission Street, Howard Street, Folsom Street, First Street, and Fremont Street to reduce delays incurred by transit vehicles when passing through the Plan area. The study would examine a solutions including, but not limited to the following: ▪ Installation of transit-only lanes along Howard Street and Folsom Street, which could serve both Muni buses (e.g., 12 Folsom-Pacific) and Golden Gate Transit buses heading to / from Golden Gate's yard at Eighth and Harrison Streets. ▪ Extension of a transit-only lane on Fremont Street south to Howard Street and installation of transit-actuated queue-jump phasing at the Fremont Street / Mission Street intersection to allow Golden Gate Transit buses to make use of the Fremont Street transit lane (currently only used by Muni vehicles); and ▪ Transit signal priority treatments along Mission, Howard, and Folsom Streets to extend major-street traffic phases or preempt side-street traffic phases to reduce signal delay incurred by SamTrans and Golden Gate Transit vehicles. ▪ Golden Gate Transit and SamTrans could consider rerouting their lines onto less-congested streets, if available, in order to improve travel times and reliability. A comprehensive evaluation would need to be conducted before determining candidate alternative streets, considering various operational and service issues such as the cost of any required capital investments, the availability of layover space, and proximity to ridership origins and destinations.	S.F. Municipal Transportation Agency (MTA)	Evaluate feasibility of transit improvements; implement if feasible and warranted.	S.F. MTA, Planning Department	Considered complete upon determination as to feasibility of transit improvements and initiation of their installation, if applicable.

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M-TR-3d: Increased Funding to Offset Transit Delays. Sponsors of development projects within the Plan area could be subject to a fair share fee that would allow for the purchase of additional transit vehicle(s) to mitigate the impacts on transit travel time. In the case of Muni operations, one additional vehicle would be required. For regional operators, the analysis also determined that on-street delays could require the deployment of additional buses on some Golden Gate Transit and SamTrans routes. Funds for the implementation of this measure are expected to be generated from a delineated portion of the impact fees that would be generated with implementation of the draft Plan, and are projected to be adequate and sufficient to provide for the capital cost to purchase the additional vehicle and facility costs to store and maintain the vehicle.	Planning Department, Planning Commission, Board of Supervisors	Evaluate feasibility of additional transit fees; implement if feasible and warranted.	Planning Department	Considered complete upon determination of feasibility of such fees and initiation of their implementation, if applicable.
M-TR-3e: Increased Funding of Regional Transit. Sponsors of development projects within the Plan area could be subject to one or more fair share fees to assist in service improvements, such as through the purchase of additional transit vehicles and vessels or contributions to operating costs, as necessary to mitigate Plan impacts. These fee(s) could be dedicated to Golden Gate Transit, North Bay ferry operators, AC Transit, BART, and/or additional North Bay and East Bay transit operators. Depending on how the fee(s) were allocated, Caltrain and SamTrans might also benefit, although lesser impacts were identified for these South Bay operators. Funds for the implementation of this measure are expected to be generated from a delineated portion of the impact fees that would be generated with implementation of the draft Plan, and are projected to be adequate and sufficient to provide for the capital cost to purchase the additional vehicle and facility costs to store and maintain the vehicle.	Planning Department, Planning Commission, Board of Supervisors	Evaluate feasibility of additional transit fees; implement if feasible and warranted.	Planning Department	Considered complete upon determination of feasibility of such fees and initiation of their implementation, if applicable.

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Pedestrians				
M-TR-4a: Widen Crosswalks. To ensure satisfactory pedestrian level of service at affected crosswalks, the Municipal Transportation Agency, Sustainable Streets Division, could conduct periodic counts of pedestrian conditions (annually, for example) and could widen existing crosswalk widths, generally by 1 to 3 feet, at such times as pedestrian LOS is degraded to unacceptable levels.	S.F. Municipal Transportation Agency (MTA)	Evaluate feasibility of crosswalk widening; implement if feasible and warranted.	S.F. MTA, Planning Department	Considered complete upon determination of feasibility of sidewalk widening and initiation of its implementation, if applicable.
M-TR-5 Garage/Loading Dock Attendant. If warranted by project-specific conditions, the project sponsor of a development project in the Plan area shall ensure that building management employs attendant(s) for the project's parking garage and/or loading dock, as applicable. The attendant would be stationed as determined by the project-specific analysis, typically at the project's driveway to direct vehicles entering and exiting the building and avoid any safety-related conflicts with pedestrians on the sidewalk during the a.m. and p.m. peak periods of traffic and pedestrian activity, with extended hours as dictated by traffic and pedestrian conditions and by activity in the project garage and loading dock. (See also Mitigation Measure M-TR-4b, above.) Each project shall also install audible and/or visible warning devices, or comparably effective warning devices as approved by the Planning Department and/or the Sustainable Streets Division of the Municipal Transportation Agency, to alert pedestrians of the outbound vehicles from the parking garage and/or loading dock, as applicable.	Project sponsor of any subsequent development project undertaken pursuant to the Transit Center District Plan.	Prior to project approval.	ERO shall review and approve project sponsor's proposed garage/loading dock operations program.	Considered complete upon review and approval by ERO of proposed garage/loading dock operations program.
Loading				
M-TR-7a: Loading Dock Management. To ensure that off-street loading facilities are efficiently used and that trucks longer than can be safely accommodated are not permitted to use a building's loading dock, the project sponsor of a development project in the Plan area shall develop a plan for management of the building's loading dock and shall ensure that tenants in the building are informed of limitations and	Project sponsor of any subsequent development project undertaken pursuant to the Transit Center District Plan.	Prior to project approval.	ERO shall review and approve project sponsor's proposed loading dock operations program.	Considered complete upon review and approval by ERO of proposed loading dock operations program.

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conditions on loading schedules and truck size. Such a management plan could include strategies such as the use of an attendant to direct and guide trucks (see Mitigation Measure M-TR-5), installing a "Full" sign at the garage/loading dock driveway, limiting activity during peak hours, installation of audible and/or visual warning devices, and other features. Additionally, as part of the project application process, the project sponsor shall consult with the Municipal Transportation Agency concerning the design of loading and parking facilities.				
M-TR-7b: Augmentation of On-Street Loading Space Supply. To ensure the adequacy of the Plan area's supply of on-street spaces, the Municipal Transportation Agency (MTA) could convert existing on-street parking spaces within the Plan Area to commercial loading use. Candidate streets might include the north side of Mission Street between Second Street and First Street, both sides of Howard Street between Third Street and Fremont Street, and both sides of Second Street between Howard Street and Folsom Street. The MTA and Planning Department could also increase the supply of on-street loading "pockets" that would be created as part of the draft Plan's public realm improvements. Increasing the supply of on-street loading spaces would reduce the potential for disruption of traffic and transit circulation in the Plan Area as a result of loading activities. However, the feasibility of increasing the number of on-street loading spaces is unknown. Locations for additional loading pockets have not been identified, and the feasibility of adding spaces is uncertain, as any such spaces would reduce pedestrian circulation area on adjacent sidewalks. Locations adjacent to transit-only lanes would also not be ideal for loading spaces because they may introduce new conflicts between trucks and transit vehicles. Given these considerations, potential locations for additional on-street loading spaces within the Plan area are limited, and it is unlikely that a sufficient amount of spaces could be provided to completely offset the net loss in supply.	S.F. Municipal Transportation Agency (MTA)	Evaluate feasibility of increasing on-street loading supply; implement if feasible and warranted.	S.F. MTA, Planning Department	Considered complete upon determination of feasibility of increasing on-street loading supply and initiation of its implementation, if applicable.

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E. Transportation (continued)				
Construction				
M-TR-9: Construction Coordination. To minimize potential disruptions to transit, traffic, and pedestrian and bicyclists, the project sponsor and/or construction contractor for any individual development project in the Plan area shall develop a Construction Management Plan that could include, but not necessarily be limited to, the following: ▪ Limit construction truck movements to the hours between 9:00 a.m. and 4:00 p.m. (or other times, if approved by the Municipal Transportation Agency) to minimize disruption of traffic, transit, and pedestrian flow on adjacent streets and sidewalks during the weekday a.m. and p.m. peak periods. ▪ Identify optimal truck routes to and from the site to minimize impacts to traffic, transit, pedestrians, and bicyclists; and, ▪ Encourage construction workers to use transit when commuting to and from the site, reducing the need for parking. The sponsor shall also coordinate with the Municipal Transportation Agency/Sustainable Streets Division, the Transbay Joint Powers Authority, and construction manager(s)/contractor(s) for the Transit Center project, and with Muni, AC Transit, Golden Gate Transit, and SamTrans, as applicable, to develop construction phasing and operations plans that would result in the least amount of disruption that is feasible to transit operations, pedestrian and bicycle activity, and vehicular traffic.	Project sponsor/ construction contractor of any subsequent development project undertaken pursuant to the Transit Center District Plan.	Prior to the start of project construction.	S.F. MTA, Planning Department	Considered complete upon MTA and, optionally, Planning Department review of Construction Management Plan.
F. Noise				
M-NO-1a: Noise Survey and Measurements for Residential Uses. For new residential development located along streets with noise levels above 70 dBA Ldn, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within two blocks of the project site, and including at least one 24-hour noise measurement (with average and maximum noise level readings taken so as to be able to accurately describe maximum levels	Project sponsor, architect, acoustical consultant, and construction contractor for each subsequent development project	Analysis to be completed during environmental review; incorporate findings of noise	Planning Department and Department of Building Inspection	Considered complete upon approval of final construction plan set.

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F. Noise (continued)				
reached during nighttime hours), prior to completion of the environmental review for each subsequent residential project in the Plan area. The analysis shall be completed by person(s) qualified in acoustical analysis and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.	undertaken pursuant to the Transit Center District Plan.	study into building plans prior to issuance of final building permit and certificate of occupancy.		
M-NO-1b: Noise Minimization for Residential Open Space. To minimize effects on residential development in the Plan area, the Planning Department, through its building permit review process and in conjunction with the noise analysis set forth in Mitigation Measure M-NO-1a, shall require that open space required under the Planning Code for residential uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Implementation of this measure could involve, among other things, site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles of urban design.	Project sponsor, architect, acoustical consultant, and construction contractor for each subsequent development project undertaken pursuant to the Transit Center District Plan	Incorporate findings of noise study into building plans prior to issuance of final building permit and certificate of occupancy.	Planning Department and Department of Building Inspection	Considered complete upon approval of final construction plan set.
M-NO-1c: Noise Minimization for Non-Residential Uses. To reduce potential effects on new non-residential sensitive receptors such as child care centers, schools, libraries, and the like, for new development including such noise-sensitive uses, the Planning Department shall require, as part of its building permit review process, the preparation of an acoustical analysis by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that daytime interior noise levels of 50 dBA, based on the *General Plan* Environmental Protection Element, can be attained.	Project sponsor, architect, acoustical consultant, and construction contractor for each subsequent development project undertaken pursuant to the Transit Center District Plan.	Incorporate findings of noise study into building plans prior to issuance of final building permit and certificate of occupancy.	Planning Department and Department of Building Inspection	Considered complete upon approval of final construction plan set.

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F. Noise (continued)				
M-NO-1d: Mechanical Equipment Noise Standard. The Planning Department shall require that, as part of required the noise survey and study for new residential uses (Mitigation Measure M-NO-1a), all reasonable efforts be made to identify the location of existing rooftop mechanical equipment, the predicted noise generated by that equipment, and the elevation at which the predicted noise level would be of potential concern for new residential uses, as well as the necessary noise insulation for the new residential uses, where applicable.	Project sponsor, architect, acoustical consultant, and construction contractor for each subsequent development project undertaken pursuant to the Transit Center District Plan.	Analysis to be completed during environmental review; incorporate findings of noise study into building plans prior to issuance of final building permit and certificate of occupancy.	Planning Department and Department of Building Inspection	Considered complete upon approval of final construction plan set.
M-NO-1e: Interior Mechanical Equipment. The Planning Department shall require, as part of subsequent project-specific review under CEQA, that effects of mechanical equipment noise on adjacent and nearby noise-sensitive uses be evaluated by a qualified consultant and that control of mechanical noise, as specified by the acoustical consultant, be incorporated into the final project design of new commercial buildings to achieve the maximum feasible reduction of building equipment noise, consistent with *Building Code* and Noise Ordinance requirements and CEQA thresholds, such as through the use of fully noise-insulated enclosures around rooftop equipment and/or incorporation of mechanical equipment into intermediate building floor(s).	Project sponsor, architect, acoustical consultant, and construction contractor for each subsequent development project undertaken pursuant to the Transit Center District Plan.	Analysis to be completed during environmental review; incorporate findings of noise study into building plans prior to issuance of final building permit and certificate of occupancy.	Planning Department and Department of Building Inspection	Considered complete upon approval of final construction plan set.

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F. Noise (continued)				
M-NO-2a: Noise Control Measures During Pile Driving. For individual projects that require pile driving, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. These attenuation measures shall include as many of the following control strategies, and any other effective strategies, as feasible: ▪ The project sponsor of a development project in the Plan area shall require the construction contractor to erect temporary plywood noise barriers along the boundaries of the project site to shield potential sensitive receptors and reduce noise levels; ▪ The project sponsor of a development project in the Plan area shall require the construction contractor to implement "quiet" pile-driving technology (such as pre-drilling of piles, sonic pile drivers, and the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions; ▪ The project sponsor of a development project in the Plan area shall require the construction contractor to monitor the effectiveness of noise attenuation measures by taking noise measurements; and ▪ The project sponsor of a development project in the Plan area shall require that the construction contractor limit pile driving activity to result in the least disturbance to neighboring uses.	Project sponsor and construction contractor of each subsequent development project pursuant to the Transit Center District Plan that requires pile-driving during construction.	During period of pile-driving	Project sponsor to provide monthly noise reports during pile-driving.	Considered complete upon final monthly report.
M-NO-2b: General Construction Noise Control Measures. To ensure that project noise from construction activities is minimized to the maximum extent feasible, the project sponsor of a development project in the Plan area shall undertake the following: ▪ The project sponsor of a development project in the Plan area 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).	Project sponsor and construction contractor of each subsequent development project pursuant to the Transit Center District Plan.	During construction period.	Project sponsor to provide monthly noise reports during construction.	Considered complete upon final monthly report.

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F. Noise (continued)				
▪ The project sponsor of a development project in the Plan area 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 construction site, which could reduce construction noise by as much as five dBA. To further reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, if feasible. ▪ The project sponsor of a development project in the Plan area 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 of a development project in the Plan area 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 each building permit, along with the submission of construction documents, the project sponsor of a development project in the Plan area shall submit to the Planning Department and Department of Building Inspection (DBI) a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include (1) a procedure and phone numbers for notifying DBI, the Department of Public Health, 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				

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F. Noise (continued)				
neighboring residents and non-residential building managers within 300 feet of the project construction area at least 30 days in advance of extreme noise generating activities (defined as activities generating noise levels of 90 dBA or greater) about the estimated duration of the activity.				
M-C-NO: Cumulative Construction Noise Control Measures. In addition to implementation of Mitigation Measure NO-2a and Mitigation Measure NO-2b (as applicable), prior to the time that construction of the proposed project is completed, the project sponsor of a development project in the Plan area shall cooperate with and participate in any City-sponsored construction noise control program for the Transit Center District Plan area or other City-sponsored areawide program developed to reduce potential effects of construction noise in the project vicinity. Elements of such a program could include a community liaison program to inform residents and building occupants of upcoming construction activities, staggering of construction schedules so that particularly noisy phases of work do not overlap at nearby project sites, and, potentially, noise and/or vibration monitoring during construction activities that are anticipated to be particularly disruptive.	Project sponsor and construction contractor of each subsequent development project; Planning Department, Department of Building Inspection, Department of Public Health, and/or other City department(s), as applicable.	During construction period, if City-sponsored noise control program(s) are promulgated.	City department(s) involved in development and enforcement of City-sponsored noise control program(s), if applicable.	Considered complete at conclusion of construction activities that generate substantial noise.
G. Air Quality				
M-AQ-2: Implementation of Risk and Hazard Overlay Zone and Identification of Health Risk Reduction Policies. To reduce the potential health risk resulting from exposure of new sensitive receptors to health risks from roadways, and stationary sources, and other non-permitted sources PM2.5 and TACs, the Planning Department shall require analysis of potential site-specific health risks for all projects that would include sensitive receptors, based on criteria as established by the Planning Department, as such criteria may be amended from time to time. For purposes of this measure, sensitive receptors are considered to include	Planning Department	Prior to approval of subsequent development projects for any required air quality analysis.	ERO to review and approve any required air quality analysis for subsequent development projects.	Considered complete for each subsequent development project upon ERO review and approval of air quality analysis, as applicable.

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G. Air Quality (continued)				
dwelling units; child-care centers; schools (high school age and below); and inpatient health care facilities, including nursing or retirement homes and similar establishments. Parks and similar spaces are not considered sensitive receptors for purposes of this measure unless it is reasonably shown that a substantial number of persons are likely to spend three hours per day, on a daily basis, at such facilities. Development projects in the Plan area that would include sensitive receptors shall undergo, during the environmental review process and no later than the first project approval action, a screening-level health risk analysis, consistent with methodology approved by the Planning Department, to determine if health risks from pollutant concentrations would exceed BAAQMD thresholds or other applicable criteria as determined by the Environmental Review Officer. If one or more thresholds would be exceeded at the site of the subsequent project where sensitive receptors would be located, the project (or portion of the project containing sensitive receptors, in the case of a mixed-use project) shall be equipped with filtration systems with a Minimum Efficiency Reporting Value (MERV) rating of 13 or higher, as necessary to reduce the outdoor-to-indoor infiltration of air pollutants by 80 percent. The ventilation system shall be designed by an engineer certified by the American Society of Heating, Refrigeration and Air-Conditioning Engineers, who shall provide a written report documenting that the system offers the best available technology to minimize outdoor to indoor transmission of air pollution. The project sponsor shall present a plan to ensure ongoing maintenance of ventilation and filtration systems and shall ensure the disclosure to buyers and/or renters regarding the findings of the analysis and inform occupants as to proper use of any installed air filtration.				
M-AQ-3: Siting of Uses that Emit DPM and Other TACs. To minimize potential exposure of sensitive receptors to diesel particulate matter (DPM), for new development including warehousing and distribution centers, and for new development including commercial, industrial or other uses that would be expected to generate substantial levels of toxic air contaminants (TACs) as part of everyday operations, whether from stationary or mobile sources,	Planning Department	Prior to approval of subsequent development projects for any required air quality analysis.	ERO to review and approve any required air quality analysis for subsequent development projects.	Considered complete for each subsequent development project upon ERO review and approval of air quality analysis, as applicable.

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G. Air Quality (continued)				
the Planning Department shall require, during the environmental review process but no later than the first project approval action, the preparation of an analysis that includes, at a minimum, a site survey to identify residential or other sensitive uses within 1,000 feet of the project site, and an assessment of the health risk from potential stationary and mobile sources of TACs generated by the project. If risks to nearby receptors are found to exceed applicable significance thresholds, then emissions controls would be required prior to project approval to ensure that health risks would not be significant.				
M-AQ-4a: Construction Vehicle Emissions Minimization. To reduce construction vehicle emissions, the project sponsor shall incorporate the following into construction specifications: ▪ All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.	Project sponsor and construction contractor for any subsequent development project pursuant to the Transit Center District Plan.	During construction.	Project sponsor and construction contractor.	Project sponsor shall submit affidavit at the completion of construction that construction equipment has been properly operated.
M-AQ-4b: Dust Control Plan. To reduce construction-related dust emissions, the project sponsor of each development project in the Plan area and each public infrastructure project (such as improvements to the public realm) in the Plan area on a site of one-half acre or less but that would require more than 5,000 cubic yards of excavation lasting four weeks or longer shall incorporate into construction specifications the requirement for development and implementation of a site-specific Dust Control Plan as set forth in Article 22B of the *San Francisco Health Code*. The Dust Control Plan shall require the project sponsor to: submit a map to the Director of Public Health showing all sensitive receptors within 1,000 feet of the site; wet down areas of soil at least three times per day; provide an analysis of wind direction and install upwind and downwind particulate dust monitors; record particulate monitoring results; hire an independent, third party to conduct inspections and keep a record of those inspections; establish shut-down conditions based on wind, soil migration, etc.; establish a hotline for surrounding community members who may be potentially affected by project-related dust;	Project sponsor and construction contractor for any subsequent development project pursuant to the Transit Center District Plan.	Prior to the start of earthmoving activities.	S.F. Department of Public Health (DPH), Planning Department.	Considered complete upon DPH and ERO review of Dust Control Plan.

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G. Air Quality (continued)				
limit the area subject to construction activities at any one time; install dust curtains and windbreaks on the property lines, as necessary; limit the amount of soil in hauling trucks to the size of the truck bed and secure soils with a tarpaulin; enforce a 15 mph speed limit for vehicles entering and exiting construction areas; sweep affected streets with water sweepers at the end of the day; install and utilize wheel washers to clean truck tires; terminate construction activities when winds exceed 25 miles per hour; apply soil stabilizers to inactive areas; and sweep adjacent streets to reduce particulate emissions. The project sponsor would be required to designate an individual to monitor compliance with dust control requirements.				
M-AQ-5 Construction Vehicle Emissions Evaluation and Minimization: To reduce the potential health risk resulting from project construction activities, the project sponsor of each development project in the Plan area shall undertake a project-specific health risk analysis, or other appropriate analysis as determined by the Environmental Planning Division of the Planning Department, for diesel-powered and other applicable construction equipment, using the methodology recommended by the Planning Department. If the analysis determines that construction emissions would exceed applicable health risk significance threshold(s) identified by the Planning Department, the project sponsor shall include in contract specifications a requirement that the contractor use the cleanest possible construction equipment and exercise best practices for limiting construction exhaust. Measures may include, but are not limited to, the following: ▪ 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 shall develop a Construction Emissions Minimization demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would be reduced to the maximum extent feasible. Acceptable options for reducing emissions include, as the primary option, use of Interim Tier 4 equipment where such equipment is available and feasible for use, use of equipment meeting Tier 2/Tier 3 or higher emissions standards, the	Project sponsor and construction contractor for any subsequent development project pursuant to the Transit Center District Plan.	Prior to the start of heavy diesel equipment use on site.	ERO to review and approve health risk assessment, or other appropriate analysis.	Considered complete upon ERO review and acceptance of health risk assessment, or other appropriate analysis.

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G. Air Quality (continued)				
use of other late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available; ▪ All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM, including Tier 2/3 or alternative fuel engines where such equipment is available and feasible for use; ▪ All contractors shall use equipment that meets ARB's most recent certification standard for off-road heavy duty diesel engines; and ▪ The project construction contractor shall not use diesel generators for construction purposes where feasible alternative sources of power are available. During the environmental review process, the project sponsor shall submit a Construction Emissions Minimization Plan demonstrating compliance with the requirements of this mitigation measure.				
I. Wind				
M-WI-2: Tower Design to Minimize Pedestrian Wind Speeds. As part of the design development for buildings on Parcel F and at the 524 Howard Street, 50 First Street, 181 Fremont Street and Golden Gate University sites, the project sponsor(s) shall consider the potential effect of these buildings on pedestrian-level winds and on winds in the City Park atop the Transit Center. If wind-tunnel testing identifies adverse impacts, the project sponsor(s) shall conduct additional mitigation testing to resolve impacts to the maximum degree possible and to the satisfaction of Planning Department staff. Design features could include, but not be limited to, setting a tower atop a podium, which can interfere with "downwash" of winds from higher elevations toward the ground; the use of setbacks on tower facades, particularly those facades facing into prevailing winds, which can have similar results; using chamfered and/or rounded corners to minimize the acceleration of upper-level winds as they round corners; façade articulation; and avoiding the placement of large, unbroken facades into prevailing winds.	Project sponsor of identified development projects and any other subsequent development project adjacent to the Transit Center.	Wind-tunnel testing to occur during environmental review; project revisions to occur prior to project approval.	ERO shall review and approve wind study.	Considered complete upon EOR acceptance of wind study.

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N. Biological Resources				
M-BI-1a: Pre-Construction Bird Surveys. Conditions of approval for building permits issued for construction within the Plan area shall include a requirement for pre-construction breeding bird surveys when trees or vegetation would be removed or buildings demolished as part of an individual project. Pre-construction nesting bird surveys shall be conducted by a qualified biologist between February 1st and August 15th if vegetation (trees or shrubs) removal or building demolition is scheduled to take place during that period. If special-status bird species are found to be nesting in or near any work area or, for compliance with federal and state law concerning migratory birds, if birds protected under the federal Migratory Bird Treaty Act or the California Fish and Game Code are found to be nesting in or near any work area, an appropriate no-work buffer zone (e.g., 100 feet for songbirds) shall be designated by the biologist. Depending on the species involved, input from the California Department of Fish and Game (CDFG) and/or the U.S. Fish and Wildlife Service (USFWS) Division of Migratory Bird Management may be warranted. As recommended by the biologist, no activities shall be conducted within the no-work buffer zone that could disrupt bird breeding. Outside of the breeding season (August 16 – January 31), or after young birds have fledged, as determined by the biologist, work activities may proceed. Birds that establish nests during the construction period are considered habituated to such activity and no buffer shall be required, except as needed to avoid direct destruction of the nest, which would still be prohibited.	Planning Department; Project sponsor of any subsequent development project pursuant to the Transit Center District Plan.	Prior to project approval.	ERO to review and approve bird survey.	Considered complete upon ERO approval of bird survey.
M-BI-1b: Pre-Construction Bat Surveys. Conditions of approval for building permits issued for construction within the Plan area shall include a requirement for pre-construction special-status bat surveys when large trees are to be removed or underutilized or vacant buildings are to be demolished. If active day or night roosts are found, the bat biologist shall take actions to make such roosts unsuitable habitat prior to tree removal or building demolition. A no disturbance buffer shall be created around active bat roosts being used for maternity or hibernation purposes at a distance to be determined in consultation with CDFG. Bat roosts initiated during construction are presumed to be unaffected, and no buffer would necessary.	Planning Department; Project sponsor of any subsequent development project pursuant to the Transit Center District Plan.	Prior to project approval.	ERO to review and approve bat survey.	Considered complete upon ERO approval of bat survey.

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Q. Hazards and Hazardous Materials				
M-HZ-2a: Site Assessment and Corrective Action for Sites Located Bayward of Historic Tide Line. For any project located bayward of the historic high tide line the project sponsor shall initiate compliance with, and ensure that the project fully complies with, Article 22A of the San Francisco Health Code. In accordance with this article, a site history report shall be prepared, and if appropriate, a soil investigation, soil analysis report, site mitigation plan, and certification report shall also be prepared. If the presence of hazardous materials is indicated, a site health and safety plan shall also be required. The soil analysis report is submitted to DPH. If required on the basis of the soil analysis report, a site mitigation plan shall be prepared to 1) assess potential environmental and health and safety risks; 2) recommend cleanup levels and mitigation measures, if any are necessary, that would be protective of workers and visitors to the property; 3) recommend measures to mitigate the risks identified; 4) identify appropriate waste disposal and handling requirements; and 5) present criteria for on-site reuse of soil. The recommended measures would be completed during construction. Upon completion, a certification report shall be prepared documenting that all mitigation measures recommended in the site mitigation report have been completed and that completion of the mitigation measures has been verified through follow-up soil sampling and analysis, if required. If the approved site mitigation plan includes leaving hazardous materials in soil or the groundwater with containment measures such as landscaping or a cap to prevent exposure to hazardous materials, the project sponsor shall ensure the preparation of a risk management plan, health and safety plan, and possibly a cap maintenance plan in accordance with DPH requirements. These plans shall specify how unsafe exposure to hazardous materials left in place would be prevented, as well as safe procedures for handling hazardous materials should site disturbance be required. DPH could require a deed notice, for example, prohibiting or limiting certain future land uses, and the requirements of these plans and the deed restriction would transfer to the new property owners in the event that the property was sold.	Project sponsor of any subsequent development project pursuant to the Transit Center District Plan that is bayward of the historic high tide line.	Analysis to occur during environmental review; remedial actions, if any, to occur prior to issuance of site permit.	Planning Department, S.F. Department of Public Health (DPH).	Considered complete upon ERO and DPH review and approval of site history and, if appropriate, soil investigation, soil analysis report, site mitigation plan, and certification report, and any studies and remediation required by DPH.

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Q. Hazards and Hazardous Materials (continued)				
M-HZ-2b: Site Assessment and Corrective Action for Projects Landward of the Historic High Tide Line. For any project that is not located bayward of the historic high tide line, the project sponsor shall ensure that a site-specific Phase I environmental site assessment is prepared prior to development. The site assessment shall include visual inspection of the property; review of historical documents; and review of environmental databases to assess the potential for contamination from sources such as underground storage tanks, current and historical site operations, and migration from off-site sources. The project sponsor shall ensure that the Phase I assessment and any related documentation is provided to the Planning Department's Environmental Planning (EP) division and, if required by EP, to DPH for review and consideration of potential corrective action. Where the Phase I site assessment indicates evidence of site contamination, additional data shall be gathered during a Phase II investigation, including sampling and laboratory analysis of the soil and groundwater for the suspected chemicals to identify the nature and extent of contamination. If the level(s) of chemical(s) would create an unacceptable risk to human health or the environment, appropriate cleanup levels for each chemical, based on current and planned land use, shall be determined in accordance with accepted procedures adopted by the lead regulatory agency providing oversight (e.g., the DTSC, the RWQCB, or DPH). At sites where there are ecological receptors such as sensitive plant or animal species that could be exposed, cleanup levels shall be determined according to the accepted ecological risk assessment methodology of the lead agency, and shall be protective of ecological receptors known to be present at the site. If agreed-upon cleanup levels were exceeded, a remedial action plan or similar plan for remediation shall be prepared and submitted review and approval by the appropriate regulatory agency. The plan shall include proposed methods to remove or treat identified chemicals to the approved cleanup levels or containment measures to prevent exposure to chemicals left in place at concentrations greater than cleanup levels.	Project sponsor of any subsequent development project pursuant to the Transit Center District Plan that is landward of the historic high tide line.	Analysis to occur during environmental review; remedial actions, if any, to occur prior to issuance of site permit.	Planning Department, S.F. Department of Public Health (DPH).	Considered complete upon ERO and DPH review and approval of Phase I site assessment and, if appropriate, additional studies and remediation as required by DPH.

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Q. Hazards and Hazardous Materials (continued)				
Upon determination that a site remediation has been successfully completed, the regulatory agency shall issue a closure letter to the responsible party. For sites that are cleaned to levels that do not allow unrestricted land use, or where containment measures were used to prevent exposure to hazardous materials, the DTSC may require a limitation on the future use of the property. The types of land use restriction include deed notice, deed restriction, or a land use restriction that binds current and future owners. A risk management plan, health and safety plan, and possibly a cap maintenance plan could be required. These plans would specify procedures for preventing unsafe exposure to hazardous materials left in place and safe procedures for handling hazardous materials should site disturbance be required. The requirements of these plans and the land use restriction shall transfer to the new property owners in the event that the property is sold.				
M-HZ-2c: Site Assessment and Corrective Action for All Sites. The project sponsor shall characterize the site, including subsurface features such as utility corridors, and identify whether volatile chemicals are detected at or above risk screening levels in the subsurface. If so, If potential exposure to vapors is suspected, a screening evaluation shall be conducted in accordance with guidance developed by the DTSC to estimate worst case risks to building occupants from vapor intrusion using site specific data and conservative assumptions specified in the guidance. If an unacceptable risk were indicated by this conservative analysis, then additional site data shall be collected and a site specific vapor intrusion evaluation, including fate and transport modeling, shall be required to more accurately evaluate site risks. Should the site specific evaluation identify substantial risks, then additional measures shall be required to reduce risks to acceptable levels. These measures could include remediation of site soil and/or groundwater to remove vapor sources, or, should this be infeasible, use of engineering controls such as a passive or active vent system and a membrane system to control vapor intrusion. Where engineering controls are used, a deed restriction shall be required, and shall include a description of the potential cause of vapors, a prohibition against construction without removal or	Project sponsor of any subsequent development project pursuant to the Transit Center District Plan.	Analysis to occur during environmental review; remedial actions, if any, to occur prior to issuance of site permit.+	Planning Department, S.F. Department of Public Health (DPH).	Considered complete upon ERO and DPH review and approval of any studies and remediation required by DPH.

EXHIBIT 1:
MITIGATION MONITORING AND REPORTING PROGRAM
(Including the Text of the Mitigation Measures Adopted as Conditions of Approval and Proposed Improvement Measures)

1. MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
Q. Hazards and Hazardous Materials (continued)				
treatment of contamination to approved risk-based levels, monitoring of the engineering controls to prevent vapor intrusion until risk-based cleanup levels have been met, and notification requirements to utility workers or contractors who may have contact with contaminated soil and groundwater while installing utilities or undertaking construction activities. In addition, if remediation is necessary, the project sponsor shall implement long-term monitoring at the site as needed. The frequency of sampling and the duration of monitoring will depend upon site-specific conditions and the degree of volatile chemical contamination. The screening level and site-specific evaluations shall be conducted under the oversight of DPH and methods for compliance shall be specified in the site mitigation plan prepared in accordance with this measure, and subject to review and approval by the DPH. The deed restriction, if required, shall be recorded at the San Francisco Office of the Assessor-Recorder after approval by the DPH and DTSC.				
M-HZ-3: Hazardous Building Materials Abatement. The project sponsor of any development project in the Plan area shall ensure that any building planned for demolition or renovation is surveyed for hazardous building materials including PCB-containing electrical equipment, fluorescent light ballasts containing PCBs or DEHP, and fluorescent light tubes containing mercury vapors. These materials shall be removed and properly disposed of prior to the start of demolition or renovation. Old light ballasts that are proposed to be removed during renovation shall be evaluated for the presence of PCBs and in the case where the presence of PCBs in the light ballast cannot be verified, they shall be assumed to contain PCBs, and handled and disposed of as such, according to applicable laws and regulations. Any other hazardous building materials identified either before or during demolition or renovation shall be abated according to federal, state, and local laws and regulations.	Project sponsor of any subsequent development project pursuant to the Transit Center District Plan.	Prior to building demolition.	Planning Department, S.F. Department of Public Health (DPH).	Considered complete upon ERO and DPH review and approval of project's sponsor's documentation regarding hazardous building materials, to be submitted prior to building demolition.

EXHIBIT C:
MITIGATION MONITORING AND REPORTING PROGRAM
(Including the Text of the Mitigation Measures Adopted as Conditions of Approval and Proposed Improvement Measures)

2. MITIGATION MEASURES DETERMINED TO BE INFEASIBLE	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
M-TR-1I: Mid-Block Signalized Intersection Improvements. At the signalized intersections proposed in the public realm plan at Second / Natoma Streets; First / Minna Streets; First / Natoma Streets; Fremont / Tehama Streets; and Fremont Street / Transit Center Bus Plaza, the following improvements could improve traffic operations: ▪ At Second / Natoma Streets, the Municipal Transportation Agency (MTA) could install bulb-outs on the north and south crosswalks to reduce pedestrian crossing distances and times, allowing more green time for through traffic along Second Street; ▪ At First / Minna Streets and First / Natoma Streets, the Municipal Transportation Agency (MTA) could provide additional lane capacity on First Street; ▪ At Fremont / Natoma Streets and Fremont Street at the Transit Center Bus Plaza, the signal could be designed with two signal phases instead of three.	N/A	N/A	N/A	N/A
The following measures were also determined infeasible: ▪ New Montgomery / Mission Streets (Optimize signal timing) ▪ Third / Howard Streets (Optimize signal timing) ▪ New Montgomery / Howard Streets (Optimize signal timing) ▪ Fremont / Howard Streets (Prohibit eastbound p.m. peak left turns and optimize signal) ▪ Main / Howard Streets (Prohibit eastbound p.m. peak left turns and optimize signal) ▪ Spear / Howard Streets (Add northbound and southbound left-turn pockets, prohibit eastbound p.m. peak left turns and optimize signal)	N/A	N/A	N/A	N/A

EXHIBIT 1, ATTACHMENT A:
MITIGATION MONITORING AND REPORTING PROGRAM
(Including the Text of the Mitigation Measures Adopted as Conditions of Approval and Proposed Improvement Measures)

3. PROPOSED IMPROVEMENT MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
N. Biological Resources				
I-BI-2: Night Lighting Minimization. In compliance with the voluntary San Francisco Lights Out Program, the Planning Department could encourage buildings developed pursuant to the draft Plan to implement bird-safe building operations to prevent and minimize bird strike impacts, including but not limited to the following measures: ▪ Reduce building lighting from exterior sources by: - Minimizing amount and visual impact of perimeter lighting and façade up-lighting and avoid up-lighting of rooftop antennae and other tall equipment, as well as of any decorative features; - Installing motion-sensor lighting; - Utilizing minimum wattage fixtures to achieve required lighting levels. ▪ Reduce building lighting from interior sources by: - Dimming lights in lobbies, perimeter circulation areas, and atria; - Turning off all unnecessary lighting by 11:00 p.m. through sunrise, especially during peak migration periods (mid-March to early June and late August through late October); - Utilizing automatic controls (motion sensors, photo-sensors, etc.) to shut off lights in the evening when no one is present; - Encouraging the use of localized task lighting to reduce the need for more extensive overhead lighting; - Scheduling nightly maintenance to conclude by 11:00 p.m.; - Educating building users about the dangers of night lighting to birds.	Planning Department, working with project sponsors of each subsequent development project	During the environmental review process	Planning Department	Considered complete upon approval of building plans by Planning Department.