

April 5, 2007
File No: 2003.0347E
Market & Octavia Area Plan

SAN FRANCISCO
CITY PLANNING COMMISSION
MOTION NO. 17406

ADOPTING FINDINGS RELATED TO THE CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED MARKET AND OCTAVIA PLAN, AMENDMENTS TO THE SAN FRANCISCO PLANNING CODE AND ZONING MAPS, AMENDMENTS TO THE SAN FRANCISCO GENERAL PLAN, ADOPTION OF URBAN DESIGN GUIDELINES, AND AMENDMENTS TO THE WESTERN ADDITION A-2 REDEVELOPMENT PLAN. THE PLAN AREA IS GENERALLY LOCATED TO THE WEST OF THE CITY'S DOWNTOWN AREA AND INCLUDES PORTIONS OF CIVIC CENTER, HAYES VALLEY, WESTERN ADDITION, SOUTH OF MARKET, INNER MISSION, THE CASTRO, DUBOCE TRIANGLE, EUREKA VALLEY, AND UPPER MARKET NEIGHBORHOODS OF SAN FRANCISCO.

MOVED, That the San Francisco Planning Commission (hereinafter "Commission") hereby CERTIFIES the Final Environmental Impact Report identified as Case File No. 2003.0347E – Market and Octavia Plan (hereinafter "Project") based upon the following findings:

1) The City and County of San Francisco, acting through the Planning Department (hereinafter "Department") fulfilled all procedural requirements of the California Environmental Quality Act (Cal. Pub. Res. Code Sections 21000 *et seq.*, hereinafter "CEQA"), the State CEQA Guidelines (Cal. Admin. Code Title 14, Sections 15000 *et seq.*, hereinafter "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code (hereinafter "Chapter 31").

a. The Citywide Group of the Department filed for environmental evaluation on 3/26, 2003 and the Major Environmental Analysis section of the Department determined that an Environmental Impact Report (hereinafter "EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on January 23, 2004.

b. Notice of Completion was filed with the State Secretary of Resources via the State Clearinghouse on January 24, 2004.

c. On June 25, 2005, the Department published the Draft Environmental Impact Report ("DEIR") and provided public notice in a newspaper of general circulation of the availability of the document for public review and comment and of the date and time of the Planning Commission public hearing on the DEIR; this notice was mailed to the Department's list of persons requesting such notice.

d. On June 25, 2005, copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, and to government agencies, the latter both directly and through the State Clearinghouse.

e. Notices of availability of the DEIR and of the date and time of the public hearings were posted on the Planning Department's website and also in various locations in the project area by Department staff on June 27, 2005.

2) The Commission held a duly advertised public hearing on the DEIR on July 28, 2005 at which time opportunity for public comment was given, and public comment was received on the DEIR. The period for acceptance of written comments ended on August 23, 2005.

3) The Department prepared responses to comments on environmental issues received at the public hearing and in writing on 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, corrected errors in the DEIR, and prepared impact analysis for proposed revisions to the Plan. This material was presented in a Comments and Responses document, published on September 26, 2006, was distributed to the Commission and to all parties who commented on the DEIR, and was available to others upon request at Department offices and web site.

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

5) Project environmental files have been made available for review by the Commission and the public. These files are available for public review at the Department offices at 1660 Mission Street, and are part of the record before the Commission.

6) On April 5, 2007, the Commission reviewed and considered the FEIR and hereby does find that the contents of said report and the procedures through which the FEIR was prepared, publicized and reviewed comply with the provisions of CEQA, the CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code.

7) The Planning Commission hereby does find that the FEIR concerning Case File No. 2003.0347E – Market and Octavia Neighborhood Plan reflects the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate and objective, and that the Final EIR document which includes the Comments and Responses contains no significant new information to the DEIR. In addition, since publication of the DEIR there has been no significant new information that would require recirculation of the document pursuant to CEQA Guideline Section 15088.5; and the Planning Commission hereby does CERTIFY THE COMPLETION of said Final Environmental Impact Report in compliance with CEQA, the CEQA Guidelines, and Chapter 31.

8) The Commission, in certifying the completion of the FEIR, hereby does find that the proposed project described in the FEIR would have the following significant unavoidable environmental impacts, which could not be mitigated to a level of non-significance:

a. A potentially significant adverse shadow effect on the environment on *the War Memorial Open Space* from Development on Franklin Street and *United Nations Plaza* from towers at the Market Street and Van Ness Avenue intersection.

b. A significant adverse traffic effect on the environment to the following intersections under the year 20205 with Plan conditions: (1) Hayes Street and Van Ness Avenue, (2) Laguna /Market/ Hermann/Guerrero Streets, (3) Market/Sanchez/Fifteenth Streets, (4) Market/Church/ Fourteenth Streets, (5) Mission/Otis/South Van Ness; (6) Hayes/Gough Streets; and (7) Hayes/Franklin Streets.

c. A significant adverse transit effect on the environment as a result of increase in delays at Hayes Street intersections at Van Ness Avenue, Franklin Street, and Gough Street. Degradation to transit service would occur as a result of increase in delays at the intersections above.

9) The Planning Commission recognizes that an historical resource survey is currently underway in the plan area;

- a. The Commission recognizes the importance of the survey;
- b. The Commission however finds that the EIR as it exists and relates to historic resources is adequate, accurate, and objective without the inclusion of the study;
- c. The Commission will commit in its planned adoption of the interim procedures to give the utmost consideration to the results of the survey and public input on the survey at such time as the survey is complete and in such a manner as described in the accompanying resolution relating to this issue.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission on April 5, 2007.

Linda Avery
Commission Secretary

AYES: Alexander, Antonini, Sue Lee and William Lee

NOES: Moore and Olague

ABSENT: none

EXCUSED: Sugaya

ACTION: Certification of EIR

April 5, 2007
File No: 2003.0347E
Market & Octavia Area Plan

SAN FRANCISCO
CITY PLANNING COMMISSION
MOTION NO. 17407

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 MARKET AND OCTAVIA AREA PLAN AND RELATED ACTIONS NECESSARY TO IMPLEMENT SUCH PLAN. THE PLAN AREA IS GENERALLY LOCATED TO THE WEST OF THE CITY'S DOWNTOWN AREA AND INCLUDES PORTIONS OF CIVIC CENTER, HAYES VALLEY, WESTERN ADDITION, SOUTH OF MARKET, INNER MISSION, THE CASTRO, DUBOCE TRIANGLE, EUREKA VALLEY, AND UPPER MARKET NEIGHBORHOODS OF SAN FRANCISCO.

Whereas, the Planning Department has undertaken a planning and environmental review process for the proposed Market and Octavia Area Plan and provided for appropriate public hearings before the Planning Commission.

Whereas, the Planning Department is seeking to encourage the protection of existing neighborhood character and ensure a mix of housing opportunities, including mid-rise and high-rise residential development at certain intersections, with clear standards and land use controls that together will ensure a safe and attractive neighborhood environment, promote use of a variety of travel modes and develop a system of public improvements in the Market and Octavia Plan Area.

Whereas, the Planning Department facilitated a public planning process, which refined a series of proposals for land use, height, bulk, building design, parking and loading, open space, rear yards, public improvements, and other controls for the Market and Octavia Area. The resulting Market and Octavia Area Plan is a comprehensive proposal for the area, including new Planning Code controls and public improvements funding.

Whereas, the Market and Octavia Area Plan proposes three new zoning districts in the area of San Francisco generally located to the West of the City's Downtown Area and includes portions of Civic Center, Hayes Valley, Western Addition, South of Market, Inner Mission, the Castro, Duboce Triangle, Eureka Valley, and Upper Market Neighborhoods of San Francisco. While residential areas stay residential under the new Residential Transit Oriented (RTO) designation, and neighborhood shopping streets remain under the designation of Neighborhood Commercial Transit (NCT) Districts, a new

residential neighborhood is created under a new special use district called the Van Ness and Market Downtown Residential Special Use District.

Whereas, the actions listed in Attachment A hereto ("Actions") are part of a series of considerations in connection with the adoption of the Market and Octavia Area Plan and various implementation actions ("Project"), as more particularly described in Attachment A hereto.

Whereas, the Planning Department determined that an Environmental Impact Report ("EIR") was required for the proposed Market and Octavia Area Plan, and provided public notice of that determination by publication in a newspaper of general circulation on January 23, 2004.

Whereas, the Planning Department on June 25, 2005, published the Draft Environmental Impact Report ("DEIR"). The DEIR was circulated for public review in accordance with the California Environmental Quality Act, California Public Resources Code section 21000 *et seq.* ("CEQA"), the State CEQA Guidelines, 14 California Code of Regulations, Section 15000 *et seq.*, ("CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"). The Planning Commission held a public hearing on the DEIR on July 28, 2005.

Whereas, the Planning Department prepared responses to comments on the DEIR and published the Comments and Responses document on September 26, 2006, which together with the DEIR and additional information that became available, constitute the Final Environmental Impact Report ("FEIR")

Whereas, the Planning Commission, on April 5, 2007, by Motion No. 17406, 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.

Whereas, the Planning Commission by Motion No. 17406, found 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, and 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.

Whereas, the Planning Department prepared proposed Findings, as required by CEQA, regarding the alternatives, mitigation measures and significant environmental impacts analyzed in the FEIR 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, which material was 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 certified the FEIR as adequate, accurate, and objective, and reflecting the independent judgment of the Planning Commission in Motion No. 17406.

AND BE IT FURTHER RESOLVED, that the Planning Commission has reviewed and considered the FEIR and hereby adopts the Project Findings attached hereto as Attachment A including a

statement of overriding considerations, and including as Exhibit 1 the Mitigation Monitoring and Reporting Program.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting of April 5, 2007.

Linda Avery
Commission Secretary

AYES: Alexander, Antonini, Sue Lee, William Lee and Sugaya

NOES: Moore and Olague

ABSENT: none

ACTION: Approval of CEQA Findings

ATTACHMENT A

MARKET AND OCTAVIA AREA 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 Market and Octavia Area Plan and related approval actions (the "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, 14 California Code of Regulations 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 a subsequent or supplemental EIR is not required;

Section VI evaluates the different project alternatives and the economic, legal, social, technological, and other considerations that support the rejection of the alternatives and access options analyzed; and

Section VII presents a statement of overriding considerations setting forth specific reasons in support of the Planning Commission's actions and its rejection of the Alternatives not incorporated into the Project.

Attached to these findings as Exhibit 1 is the Mitigation Monitoring and Reporting Program 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 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 Draft EIR analyzed three separate actions: (1) the Market and Octavia Area Plan, published by the San Francisco Planning Department ("Project Sponsor") in December 2002 and as revised September 7, 2006 (the "Plan"); (2) redevelopment of 22 vacant Central Freeway parcels created as a result of the removal of the elevated Central Freeway; and (3) a limited number of near-term public street and open space improvements in the Project Area. At this time, the Planning Commission and Board of Supervisors will only consider the adoption of the Market and Octavia Area Plan and associated implementation actions.

The Plan – which is more extensively described in the Market and Octavia Neighborhood Plan and in the FEIR – is a means for implementing an innovative set of land use controls, urban design guidelines, and public space and transportation system improvements to create a dense, vibrant and transit-oriented neighborhood. The controls encourage new housing and enhance the urban environment in a variety of ways.

On November 16, 2006 in a letter to the Office of Major Environmental Analysis, the project sponsor, the Department, found feasible and recommended as part of the Project mitigation measures 5.7.A, 5.7.B, and 5.7.G of the DEIR. These measures would remove the proposal to make Hayes Street two-ways between Gough Street and Van Ness Avenue. In certifying the EIR and approving the Project, the Planning Commission disagreed with Department staff and found the mitigation measures 5.7.A, 5.7.B, and 5.7.G infeasible for the reasons set forth in Section III. The Commission voted to maintain the proposal to make Hayes Street two-ways between Gough Street and Van Ness as part of the Project.

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 and provided public notice of the availability of the Draft EIR for public review and comment on June 25, 2005.

On January 24, 2004, a Notice of Completion and copies of the Draft EIR were distributed to the State Clearinghouse. Notices of Availability ("NOA") for the Draft EIR of the date and time of the public hearings were posted on the Planning Department's website and also in various locations in the project area by Department staff on June 27, 2005.

The Planning Commission held a duly noticed public hearing on the Draft EIR on July 28, 2005. 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 June 25, 2005 to August 23, 2005.

On May 22, 2006, in response to community input, the Project Sponsor published a document entitled *Proposed Revisions to The Market and Octavia Neighborhood Plan ("Proposed*

Revisions"). On May 23, 2006, the Project Sponsor hosted a community meeting to receive public comment on the *Proposed Revisions*. In response to community input, the Planning Department further revised the *Proposed Revisions* document and finalized it on September 7, 2006.

The Planning Department prepared responses to comments on environmental issues received at the public hearing and in writing, prepared revisions to the text of the Draft EIR in response to comments received or based on additional information that became available during the public comment review period, analyzed the *Proposed Revisions*, and corrected errors in the Draft EIR. This material was presented in the "Comments and Responses" published on September 26, 2006, was distributed to the Planning Commission and to all parties who commented on the Draft EIR, and was available to others upon request at the Planning Department's office. Since the publication of the *Proposed Revisions*, the Planning Commission has held extensive public hearings on the Plan. During the course of these hearings and in response to public comment, the Planning Commission has directed staff to make several revisions to the Plan as described in various staff reports on file with the Planning Commission ("Additional Revisions"). In certifying the EIR, the Planning Commission found that none of the information added after the publication of the DEIR, including the *Proposed Revisions*, the environmental analysis of the *Proposed Revisions*, and the Additional Revisions triggered the need for recirculation of the EIR. Nor does the adoption of the Plan with the *Proposed Revisions* and the Additional Revisions trigger the need for a supplemental or subsequent EIR as discussed in Section V. A Final EIR has been prepared by the Planning Department consisting of the Draft EIR, all comments received during the review process, and the Comments and Responses. The Draft EIR, the Comments and Responses, and all appendices thereto comprise the "EIR" referenced in these findings.

c. Planning Commission Actions

The Planning Commission will take the following actions and approvals to implement the Project.

- Certify the Final EIR.
- Adopt CEQA findings and a Mitigation Monitoring and Reporting Program.
- Determine consistency of the Market and Octavia Neighborhood Plan with the General Plan and Planning Code Section 101.1 Priority Policies, and recommend adoption to the Board of Supervisors.
- Approve adoption of amendments to the General Plan constituting the Market and Octavia Area Plan, pending approval by the Board of Supervisors.
- Approve and recommend to the Board of Supervisors related amendments to the San Francisco Planning Code and Zoning Maps.

d. Location of Records

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

- The Plan and the *Proposed Revisions*.
- 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 sub consultants 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 project sponsor and its consultants in connection with the Project.
- All information (including written evidence and testimony) presented at any public hearing or workshop related to the 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, the administrative record, and background documentation for the Final EIR are located at the Planning Department, 1660 Mission Street, San Francisco. Linda Avery, Commission Secretary, is the custodian of these documents and materials.

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

Based on substantial evidence in the whole record of this proceeding, the City finds that the implementation of the Plan will not result any significant impacts in the following areas: Land Use and Zoning; Population, Housing, and Employment; Urban Design and Visual Quality; Noise; Public Facilities, Services, and Utilities; Hydrology; and Growth Inducement. Each of these topics is analyzed and discussed in detail including, but not limited to, in the EIR at Chapters 4.2, 4.3, 4.4, 4.9, 4.12, 4.13, and 4.14.

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

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

The findings in this Section III and in Section IV concern mitigation measures set forth in the FEIR. These findings discuss mitigation measures as proposed in the FEIR and recommended for adoption by the Board of Supervisors, which can be implemented by City agencies or departments. Except for minor revisions made to the language of mitigation measures to reflect the fact that the project sponsor is now recommending implementation of measures 5.7.A, 5.7.B, and 5.7.G of the DEIR as shown below, the mitigation measures proposed for adoption in this section are the same as the mitigation measures identified in the FEIR.

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 that, based on the record before it, the mitigation measures proposed for adoption in the FEIR are feasible, with the exception of Mitigation Measures 5.7.A, 5.7.B, and 5.7.G, and the possible exception of Transportation Measures 5.7.C, 5.7.D, 5.7.E, 5.7.F, and 5.7.H, as explained further below, and that they can and should be carried out by the identified agencies at the designated time.

This Planning Commission finds Mitigation Measures 5.7.A, 5.7.B, and 5.7.G infeasible for the following specific economic, legal, social, technological and other reasons. During the course of public hearings and staff presentations on the Plan, the Planning Commission has heard significant public testimony supporting these findings of infeasibility.

The Market and Octavia Plan proposed to convert Hayes Street between Franklin and Laguna to a two way street (the "original project"). The original project was proposed to address the inhospitable pedestrian environment. The proposed mitigation measures 5.7.A, 5.7.B, and 5.7.G maintain the one-way street, leaving unresolved the negative social and economic environment created by the existing conditions. The negative effects of maintaining Hayes Street as one way include: constraining pedestrian crossings at key intersections including Hayes and Gough, and Gough and Fell, creating conditions for high- speed automobile travel through key neighborhood intersections; creating an unfriendly pedestrian environment due to noise and pollution; and reducing the tendency for residents to walk for their daily needs.

Specifically, the mitigation measures 5.7.A, 5.7.B, and 5.7.G are infeasible for economic reasons due to the negative impacts on the local economic environment. The mitigation measures constrain pedestrian behavior, especially limiting pedestrian comfort with crossing at key intersections. These conditions have a negative impact on an important economic engine to the neighborhood. Local shops, restaurants and services must be able to serve both residents and visitors. An awkward and unsafe pedestrian environment constrains the natural connection of Hayes Valley's neighborhood commercial district, especially with neighboring Civic Center facilities and unacceptably damages the economic vitality of neighborhood commercial establishments.

In addition the mitigation measures 5.7.A, 5.7.B, and 5.7.G are infeasible for social reasons. They create an unhealthy pedestrian environment, which discourages residents and visitors from walking for most trips and increase the likelihood of jay walking and pedestrian-car collisions. Further, the inability to walk to key destinations reduces an individual's ability to form important social networks that create a sense of safety and community in a neighborhood.

The Planning Commission finds that the existing conditions result in negative social and economic circumstances rendering the mitigation measures infeasible. The Planning

Commission acknowledges that because these measures are infeasible and will not be adopted and implemented at this time, the Project will result in significant unavoidable impacts as discussed below and in the EIR.

This Planning Commission urges other agencies to adopt and implement the remaining 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, or if Transportation Measures 5.7.C, 5.7.D, 5.7.E, 5.7.F, and 5.7.H are infeasible, the Project may result in additional significant unavoidable impacts.

For all of these reasons, 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 will reduce or avoid significant adverse environmental impacts, except Mitigation Measures 5.7.A, 5.7.B, and 5.7.G, are proposed for adoption and are set forth in **Exhibit 1**, in the Mitigation Monitoring and Reporting Program. None of the mitigation measures set forth in the FEIR that are needed to reduce or avoid significant adverse environmental impacts are rejected.

A. Wind

1. Impact – Wind

a) Potentially Significant Impact

The Plan would result in a potentially significant wind impact due to the potential for development of major buildings in the Project Area, particularly those allowed up to 400 feet around the Market Street and Van Ness Avenue Intersection.

b) Mitigation Measure and Conclusion

The City finds the potentially significant impact listed above will be reduced to a less-than-significant level with the following mitigation measures:

Buildings in Excess of 85 feet in Height

To minimize adverse wind impacts related to new development, the following design guidelines shall be required as part of the proposed Plan for buildings in excess of 85 feet in height:

- Where possible, align long axis or faces of the buildings along a west-east alignment to reduce exposure of the wide faces of the building to westerly winds. Utilize wind shelter offered by existing upwind structures as much as possible. Avoid continuous western building faces.
- Articulate and modulate southwest, west and northwest building faces through the use of architectural techniques such as surface articulation, variation of planes, wall surfaces and heights, as well as the placement of setbacks and other features. Substantial setbacks in west-facing facades (at lower levels) are an effective means of reducing the amount of ground-level wind induced by a building.

- Utilize properly located landscaping to mitigate winds in all pedestrian open spaces. Porous materials (vegetation, hedges, screens, latticework, perforated or expanded metal) offer superior wind shelter compared to a solid surface.

Avoid narrow gaps between buildings, which may accelerate westerly winds.

- Avoid “breezeways” or notches at the upwind corners of the building, which may focus wind energy at pedestrian levels.

All New Construction

The following standards for reduction of ground-level wind currents shall be applied to all new construction in the Project Area:

- New building and additions to existing buildings shall be shaped, or other wind baffling measures shall be adopted, so that the development will not cause year-round ground-level wind currents to exceed, more than 10 percent of the time between 7:00 AM and 6:00 PM, the comfort level of 11 mph equivalent wind speed in areas of pedestrian use and seven mph equivalent wind speed in public seating areas. When pre-existing ambient wind speeds exceed the comfort levels specified above, the building shall be designed to reduce the ambient wind speeds in efforts to meet the goals of this requirement.
- An exception to this requirement may be permitted, but only if and to the extent that the project sponsor demonstrates that the building or addition cannot be shaped or wind baffling measures cannot be adopted without unduly restricting the development potential of the building site in question.
- The exception may permit the building or addition to increase the time that the comfort level is exceeded, but only to the extent necessary to avoid undue restriction of the development potential of the site.
- Notwithstanding the above, no exception shall be allowed and no building or addition shall be permitted that causes equivalent wind speeds to reach or exceed the hazard level of 26 mph for a single hour of the year.
- For the purpose of this Section, the term “equivalent wind speed” shall mean an hourly wind speed adjusted to incorporate the effects of gustiness or turbulence on pedestrians.

Implementation of these guidelines, together with current City and County of San Francisco requirements for wind tunnel testing of proposed building designs for wind impacts, would generally reduce Plan, project, and cumulative wind impacts to a less than significant level.

B. Historical Resources

1. Impact – Archaeological: Soils Disturbing Activities in Archaeological Documented Properties

a) Potentially Significant Impact

The proposed higher residential densities, elimination of residential density limits, and increased subsurface excavation associated with infill development on several blocks within the Project Area could have a potentially significant adverse impact on archaeological documented resources.

b) Mitigation Measure and Conclusion

The City finds the potentially significant impact listed above will be reduced to a less-than-significant level with the following mitigation measures, which shall apply to those properties within the Project Area for which a final Archaeological Research Design/Treatment Plan (ARD/TP) is on file in the Northwest Information Center and the Planning Department. Properties subject to this Mitigation Measure include all lots within the following Assessor's Blocks: 817, 831, 832, 838, 839, 853, 855, 3502, 3503, 3507, 3513, and 3514, which also include the Central Freeway Parcels: A, C, H, K, L, M, N, O, P, Q, R, S, T, U, and V.

Any soils-disturbing activities proposed within this area shall be required to submit an addendum to the respective ARD/TP prepared by a qualified archaeological consultant with expertise in California prehistoric and urban historical archaeology to the Environmental Review Officer (ERO) for review and approval. The addendum to the ARD/TP shall evaluate the potential effects of the project on legally-significant archaeological resources with respect to the site- and project-specific information absent in the ARD/TP. The addendum report to the ARD/TP shall have the following content:

1. Summary: Description of subsurface effect of the proposed project and of previous soils-disturbing activities;
2. Historical Development: If demographic data for the project site is absent in the discussion in the ARD/TP, the addendum shall include new demographic data regarding former site occupants;
3. Identification of potential archaeological resources: Discussion of any identified potential prehistoric or historical archaeological resources;
4. Integrity and Significance: Eligibility of identified expected resources for listing to the California Register of Historical Resources (CRHR); Identification of Applicable Research Themes/Questions (in the ARD/TP) that would be addressed by the expected archaeological resources that are identified;
5. Impacts of Proposed Project;
6. Potential Soils Hazards: Update discussion for proposed project;
7. Archaeological Testing Plan (if archaeological testing is determined warranted): the Archaeological Testing Plan (ATP) shall include:
 - A. Proposed archaeological testing strategies and their justification
 - B. Expected archaeological resources
 - C. For historic archaeological resources
 1. Historic address or other location identification
 2. Archaeological property type
 - D. For all archaeological resources
 1. Estimate depth below the surface
 2. Expected integrity

3. Preliminary assessment of eligibility to the CRHR
- E. ETP Map
1. Location of expected archaeological resources
 2. Location of expected project sub-grade impacts
 3. Areas of prior soils disturbance
 4. Archaeological testing locations by type of testing
 5. Base map: 1886/7 Sanborn Fire Insurance Company map.

2. Impact – Archaeological: General Soils Disturbing Activities

a) Potentially Significant Impact

Construction activities on those properties that have no Archeological Assessment Report or for minor soils disturbance in the Mission Dolores Archaeological District could significantly impact archaeological resources.

b) Mitigation Measure and Conclusion

The City finds the potentially significant impact listed above will be reduced to a less-than-significant level with the following mitigation measure. Further evaluation of the archaeological resources at the project level may be required.

The mitigation measure shall apply to any project involving any soils-disturbing activities including excavation, installation of foundations or utilities or soils remediation beyond a depth of four feet and located within those properties within the Project Area for which no archaeological assessment report has been prepared, including by a qualified MEA staff. This mitigation measure shall also apply to projects within the Mission Dolores Archaeological District (MDAD) involving only minor soils disturbance (three feet or less below the existing surface).

For projects to which this mitigation measure applies, a Preliminary Archaeological Sensitivity Study (PASS) shall be prepared by an archaeological consultant with expertise in California prehistoric and urban historical archaeology. The PASS shall contain the following:

The historical uses of the project site based on any previous archaeological documentation and Sanborn maps;

Types of archaeological resources/properties that may have been located within the project site and whether the archaeological resources/property types would potentially be eligible for listing in the California Register of Historical Resources (CRHR);

If 19th or 20th century soils-disturbing activities may adversely affect the identified potential archaeological resources;

Assessment of potential project effects in relation to the depth of any identified potential archaeological resource;

Assessment of whether any CRHR-eligible archaeological resources could be adversely affected by the proposed project and, as warranted, appropriate action.

Based on the PASS, the Environmental Review Officer (ERO) shall determine if an Archaeological Research Design/Treatment Plan (ARD/TP) shall be required to more definitively identify the potential for CRHR-eligible archaeological resources and determine the appropriate action necessary to reduce the potential effect of the project on archaeological resources to a less than significant level. The scope of the ARD/TP shall be determined in consultation with the ERO and consistent with the standards for archaeological documentation established by the State Office of Historic Preservation for purposes of compliance with CEQA.

3. Impact – Archaeological: Soils Disturbing Activities in Public Street and Open Space Improvements

a) Potentially Significant Impact

Public street and open space improvements could have a potentially significant impact on archaeological resources as a result of soil disturbances in excess of four feet.

b) Mitigation Measure and Conclusion

The City finds the potentially significant impact listed above will be reduced to a less than significant level with the following mitigation measure, which shall apply to the proposed public street and open space improvement projects proposed in the Plan involving soils disturbance in excess of four feet in depth.

The project sponsor shall retain the services of a qualified archaeological consultant having expertise in California prehistoric and urban historical archaeology. The archaeological consultant shall undertake an archaeological monitoring program. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the Environmental Review Officer (ERO) for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archaeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the 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 archaeological resource as defined in *CEQA Guidelines* §15064.5 (a)(c).

Archaeological Monitoring Program (AMP)

The archaeological monitoring program shall, at a minimum, include the following provisions:

- a) The archaeological consultant, project sponsor, and ERO shall meet and consult on the scope of the Archaeological Monitoring Program (AMP) reasonably prior to any project-related soils disturbing activities commencing. The ERO, in consultation with

the project archaeologist, shall determine what project activities shall be archaeologically monitored.

- The archaeological 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 archaeological resource;
- The archaeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archaeological consultant and the ERO until the ERO has, in consultation with the archaeological consultant, determined that project construction activities could have no effects on significant archaeological deposits;
- The archaeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archaeological deposit is encountered, all soils disturbing activities in the vicinity of the deposit shall cease. The archaeological monitor shall be empowered to temporarily redirect potentially damaging activity until the deposit is evaluated. The archaeological consultant shall immediately notify the ERO of the encountered archaeological deposit. The archaeological consultant shall, after making a reasonable effort to assess the identity, integrity, and significance of the encountered archaeological deposit, present the findings of this assessment to the ERO.

If the ERO, in consultation with the archaeological consultant, determines that a significant archaeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

- The proposed project shall be redesigned so as to avoid any adverse effect on the significant archaeological resource; or
- An archaeological data recovery program shall be implemented, unless the ERO determines that the archaeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

If an archaeological data recovery program is required by the ERO, the archaeological data recovery program shall be conducted in accord with an Archaeological Data Recovery Plan (ADRP). The project archaeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP. The archaeological consultant shall prepare a draft ADRP that shall be submitted to the ERO for review and approval. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archaeological 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, shall be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practical.

The scope of the 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 archaeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archaeological 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, 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, including immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (*Public Resources Code* §5097.98). The archaeological 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* §15064.5(d)). The agreement shall take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects.

Final Archaeological Resources Report

The archaeological consultant shall submit a Draft Final Archaeological Resources Report (FARR) to the ERO that evaluates the historical of any discovered archaeological resource and describes the archaeological and historical research methods employed in the archaeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archaeological resource shall be provided in a separate removable insert within the draft final report.

Copies of the Draft FARR shall be sent to the ERO for review and approval. 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 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

two copies 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 or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

4. Impact – Archaeological: Soils Disturbing Activities in the Mission Dolores Archaeological District

a) Potentially Significant Impact

The increase in residential densities and subsurface basements would increase the potential for soil disturbances, which could adversely affect archaeological resources within the Mission Dolores Archaeological District.

b) Mitigation Measure and Conclusion

The City finds the potentially significant impact listed above will be reduced to a less than significant level with the following mitigation measure. Further evaluation of the archaeological resources at the project level may be required.

This measure applies to any project within the Mission Dolores Archaeological District (MDAD) involving installation of foundations, construction of a subgrade or partial subgrade structure including garage, basement, etc, grading, soils remediation, installation of utilities, or any other activities resulting in substantial soils disturbance.

The project sponsor shall retain the services of a qualified archaeological consultant having expertise in California prehistoric and urban historical archaeology. The archaeological consultant shall undertake an archaeological testing program as specified herein. In addition, the consultant shall be available to conduct an archaeological monitoring and/or data recovery program if required pursuant to this measure. The archaeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archaeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the 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 archaeological resource as defined in *CEQA Guidelines* §15064.5 (a)(c).

Archaeological Testing Program

The archaeological consultant shall prepare and submit, as determined by the ERO, either an Archaeological Research Design/Testing Plan (ARD/TP) or an Archaeological Testing Plan (ATP) to the ERO for review and approval. The archaeological testing program shall be conducted in accordance with the approved ARD/TP or ATP. The ARD/TP or ATP shall identify the property types of the expected archaeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archaeological testing program will be to determine to the extent possible the presence or absence of archaeological resources and to identify and to evaluate whether any archaeological resource encountered on the site constitutes an historical resource under CEQA.

At the completion of the archaeological testing program, the archaeological consultant shall submit a written report of the findings to the ERO. If based on the archaeological testing program the archaeological consultant finds that significant archaeological resources may be present, the ERO in consultation with the archaeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archaeological testing, archaeological monitoring, and/or an archaeological data recovery program. If the ERO determines that a significant archaeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

- The proposed project shall be re-designed so as to avoid any adverse effect on the significant archaeological resource; or
- A data recovery program shall be implemented, unless the ERO determines that the archaeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

Archaeological Monitoring Program

If the ERO, in consultation with the archaeological consultant, determines that an archaeological monitoring program shall be implemented, the archaeological monitoring program shall minimally include the following provisions:

- The archaeological 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 archaeological consultant shall determine what project activities shall be archaeologically 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 archaeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;
- The archaeological 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 archaeological resource;

- The archaeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archaeological consultant and the ERO until the ERO has, in consultation with project archaeological consultant, determined that project construction activities could have no effects on significant archaeological deposits;
- The archaeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archaeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archaeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archaeological monitor has cause to believe that the pile driving activity may affect an archaeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archaeological consultant shall immediately notify the ERO of the encountered archaeological deposit. The archaeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archaeological deposit, and present the findings of this assessment to the ERO.

Whether or not significant archaeological resources are encountered, the archaeological consultant shall submit a written report of the findings of the monitoring program to the ERO.

Archaeological Data Recovery Program

The archaeological data recovery program shall be conducted in accord with an archaeological data recovery plan (ADRP). The archaeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archaeological 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 archaeological 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 archaeological 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 archaeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archaeological 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) (*Public Resources Code* §5097.98). The archaeological 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* §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. If non-Native American human remains are encountered, the archaeological consultant, the ERO, and the Office of the Coroner shall consult on the development of a plan for appropriate analysis and recordation of the remains and associated burial items since human remains, both Native American and non-Native American, associated with the Mission Dolores complex (1776-1850s) are of significant archaeological research value and would be eligible to the CRHR.

Final Archaeological Resources Report

The archaeological consultant shall submit a Draft Final Archaeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archaeological resource and describes the archaeological and historical research methods employed in the archaeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archaeological 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 three copies 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.

Implementation of these mitigation measures would reduce the archaeological impacts to a less than significant level at a program level and at a project level for soils disturbing activities in archaeological documented properties or for public street and open space improvements. Further evaluation of archaeological resources may be required for soils disturbing activities in areas where no archaeological assessment report has been prepared or in the Mission Dolores Archaeological District.

C. Air Quality

1. Impact – Air Quality: Particulate Emissions During Construction

a) Potentially Significant Impact

Construction activities in the Project Area and on specific projects would result in short-term PM₁₀ and PM₂₅ emissions.

b) Mitigation Measure and Conclusion

The City finds the potentially significant impact listed above will be reduced to a less-than-significant level with the following mitigation measure. Program or project level construction activities in the Project Area shall be required to implement particulate emission mitigations recommended by the BAAQMD. These measures will reduce the level of dust created by construction and thus minimize the impacts on human health.

These measures include:

- Water all active construction areas at least twice daily. To meet the City's Ordinance 175-91 requirements for the use of non-potable water for dust control, established May 6, 1991, contractors shall be required to obtain reclaimed water from the Clean Water Program for this purpose.
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.
- Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
- Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).

- Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
- Limit traffic speeds on unpaved roads to 15 mph.
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- Replant vegetation in disturbed areas as quickly as possible.
- Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site.
- Install windbreaks, or plant trees/vegetative windbreaks at windward side(s) of construction areas.
- Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.

2. Impact – Air Quality: Short-Term Exhaust Emissions

a) Potentially Significant Impact

Construction activities in the Project Area and on specific projects would result in short-term emissions related to the operation of fossil fuel burning equipment.

b) Mitigation Measure and Conclusion

The City finds the potentially significant impact listed above will be reduced to a less-than-significant level with the following mitigation measure.

To reduce program or project level short-term exhaust emissions from construction equipment, the following mitigation measures shall be implemented for construction activities in the Project Area, which would reduce impacts to a less than significant level.

- Confine idle time of combustion engine construction equipment at construction sites to five minutes.
- Maintain and properly tune construction equipment in accordance to manufacturer's specifications.
- Use alternative fueled or electrical construction equipment at the project site when feasible.
- Use the minimum practical engine size for construction equipment.
- Equip gasoline-powered construction equipment with catalytic converters when feasible.

D. Hazardous Materials

1. Impact – Hazardous Materials: Construction Activities

a) Potentially Significant Impact

The proposed development would increase the potential for demolition and renovation activities within the Project Area. To the extent that the Plan would encourage new construction, temporary impacts or risks would occur during the demolition phase of development induced by the Plan or project development.

b) Mitigation Measure and Conclusion

The City finds the potentially significant impact listed above will be reduced to a less-than-significant level with the following mitigation measure. Program or project level mitigation measures would vary depending upon the type and extent of contamination associated with each individual project. Mitigation measures to protect the community generally shall include:

- Airborne particulates shall be minimized by wetting exposed soils, as appropriate, containing runoff, and tarping over-night and weekends.
- Storage stockpiles shall be minimized, where practical, and properly labeled and secured.
- Vehicle speeds across unpaved areas shall not exceed 15 mph to reduce dust emissions.
- Activities shall be conducted so as not to track contaminants beyond the regulated area.
- Misting, fogging, or periodic dampening shall be utilized to minimize fugitive dust, as appropriate.
- Containments and regulated areas shall be properly maintained.

E. Geology, Soils, Seismicity

1. Impact – Soils: Construction Activities

a) Potentially Significant Impact

Soil exposed during construction may be subject to erosion, which could potentially create a significant environmental impact.

b) Mitigation Measure and Conclusion

The City finds the potentially significant impact listed above will be reduced to a less-than-significant level with the following mitigation measure. Program or project level temporary construction related impacts would be mitigated to a less than significant level through the implementation of Best Management Practices (BMP) erosion control features, which shall be developed with the following objectives and basic strategy:

- Protect disturbed areas through minimization and duration of exposure.
- Control surface runoff and maintain low runoff velocities.
- Trap sediment on-site.
- Minimize length and steepness of slopes.

F. Transportation

1. Impact – Traffic: Hayes and Gough Streets Intersection

a) Potentially Significant Impact

The Hayes/Gough Street intersection would degrade from LOS C to LOS F in the PM peak hour, resulting in a significant and unavoidable impact, unless the existing traffic configuration is maintained.

b) Mitigation Measure and Conclusion

The City finds that implementation of the following mitigation measure would reduce Plan, project and cumulative impacts to a less than significant level. To mitigate the 2025 with Plan and 2025 with Central Freeway Parcel/Near-Term Transportation Improvements intersection operating conditions at the intersections of Hayes and Gough Streets, an additional westbound travel lane would be required. With the reestablished westbound travel lane (and no eastbound lanes), 2025 with Plan conditions at this intersection would improve to LOS C.

This mitigation measure would effectively eliminate the Plan's proposed changes along Hayes Street (which would provide an eastbound lane on Hayes Street between Gough Street and Van Ness Avenue by eliminating a westbound lane). As such, in order to maintain acceptable intersection level of service operations, the Plan could not be implemented on Hayes Street.

As discussed above, the Planning Commission finds this mitigation measure to be infeasible and does not adopt it.

2. Impact – Traffic: Hayes and Franklin Streets Intersection

a) Potentially Significant Impact

The Hayes/Franklin Street intersection would degrade from LOS D to LOS F in the PM peak hour, resulting in a significant and unavoidable impact, unless the existing traffic configuration is maintained.

b) Mitigation Measure and Conclusion

The City finds that implementation of this mitigation measure would reduce Plan, project and cumulative impacts to a less than significant level. To mitigate the 2025 with Plan and 2025 with Central Freeway Parcel/Near-Term Transportation Improvements intersection operating conditions at the intersections of Hayes and Franklin Streets, an additional westbound travel lane would be required. With the reestablished westbound

travel lane (and no eastbound lanes), 2025 with Plan conditions at this intersection would improve to LOS D.

This mitigation measure would effectively eliminate the Plan's proposed changes along Hayes Street (which would provide an eastbound lane on Hayes Street between Gough Street and Van Ness Avenue by eliminating a westbound lane). As such, in order to maintain acceptable intersection levels of service operations, the Plan could not be implemented on Hayes Street.

As discussed above, the Planning Commission finds this mitigation measure to be infeasible and does not adopt it.

3. Impact – Transit: Operational Delays and Service Disruption to MUNI 21 Hayes Line

a) Potentially Significant Impact

Severe operational delays and service disruptions affecting MUNI's 21-Hayes line due to severe delays experienced at three successive intersections with two-way Hayes.

b) Mitigation Measure and Conclusion

The City finds that implementation of this mitigation measure would reduce Plan, project and cumulative impacts to a less than significant level. To mitigate the 2025 with Plan and 2025 with Central Freeway Parcel/Near-Term Transportation Improvements intersection operating conditions at the intersections of Hayes and Franklin Streets, an additional westbound travel lane would be required. With the reestablished westbound travel lane (and no eastbound lanes), 2025 with Plan conditions at this intersection would ameliorate MUNI delays west of Van Ness Avenue and would mitigate this transit impact.

This mitigation measure would effectively eliminate the Plan's proposed changes along Hayes Street (which would provide an eastbound lane on Hayes Street between Gough Street and Van Ness Avenue by eliminating a westbound lane). As such, in order to maintain acceptable intersection levels of service operations, the two-way Hayes portion of the Plan could not be implemented on Hayes Street.

As discussed above, the Planning Commission finds this mitigation measure to be infeasible and does not adopt it.

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 City finds that, where feasible, changes or alterations have been required, or incorporated into, the Plan to reduce the significant environmental impacts listed below as identified in the FEIR. The City 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. Shadow

1. Impact – Shadow: War Memorial Open Space

a) Significant Impact

Development on Franklin Street could cast mid-afternoon shadows year round on the War Memorial Open space that could result in a potentially significant impact.

b) Mitigation Measure and Conclusion

New buildings and additions to existing buildings in the Project Area where the building height exceeds 50 feet shall be shaped, consistent with the dictates of good design and without unduly restricting the development potential of the site in question, to reduce substantial shadow impacts on public plazas and other publicly accessible spaces other than those protected under Section 295 of the *Planning Code*. In determining the impact of shadows, the following factors shall be taken into account: the amount of area shaded, the duration of the shadow, and the importance of sunlight to the type of open space being shaded. Even with mitigation measures, the potentially significant impact listed above may not be reduced or avoided.

2. Impact – Shadow: United Nations Plaza

a) Significant Impact

Incremental shading on United Nations Plaza from towers at the Market Street and Van Ness Avenue intersection would occur in later winter afternoons resulting in a potentially significant impact.

b) Mitigation Measure and Conclusion

New buildings and additions to existing buildings in the Project Area where the building height exceeds 50 feet shall be shaped, consistent with the dictates of good design and without unduly restricting the development potential of the site in question, to reduce substantial shadow impacts on public plazas and other publicly accessible spaces other than those protected under Section 295 of the *Planning Code*. In determining the impact of shadows, the following factors shall be taken into account: the amount of area shaded, the duration of the shadow, and the importance of sunlight to the type of open space being shaded. Even with mitigation

measures, the potentially significant impact listed above may not be reduced or avoided.

B. Transportation

1. Impact – Traffic: Laguna/Market/Hermann/Guerrero Streets Intersection

a) Significant Impact

Laguna/Market/Hermann/Guerrero Streets intersection would degrade from LOS D to LOS F in the PM peak hour, resulting in a significant and unavoidable impact.

b) Mitigation Measure and Conclusion

To improve operating conditions to acceptable levels and mitigate impacts, new protected left-turns could be provided for northbound Guerrero Street and southwest-bound Market Street. At both locations, the left-turn movements already have pockets; as such, new signals would be required to provide the protected left-turn phases. Implementation of signal timing changes would be dependent upon an assessment of transit and traffic coordination along Market Street to ensure that the changes would not substantially affect Muni bus operations, signal progressions, pedestrian minimum green time requirements, and programming limitations of signals. As the feasibility of the signal timing changes has not been fully assessed and the secondary affects noted above have not been fully analyzed, the potential for a significant and unavoidable impact would still exist.

2. Impact – Traffic: Market/Sanchez/Fifteenth Streets Intersection

a) Significant Impact

Market/Sanchez/Fifteenth Streets intersection (LOS E) would experience increased delays in the PM peak hour, resulting in a significant and unavoidable impact.

b) Mitigation Measure and Conclusion

Minor changes to the signal timing at the Market/Sanchez/Fifteenth Streets intersection to allow more time for impacted movements may improve conditions. Implementation of signal timing changes would be dependent upon an assessment of transit and traffic coordination along Market Street to ensure that the changes would not substantially affect Muni bus operations, signal progressions, pedestrian minimum green time requirements, and programming limitations of signals. The addition of a right-turn pocket on the westbound approach on Fifteenth Street, in conjunction with the signal retiming, would improve intersection operations to LOS D. Impacts could be mitigated to a less than significant level if the right-turn pocket was implemented in conjunction

with the signal retiming. As the feasibility of the signal timing changes has not been fully assessed and the secondary affects noted above have not been fully analyzed, the potential for a significant and unavoidable impact would still exist.

3. Impact – Traffic: Market/Church/Fourteenth Streets Intersection

a) Significant Impact

Market/Sanchez/Fourteenth Streets intersection (LOS E) would experience increased delays in the PM peak hour, resulting in a significant and unavoidable impact.

b) Mitigation Measure and Conclusion

Minor changes to the signal timing at the intersection of Market/Church/ Fourteenth Streets to allow more time for impacted movements may improve intersection conditions. Implementation of signal timing changes would be dependent upon an assessment of transit and traffic coordination along Market Street to ensure that the changes would not substantially affect Muni bus operations, signal progressions, pedestrian minimum green time requirements, and programming limitations of signals. As the feasibility of the signal timing changes has not been fully assessed and the secondary affects noted above have not been fully analyzed, the potential for a significant and unavoidable impact would still exist.

4. Impact – Traffic: Mission Street/Otis Street/South Van Ness Avenue Intersection

a) Significant Impact

Mission Street/Otis Street/South Van Ness Avenue intersection (LOS E) would experience increased delays in the PM peak hour, resulting in a significant and unavoidable impact.

b) Mitigation Measure and Conclusion

Minor changes to the signal timing at the intersection of Mission Street/Otis Street/South Van Ness Avenue to allow more time for impacted movements may improve intersection conditions. Implementation of signal timing changes would be dependent upon an assessment of transit and traffic coordination along South Van Ness Avenue and Mission Street to ensure that the changes would not substantially affect Muni bus operations, signal progressions, pedestrian minimum green time requirements, and programming limitations of signals.

It may be possible to add right-turn pockets to the southbound approach on Mission Street and the northbound approach on South Van Ness Avenue in conjunction with the signal timing changes. Under 2025 with Plan conditions, with this change, the level of service would be LOS F with less delay than under 2025 without Plan conditions. As the

feasibility of the signal timing changes has not been fully assessed and the secondary affects noted above have not been fully analyzed, the potential for a significant and unavoidable impact would still exist.

5. Impact – Traffic: Hayes Street/Van Ness Avenue Intersection

a) Significant Impact

Hayes/Van Ness Avenue intersection (LOS F) would experience increased delays in the PM peak hour, resulting in a significant and unavoidable impact.

b) Mitigation Measure and Conclusion

At the intersection of Hayes Street and Van Ness Avenue, under 2025 without Plan conditions the intersection would operate at LOS F. Under 2025 with Plan conditions, delay would increase due to configurations changes and as the Plan would add vehicles to impacted movements (northbound and southbound through on Van Ness Avenue).

To partially mitigate these impacts, the westbound travel lane could be reestablished, which would eliminate the Plan's proposed changes to Hayes Street (which would provide an eastbound lane on Hayes Street between Gough Street and Van Ness Avenue by eliminating a westbound lane). With the reestablished westbound travel lane (and no eastbound lanes), 2025 with Plan conditions would improve the level of service at the intersections of Hayes Street with Van Ness Avenue, Franklin Street, and Gough Street to 2025 without Plan conditions.

The mitigation measure would improve the level of service at the intersections of Hayes Street with Van Ness Avenue, Franklin Street, and Gough Street to 2025 without Plan conditions. The mitigation measure of reestablishing the westbound travel lane (eliminating the Project's proposed changes to Hayes Street as described below) would substantially reduce, but would not eliminate the significant and unavoidable impact.

As discussed above, the Planning Commission finds this mitigation measure to be infeasible and does not adopt it.

6. Impact – Traffic: Hayes and Gough Streets Intersection

a) Significant Impact

The Hayes/Gough Street intersection would degrade from LOS C to LOS F in the PM peak hour, resulting in a significant and unavoidable impact, unless the existing traffic configuration is maintained.

b) Mitigation Measure and Conclusion

The City finds that implementation of the following mitigation measure would reduce Plan, project and cumulative impacts to a less than significant level. To mitigate the 2025 with Plan and 2025 with Central Freeway Parcel/Near-Term Transportation Improvements intersection operating conditions at the intersections of Hayes and Gough Streets, an additional westbound travel lane would be required. With the reestablished westbound travel lane (and no eastbound lanes), 2025 with Plan conditions at this intersection would improve to LOS C.

This mitigation measure would effectively eliminate the Plan's proposed changes along Hayes Street (which would provide an eastbound lane on Hayes Street between Gough Street and Van Ness Avenue by eliminating a westbound lane). As such, in order to maintain acceptable intersection level of service operations, the Plan could not be implemented on Hayes Street.

As discussed above, the Planning Commission finds this mitigation measure to be infeasible and does not adopt it.

7. Impact – Traffic: Hayes and Franklin Streets Intersection

a) Significant Impact

The Hayes/Franklin Street intersection would degrade from LOS D to LOS F in the PM peak hour, resulting in a significant and unavoidable impact, unless the existing traffic configuration is maintained.

b) Mitigation Measure and Conclusion

The City finds that implementation of this mitigation measure would reduce Plan, project and cumulative impacts to a less than significant level. To mitigate the 2025 with Plan and 2025 with Central Freeway Parcel/Near-Term Transportation Improvements intersection operating conditions at the intersections of Hayes and Franklin Streets, an additional westbound travel lane would be required. With the reestablished westbound travel lane (and no eastbound lanes), 2025 with Plan conditions at this intersection would improve to LOS D.

This mitigation measure would effectively eliminate the Plan's proposed changes along Hayes Street (which would provide an eastbound lane on Hayes Street between Gough Street and Van Ness Avenue by eliminating a westbound lane). As such, in order to maintain acceptable intersection levels of service operations, the Plan could not be implemented on Hayes Street.

As discussed above, the Planning Commission finds this mitigation measure to be infeasible and does not adopt it.

8. Impact – Transit: Operational Delays and Service Disruption to MUNI 21 Hayes Line

a) Significant Impact

Severe operational delays and service disruptions affecting MUNI's 21-Hayes line due to severe delays experienced at three successive intersections with two-way Hayes.

b) Mitigation Measure and Conclusion

The City finds that implementation of this mitigation measure would reduce Plan, project and cumulative impacts to a less than significant level. To mitigate the 2025 with Plan and 2025 with Central Freeway Parcel/Near-Term Transportation Improvements intersection operating conditions at the intersections of Hayes and Franklin Streets, an additional westbound travel lane would be required. With the reestablished westbound travel lane (and no eastbound lanes), 2025 with Plan conditions at this intersection would ameliorate MUNI delays west of Van Ness Avenue and would mitigate this transit impact.

This mitigation measure would effectively eliminate the Plan's proposed changes along Hayes Street (which would provide an eastbound lane on Hayes Street between Gough Street and Van Ness Avenue by eliminating a westbound lane). As such, in order to maintain acceptable intersection levels of service operations, the two-way Hayes portion of the Plan could not be implemented on Hayes Street.

As discussed above, the Planning Commission finds this mitigation measure to be infeasible and does not adopt it.

V. Neither Recirculation Nor a Subsequent or Supplemental EIR Is Required

1. The Planning Commission recognizes that the FEIR incorporates information obtained and produced after the DEIR was completed, and that it contains additions, clarifications, and modifications, including a description and analysis of the Project, *Proposed Revisions*, and Additional Revisions. The Planning Commission has reviewed and considered the FEIR and all of this information. In certifying the FEIR, the Planning Commission found that the FEIR does not add significant new information to the DEIR that would require recirculation of the EIR under CEQA. The new information added to the DEIR does not involve a new significant environmental impact, a substantial increase in the severity of a significant environmental impact, or a feasible project alternative or mitigation measure considerably different from others previously analyzed that would clearly lessen the significant environmental impacts of the Project and that the Project Sponsor declines to adopt. No information indicates that the DEIR was inadequate or conclusory.

2. The Project as it now stands fall within the range of impacts and the range of alternatives studied in the DEIR.

3. The Planning Commission finds that (1) modifications incorporated into the Project and reflected in the Actions will not require important revisions to the FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of

previously identified significant effects; (2) no substantial changes have occurred with respect to the circumstances under which the Project or the Actions are undertaken which would require major revisions to the FEIR due to the involvement of new significant environmental effects, or a substantial increase in the severity of effects identified in the FEIR; and (3) no new information of substantial importance to the Project or the Actions has become available which would indicate (a) the Project or the Actions will have significant effect not discussed in the FEIR, (b) significant environmental effects will be substantially more severe; (c) mitigation measures or alternatives found not feasible which would reduce one or more significant effects have become feasible; or (d) mitigation measures or alternatives which are considerably different from those in the FEIR would substantially reduce one or more significant effects on the environment.

VI. Evaluation Of Project Alternatives

This Section describes the Project as well as the Project Alternatives and the reasons for rejecting the Alternative. This Article also outlines the Project's purposes and provides a context for understanding the reasons for selecting or rejecting alternatives, and describes the Project alternative components analyzed in the FEIR.

CEQA mandates that an EIR evaluate a reasonable range of alternatives to the Project or the Project location that generally reduce or avoid potentially significant impacts of the Project. CEQA requires that every EIR evaluate a "No Project" alternative. Alternatives provide a basis of comparison to the Project in terms of beneficial, significant, and unavoidable impacts. This comparative analysis is used to consider reasonable feasible options for minimizing environmental consequences of the Project.

A. Reasons for Selection of the Project

As discussed above in Section I, the Project is based on the Project Description analyzed in the FEIR, with the *Project Revisions* finalized in September 2006. In addition to the proposed Project, the FEIR analyzed two Alternatives:

- No Project Alternative – Existing Controls
- Reduced Height/Reduced Density Alternative

These Alternatives are discussed in greater detail in Section 7 of the EIR.

In approving the Project, the Planning Commission has carefully considered the attributes and the environmental effects of the Project and the Alternatives discussed in the FEIR. This consideration, along with reports from City staff and public testimony has resulted in the Project. The Project achieves the objectives as set forth in the FEIR as follows:

The Project is selected because it will promote the greatest achievement of all of the following objectives, which would not be achieved by either the No Project Alternative or the Reduced Height/Reduced Density Alternative.

- Create a dense, vibrant and transit-oriented neighborhood that capitalizes on all of the unique characteristics and development opportunities of the Project Area.

The Project creates a dense, transit-oriented neighborhood by permitting more residential development than would be allowed under current controls (no project alternative) and more than under the alternative analyzed in this EIR. The Project creates opportunity to provide more housing in the place where it can best be accommodated, in areas with significant infrastructure investment. The Project seeks to establish a residential intensity that supports the transit uses in the area. When providing more housing, it is often not the accommodation of the people that strains a neighborhood, oftentimes it is the accommodation of the car trips. The Project's controls ensure that some portion of new housing is developed for households that rely on walking, transit and carshare to meet their daily needs. The Project also combines the housing ideas with streetscape and transit improvements that would encourage walking, improve transit and help to return balance to the city streets. In this way the Project gracefully accomplishes the City's goals for housing production to satisfy need.

- Strengthen the community's supply of housing by increasing well-designed infill housing.

While the Market & Octavia Project creates a dense, transit-oriented neighborhood by permitting more residential development than would be allowed under current controls (no project alternative) and more than under the alternative analyzed in this EIR, it does so in a very focused manner. The Project does not non-discriminately raise heights. Rather, in roughly 59% of the parcels there is no change in height, roughly 33% of the parcels show a decrease in height by more than 10 feet. Only about 8% of the parcels would see an increase in height and of the total Project area only 3% of the parcels would see an increase of more than 10 feet. The Project is increasing housing supply but in large part it is doing so within the scale of the existing neighborhood fabric. Infill housing would further controlled by the design principles described in the Project that control building aspects such as massing and articulation, activation of the ground floor, curb cuts, alley frontages and supporting open space for residential units.

- Strengthen the economic base of the Project Area and the community by increasing neighborhood-serving retail and service businesses throughout the Project Area.

The Project would transition a large part of the SoMa West area from C-M (Heavy Commercial) to a Neighborhood Commercial Transit (NCT-3) district. C-M districts provide a limited supply of land for certain heavy commercial uses not permitted in other commercial districts with an emphasis on wholesaling, business services, and some light manufacturing and processing. The new NCT district in this area would increase the amount of land for neighborhood-serving retail and businesses. Also, in SoMa West, the remaining land would be rezoned from C3-G (Downtown General Commercial) to C3-G with a special use district overlay called Van Ness and Market Downtown Residential SUD. This district is intended to be a transit-oriented, high-density, mixed-use neighborhood with a significant residential presence, thereby increasing the purchasing power of the neighborhood. Similarly, but to a lesser scale, the remainder of the Project Area will benefit from a larger consumer base as density increases. Outside of the SoMa West Area, existing neighborhood commercial districts will in large part remain and not expand in scope.

The Project would, by making Hayes Street two-way, enhance the neighborhood commercial vitality of Hayes Valley. Maintaining Hayes Street as one-way limits pedestrian comfort with crossing at key intersections and thus has a negative impact on an important economic engine to the neighborhood. Local shops, restaurants and services must be able to serve both residents and visitors. By slowing traffic and improving the pedestrian environment, the Project improves the

natural connection of Hayes Valley's neighborhood commercial district, especially with neighboring Civic Center facilities.

- Focus design attention especially on the development need and opportunities in two subareas: (1) reintegrating the vacant Central Freeway parcels into the neighborhood and (2) creating a high-density new neighborhood around South Van Ness Avenue, Market Street and Mission Street that takes advantage of that area's high height potential and elegantly designed residential towers.

The Project devotes attention to each of the Central Freeway parcels, developing lot-specific design guidelines for each parcel. The parcel-specific controls are tailored to the unique parcel attributes from the narrow boulevard parcels less than 20 feet wide to the large block sized parcels between Oak and Fell Streets. At SoMa West, the Project positions 400' mixed-use towers at the Market and Van Ness intersection and transit hub. At the Mission and South Van Ness smaller mixed-used residential towers are planned where the Van Ness Bus Rapid Transit line would terminate.

- Increase the mix of land uses and the density required to create a successful vibrant transit-oriented neighborhood reflecting the unique character of the Project Area.

Similar to the discussion in the above objective, the Project devotes attention to each of the Central Freeway parcels, developing lot-specific design guidelines for each parcel. The parcel-specific controls are tailored to the unique parcel attributes from the narrow boulevard parcels less than 20 feet wide to the large block sized parcels between Oak and Fell Streets. At SoMa West, the Project positions 400' mixed-use towers at the Market and Van Ness intersection and transit hub. At the Mission and South Van Ness smaller mixed-used residential towers are planned where the Van Ness Bus Rapid Transit line would terminate.

- Revise the height districts throughout the Project Area to sculpt an urban form that maximizes housing opportunities mediated by building type, street-level livability, views, and skyline effects.

The new height districts maintain the carefully sculpted heights near the Civic Center to preserve views towards City Hall. The new heights punctuate the new residential neighborhood with 400' towers at the Market and Van Ness intersection. These towers would mark the City's premier intersection of Van Ness Avenue and Market Street and visually mark the edge of downtown with residential towers that are taller yet approximately 50% less bulky than the neighboring office towers. At the Mission and South Van Ness smaller mixed-used residential towers are planned where the Van Ness Bus Rapid Transit line would terminate. The focal point of towers at Market and Van Ness intersection, would be supported by buildings that are 120-feet, the same height as the tower podiums. 120-feet is the established podium height for most of Market Street as it represents a fundamental urban design principal that streets can comfortably hold buildings as high as the streets are wide. From the Market and Van Ness intersection heights generally taper down both along Market Street and towards the West as intensity of street use lessens. Heights are lowered in front of the Mint to preserve views to the Mint. Key intersections are marked with height that tapers in mid-block. Along east-west alleys, additional controls are placed based upon street width and sun angle to ensure light reaches the sidewalk.

- Improve the area's public streets and open spaces necessary for a vibrant transit oriented neighborhood, including incorporating traffic calming strategies, street tree planning, new park creation, and streetscape improvements.

The Project establishes policies calling for the improvements to the public realm to foster increased pedestrian use and enjoyment of public streets by establishing a set of standards for “living streets” as well as encouraging wider sidewalks and increased street tree plantings. Such improvements to streets and alleys would improve open space opportunities for existing and new residents. The Project calls for providing additional open space in the form of new neighborhood-oriented parks. The proposed new neighborhood parks and improvements to public rights-of-way in the area will help ensure that restorative space is within an easy walk from housing and improve livability. The Project's ideas for traffic-calming include corner bulb-outs and reduced distance for pedestrian crossings.

- Improve the operation and convenience of all transportation modes required for a vibrant transit-oriented place, with a focus on transit, bicycle, and pedestrian movement.

The Project establishes policies to balance transportation choices in the neighborhood, which is located at a crossroads between residential neighborhoods and the City’s downtown commercial district. Transportation policies call for reducing dependence on private automotive vehicle use and improving infrastructure to encourage increased use of transit, bicycle, and walking to reach destinations and meet daily needs. It includes policy changes that would relieve neighborhoods of parking minimum requirements; off-street parking would instead be controlled through maximum caps based on use size and type to ensure some continued increment of car-free housing, similar to historic and existing patterns.

- Within the controls required to create a vibrant and transit oriented neighborhood, provide flexibility in the development of the Project Area so that development can respond to market conditions over time.

The Project will enable the creation of new housing units in the Market and Octavia Neighborhood with a level of flexibility in both density controls and in parking controls. Instead of specific parking requirements, the Project sets parking caps and allows for parking provision anywhere from zero spaces per unit up to the parking caps. Further, unbundling parking from housing allows residents to pay separately for costly parking spaces and housing and allows residents to choose whether to pay for parking or not. Like the parking controls, the new density controls provide flexibility in that they no longer regulate density as a factor of lot square but instead only control the form of the building. This will allow for creativity in housing unit types within the form and scale of established neighborhoods.

- Undertake the public improvements proposed in the Plan in a manner that makes them affordable to the City by using innovatively the full range of public financing tools to support the City in meeting its share of the planning and development responsibility for the quality and character of the public realm.

The Project identifies community improvements necessary to accommodate projected growth of residential and commercial development in the Project Area while maintaining and improving community character. The Project, through the Market and Octavia Community Improvements Program Document (dated September 18, 2006) ("Program Document"), incorporated herein by reference, also identifies a number of potential revenue sources to fund community improvements. They include:

- Use of Public agency grants (Federal and State Funding as well as General Fund monies);
- Establishing Community benefit districts, parking benefit districts and other assessment districts and utilizing the funds generated to mitigate development impact;
- Establishing parking and/or curb cut impact fees to mitigate specific impacts generated by the components of a project;

- Sale of Development Credits; and
- Establishing a Development Impact Fee to mitigate the impacts generated by development and utilize the revenue to fund the necessary community improvements.

B. Alternatives Rejected and Reasons for Rejection

The Planning Commission rejects 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 infeasible such Alternatives.

The No Project Alternative

The No Project Alternative assumes that the Planning Department would not adopt and implement the Project. Development within the Project Area would take place under the existing zoning regulations and the regulations of the *Western Addition A-2 Redevelopment Plan*, which apply to an area in the northern portion of the Project Area, and would remain in place through 2009.

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

Housing:

- The No Project Alternative would retain the existing one-to-one parking requirements. These requirements have adverse impacts on the City's supply of housing and make housing more expensive. The requirement to couple housing with parking provides less space per site to devote to much-needed housing. Moreover, providing parking with every housing unit increases the cost to construct and provide housing thus making housing less affordable. As detailed in the Housing Element of the General Plan, affordable housing is in great demand in the City and housing for those at all levels of the economic spectrum is much needed.
- Under the No Project Alternative, the restriction on heights around South Van Ness Avenue, Market Street, and Mission Street would result in the potential for 4400 fewer residential units. Thus, not only would fewer much-needed housing units result, but the City's residential growth which under the Project was allocated to the Market & Octavia area, which is rich in transit, would be allocated to less transit-friendly areas of the City. This result would necessitate more travel by automobile than by public transit, straining the City's already over-taxed roadways.

Infill Development:

Under the No Project Alternative, current zoning controls would remain in effect. Current zoning controls permit infill development in existing neighborhoods that is out of character with

the existing housing stock. Existing controls permit much larger and bulkier development than the controls proposed under the Project. The Planning Commission finds that well-designed infill development is a desirable outcome for the City.

Neighborhood-Serving Retail

Under the No Project Alternative, current zoning, especially in the SOMA West Neighborhood (CM and C3-G) does not promote neighborhood-serving retail and service establishments. During the community process, the community identified neighborhood-serving uses as a priority for the neighborhood.

Central Freeway Parcels:

Most of the Central Freeway parcels are currently vacant parcels, many of which are zoned P (Public). Under the No Project Alternative, given their small and unusual size, some of the lots are difficult if not impossible to develop under current zoning. Leaving these lots – which are centrally located in the community – vacant is not a desirable outcome for the City or for members of the community.

High Density Residential Development:

- Under the No Project Alternative while projects may be developed around South Van Ness Avenue, Market Street, and Mission Street, the existing bulk controls allow bulk that is 50% more bulky than the proposed Project. If development were to occur under these controls, it would be at a similar bulk as existing buildings so would be undifferentiated and would not mark these important intersections.
- Under the No Project Alternative, the current zoning for the area around South Van Ness Avenue, Market Street, and Mission Street generally does not permit residential development. Thus, the City's residential growth which under the Project was allocated to this area, which is rich in transit, would be allocated to less transit-friendly areas of the City. This result would necessitate more travel by automobile than by public transit -- increasing traffic, air pollution, and resulting in a less friendly environment for other modes of travel.
- Under the No Project Alternative, while projects may be developed around South Van Ness Avenue, Market Street, and Mission Street, the existing bulk controls allow bulk that is 50% more bulky than the proposed Project. The bulk combined with the reduced height would mean that, if development were to occur under these controls, it would be at a similar height and bulk and would be undifferentiated from existing buildings. Such development would not visually or architecturally mark these important intersections.

Public Streets and Open Spaces:

Under the No Project Alternative, the existing controls provide for no special transit or street improvement strategies. There is no strategy to provide a buffer between the street and current uses. The community emphasized the need to improve the existing character of the streets and to

create transit and street improvement strategies and this need is not met by the No Project Alternative.

Transit Orientation:

Under the No Project Alternative, the existing controls provide for no special emphasis on alternative means of transportation. The current controls and existing situation are geared primarily toward transportation by automobile. This situation is contrary to the City's Transit First Policy.

Flexibility of Land Use Controls:

Under the No Project Alternative, the existing controls provide little flexibility in many of the requirements. For example, generally for each unit in the Project Area parking must be provided at one parking space per one unit—no more and no less. This lack of flexibility does not allow the City and Project Sponsors to account for the current market or current trends. In addition, the current method of establishing density is rigid in that it sets absolute unit caps based upon lot area. This again, restricts the City and Project Sponsors from designing denser or more architecturally interesting projects. The Project has a unit mix requirement to ensure that some larger units get built, but otherwise the density of developments can be flexible within the prescribed building envelope.

Community Infrastructure Improvement:

Under the No Project Alternative, the restriction on heights around South Van Ness Avenue, Market Street, and Mission Street would result in the potential for 4400 fewer residential units. This would result in less density in the area and less revenue from the Community Infrastructure Fee. The decreased density and lower fee revenue would allow for fewer community improvements in the area. The projected revenue from the Market and Octavia Community Improvement Fee would drop from approximately \$59,000,000 to approximately \$15,000,000.

One-Way Hayes Street

Under the No Project Alternative, Hayes Street would remain one-way. This would have a continuing negative effect on pedestrian safety and the pedestrian environment as well as a negative effect on the commercial vitality of the Hayes Street neighborhood. The negative effects of maintaining Hayes Street as one way include: constraining pedestrian crossings at key intersections including Hayes and Gough, and Gough and Fell; creating conditions for high-speed automobile travel through key neighborhood intersections; creating an unfriendly pedestrian environment due to noise and pollution; reducing the tendency for residents to walk for their daily needs, and reducing the economic vitality of commercial establishments in Hayes Valley.

Reduced Height/Reduced Density Alternative

The Reduced Height/Reduced Density Alternative focuses on reducing the significant transportation and shadow impacts that would occur with the implementation of the Project. The Reduced Height/Reduced Density Alternative proposed would have differed from the proposed project in two areas:

- Hayes Street, which is recommended for conversion to two-way operation between Van Ness Avenue and Octavia Boulevard in the Project, would remain as a one-way street with the current operations.
- Height increases proposed under the Project would be reduced in the area around the Market Street/Van Ness Avenue/South Van Ness Avenue intersection under the Reduced Height/Reduced Density Alternative.

All other policies and recommendations in the Reduced Height/Reduced Density Alternative would remain the same as those of the proposed project.

The Reduced Height/Reduced Density Alternative would not be desirable nor meet the Project objectives for the following reasons:

High Density Residential Development:

Under the Reduced Height/Reduced Density Alternative while projects may be developed around South Van Ness Avenue, Market Street, and Mission Street, the existing bulk controls allow bulk that is 50% more bulky than the proposed Project. The bulk combined with the reduced height would mean that, if development were to occur under these controls, it would be at a similar height and bulk and would be undifferentiated from existing buildings. Such development would not visually or architecturally mark these important intersections.

Housing and Development in Transit Corridors:

Under the Reduced Height/Reduced Density Alternative, the restriction on heights around South Van Ness Avenue, Market Street, and Mission Street would result in the potential for 215 fewer residential units. Thus, not only would fewer much-needed housing units result, but the City's residential growth which under the Project was allocated to this area, which is rich in transit, would be allocated to less transit-friendly areas of the City. This result would necessitate more travel by automobile than by public transit, straining the City's already over-taxed roadways.

Community Infrastructure Improvement:

Under the Reduced Height/Reduced Density Alternative, the restriction on heights around South Van Ness Avenue, Market Street, and Mission Street would result in the potential for 215 fewer residential units. This would result in less density in the area and less revenue from the Community Infrastructure Fee. The decreased density and lower fee revenue would allow for fewer community improvements in the area. The projected revenue from the Market and Octavia Community Improvement Fee would drop approximately \$2,150,000.

One-Way Hayes Street

Under the No Project Alternative, Hayes Street would remain one-way. This would have a continuing negative effect on pedestrian safety and the pedestrian environment as well as a negative effect on the commercial vitality of the Hayes Street neighborhood. The negative effects of maintaining Hayes Street as one way include: constraining pedestrian crossings at key intersections including Hayes and Gough, and Gough and Fell; creating conditions for high-speed automobile travel through key neighborhood intersections; creating an unfriendly pedestrian environment due to noise and pollution; reducing the tendency for residents to walk for their daily needs, and reducing the economic vitality of commercial establishments in Hayes Valley.

C. Environmentally Superior Alternative

The Reduced Height/Reduced Density Alternative is the Environmentally Superior Alternative because it would result in less development in the Market and Octavia Area and fewer potentially significant effects on shadows. Originally, the Reduced Height/Reduced Density Alternative was also expected to result in fewer impacts on transportation, but with the agreement of the Project Sponsor to retain Hayes Street as a one-way street with the current operations, the transit impacts that were improved by this aspect of the Reduced Height/Reduced Density will be reduced in the Project as well. However, for the reasons stated above, this alternative is rejected as infeasible.

VII. Statement Of Overriding Considerations

Pursuant to CEQA section 21081 and CEQA Guideline 15093, the City hereby finds, after consideration of the FEIR and the evidence in the record, that each of the specific overriding economic, legal, social, technological and other benefits of the Project as set forth below independently and collectively outweighs these significant and unavoidable impacts and is an overriding consideration warranting approval of the Project. The specific reasons for this finding, based on substantial evidence in the record, constitute the following "Statement of Overriding Considerations."

On the basis of the above findings and the substantial evidence in the whole record of this proceeding, the Planning Commission specially finds, and therefore makes this Statement of Overriding Considerations. The Commission further finds that, as part of the process of obtaining project approval, all significant effects on the environment from implementation of the Project have been eliminated or substantially lessened where feasible. Furthermore, the Commission has determined that any remaining significant effects on the environment found to be unavoidable are acceptable due to the following specific overriding economic, technical, legal, social and other considerations.

1. The Project will implement and fulfill the policies and objectives of the General Plan including, but not limited to, the following:

The Market and Octavia planning process built on existing General Plan policies. Analysis of applicable General Plan Objectives and Policies has determined that the proposed action is, on balance, consistent with the General Plan. The proposed actions offer a compelling

articulation and implementation of many of the concepts outlined in the General Plan, especially the Air Quality, Urban Design, Transportation Element, Commerce and Industry, Recreation and Open Space, and Arts Elements. Below are key policies and objectives that support the proposed actions.

NOTE: General Plan Elements are in **CAPITAL BOLD LETTERS**

General Plan Objectives are in CAPITAL LETTERS

General Plan Policies are in Arial italics font

AIR QUALITY ELEMENT

OBJECTIVE 2: REDUCE MOBILE SOURCES OF AIR POLLUTION THROUGH IMPLEMENTATION OF THE TRANSPORTATION ELEMENT OF THE GENERAL PLAN

reducing congestion on roadways;

giving priority to public transit, as mandated by the "Transit First" policy;

encouraging the use of modes of travel other than single occupant vehicles such as transit, carpooling, walking, and bicycling;

managing the supply of parking in the downtown area.

promoting coordination between land use and transportation to improve air quality;

This Objective is satisfied in that the Project seeks to coordinate land use and transportation by encouraging housing in the Project area that is rich in transit infrastructure and support. It encourages development of new housing while maintaining the scale of the existing neighborhood, and encourages establishing a high-density residential neighborhood in SoMa West, near Van Ness, Market, and Mission Streets.

The Project establishes policies to balance transportation choices in the neighborhood, which is located at a crossroads between residential neighborhoods and the City's downtown commercial district. Transportation policies call for reducing dependence on private automotive vehicle use and improving infrastructure to encourage increased use of transit, bicycle, and walking to reach destinations and meet daily needs. It includes policy changes that would relieve neighborhoods of parking minimum requirements; off-street parking would instead be controlled through maximum caps based on use size and type to ensure some continued increment of car-free housing, similar to historic and existing patterns.

POLICY 3.2 Encourage mixed land use development near transit lines and provide retail and other types of service oriented uses within walking distance to minimize automobile dependent development.

This Policy is satisfied in that the Project will encourage the development of new housing, neighborhood services, open space and sustainable transportation in the Market and Octavia neighborhood generally including the intersections of Market and Church Streets, Market Street and Van Ness Avenue, and the new Octavia Boulevard and parcels within walking distance of these areas. The Project will ensure that new development regenerates the neighborhood fabric where the Central Freeway once stood and transforms the SoMa West area into a full-service neighborhood. The Project supports the General Plan's vision of building where growth can be

accommodated by transit and services, encouraging public transit use over travel by private automobile, and expanding housing opportunities adjacent to the downtown area.

POLICY 3.6 Link land use decision making policies to the availability of transit and consider the impacts of these policies on the local and regional transportation system.

This Policy is met in that the Project establishes a monitoring program that will provide feedback on the Project's impacts and allow for corrections and revisions if necessary. In order to track implementation, the Planning Department will monitor key indicators. The Project's performance will be tracked relative to benchmarks informed by existing neighborhood conditions and professional standards. If monitoring surveys indicate an imbalance in growth and relevant infrastructure and support, the Planning Department may recommend policy changes to balance development with infrastructure. Appropriate responses may include temporary or permanent alterations to Market and Octavia Neighborhood Plan policies, or heightened prioritization of plan area improvements.

URBAN DESIGN ELEMENT

POLICY 1.6 Make centers of activity more prominent through design of street features and by other means.

This Policy is satisfied in that significant change is envisioned for the "SoMa West" area, which lies between Market Street, South Van Ness Avenue, Mission Street and the Central Freeway. For more than three decades the city's General Plan has proposed that this area become a mixed-use residential neighborhood adjacent to the downtown. The Project carries this policy forward by encouraging relatively high-density mixed-use residential development in the SoMa West area. Element 7, "A New Neighborhood in SoMa West," proposes an bold program of capital improvement to create a public realm of streets and open spaces appropriate for the evolution of the public life of the area, and to serve as the catalyst for the development of a new mixed-use residential neighborhood.

In addition to these changes to the streets, the Project seeks to reinforce the hierarchy of the City's built form by concentrating height and bulk where core transit services converge. The Van Ness and Market Downtown Residential Special Use District (VNMDR-SUD) will encourage the development of a transit-oriented, high-density, mixed-use neighborhood around the intersection of Van Ness Avenue and Market Street, adjacent to downtown. This district will still have the area's most intensive commercial uses, including offices, but balances those with a new residential presence. Residential towers will be permitted along the Market / Mission Street corridor, provided they meet urban design standards. Residential towers, if built, would be clustered around the intersection of Market Street and Van Ness Avenue, with heights ranging from 160 – 400 feet.

TRANSPORTATION ELEMENT

Policy 1.1 Involve citizens in planning and developing transportation facilities and services, and in further defining objectives and policies as they relate to district plans and specific projects.

This policy is satisfied in that, starting in 2000, the Planning Department initiated a public planning process, the Better Neighborhoods Program, which developed a series of policies and proposals including those for land use, height, bulk, building design, density, transportation, and parking in the Market and Octavia area. As a part of this program, the Department has held numerous public meetings, and has briefed the Planning Commission and other public bodies and neighborhood organizations. A partial list of these public meetings can be found in the EIR and can be found on the Planning Departments website at: http://www.sfgov.org/site/uploadedfiles/planning/Citywide/pdf/I_ExSum_A-1_A-2.pdf and are incorporated herein by reference.

OBJECTIVE 23: IMPROVE THE CITY'S PEDESTRIAN CIRCULATION SYSTEM TO PROVIDE FOR EFFICIENT, PLEASANT, AND SAFE MOVEMENT.

OBJECTIVE 26: CONSIDER THE SIDEWALK AREA AS AN IMPORTANT ELEMENT IN THE CITYWIDE OPEN SPACE SYSTEM.

These Objectives are satisfied in that the Project states that the streets in the Project area afford the greatest opportunity to create new public parks and plazas. That is why streets are included in the discussion of public open spaces. For this reason, the Project takes advantage of opportunities within public right-of-ways. Most noteworthy, Octavia Boulevard itself is conceived in part as a linear open space, as with all great boulevards, that will draw walkers, sitters, and cyclists. In addition, modest but gracious public open spaces are designated within former street right-of-ways that are availed through major infrastructure changes, along with a series of smaller open spaces, for the most part occurring within widened sidewalks areas.

The Project establishes policies calling for the improvements to the public realm to foster increased pedestrian use and enjoyment of public streets by establishing a set of standards for "living streets," as well as encouraging wider sidewalks and increased street tree plantings. Such improvements to streets and alleys would improve open space opportunities for existing and new residents. The Project also calls for providing additional open space in the form of new neighborhood-oriented parks. The proposed new neighborhood parks and improvements to public rights-of-way in the area will help ensure that restorative space is within an easy walk from housing and improve livability.

Finally, the Project asserts that the pedestrian friendliness of the street can be improved through architectural design and siting for new construction. Specifically, the design and use of a building's ground floor has a direct influence on the pedestrian experience. Ground floor uses in the area are devoted to retail, service, and public uses in mixed-use buildings and to residential units and lobbies in apartment buildings. These uses provide an active and visually interesting edge to the public life of the street, which is especially important on neighborhood commercial streets. Parking, which has become a common street-facing use in more recent buildings, dilutes the visual interest and vitality of the street. This Project maintains a strong presumption against permitting surface-level parking as a street-facing use; rather, it encourages retail, residential, and other active uses facing the street.

2. The Project will further the City's housing goals as established in the Housing Element of the General Plan and elsewhere. While not directly part of the current approvals, the Project will facilitate the development of the Central Freeway parcels. As discussed in the EIR and in the

plan, the development of these 22 parcels by the Redevelopment Agency is expected to produce 450 units of affordable units, with the majority (405 units) provided as affordable rental units. In addition, the remaining market rate parcels would have a 15 percent inclusionary housing obligation as proposed by the City for all Central Freeway parcels. Thus, the total proportion of development on the Central Freeway parcels would result in 50 to 60 percent of the units being affordable. Other market rate development in the area will be subject to the City's Residential Inclusionary Affordable Housing Program and will provide from 10% to 20% of the units as affordable depending on the nature and timing of development. In addition, the Project changes the density controls and allows both infill and in-law units, thus offering greater opportunity to provide increased housing diversity for people at the lower end of the economic spectrum. Moreover, decoupling the cost of parking from the cost of housing will decrease the cost of housing for people who do not need parking.

3. The Project will generate substantial financial benefits for the City. For instance, the Project will provide direct funding to the City for development of community infrastructure in the Project Area through the new fee program. The Project will also indirectly benefit the City financially through increased revenue to the City and receipt of additional grant funds for the Project Area. These financial benefits and the resulting community infrastructure benefits are detailed in the Program Document, which is incorporated herein by reference. The Program Document asserts that the projected costs for planned improvements are relatively in balance with the projected revenue opportunities. Below is a summary of the primary projected revenue sources. It should be noted that this table does not include some dedicated funds such as the Market and Octavia Bike lane, any funds secured for the Van Ness Bus Rapid Transit project, or any projections for competitive public grants and San Francisco General Fund revenues. These sources should be able to cover the remaining 15% of costs, which amounts to approximately \$38 million over a 20-year period.

Summary Table of Projected Revenue

	Projected Revenue	Percent of Total Need (\$253.7 million)
Market and Octavia Community Improvements Fees		
Residential	\$59,600,000	23.5%
Commercial	\$8,600,000	3.4%
Van Ness FAR Bonus	\$17,290,000	6.8%
Existing Development Fees	\$20,630,000	8.1%
Future Impact Fees	\$33,050,000	13.0%
		0.0%
Public Funds		0.0%
Dedicated Revenue	\$49,250,000	19.4%
Existing Revenue Opportunities		0.0%
Future Revenue Opportunities	\$28,280,000	11.1%
Total	\$216,700,000	85.4%

4. Implementation of the Project will promote enhanced quality of life in the Project Area. The Project seeks to enhance the neighborhood quality of life through a program of housing people, balancing transportation choices, and building whole neighborhoods as described below.

Housing People: Market and Octavia's diverse local population creates the vitality, safety, community and vitality of the place. Housing a diverse group of people means providing a variety of housing opportunities: different housing types, as well as ranges of affordability, provided in a safe and attractive setting.

Balancing Transportation Choices: The Market and Octavia area has a physical fabric that enables people to access much of what they need on foot and supports frequent and reliable transit service. Over time, this fabric has been successful because it supports a range of travel modes and enables people to choose between them as their needs dictate. It shows in people's behavior; about half of the households in the Market and Octavia area own zero cars. Automobiles do play an important role here, but should not dominate to the point of undermining this longstanding fabric or the viability of other travel modes.

Building 'Whole' Neighborhoods: Urban places like Market and Octavia work well because they support a critical mass of people and activities, which in turn makes it possible to provide a full range of services and amenities. As these neighborhoods grow, there is an opportunity and a need to provide new and additional services, more parkland and improved streets to nurture and strengthen public life.

5. Implementation of the Project will promote enhanced community facilities and open space for new residents of the area. Key community facilities and open spaces identified by the community and the Planning Department in the Market and Octavia Plan and implemented in the Project include:

New Community Parks and Public Open Space

Patricia's Green in Hayes Valley has been established as a new public open space, providing a tranquil park setting for neighborhood residents, businesses and visitors, and establishing a neighborhood focus for the community. The Project calls for establishing a new open space north of Valencia Street, by utilizing the McCoppin Street right-of-way and potentially incorporating an adjacent privately-owned parcel. The Project calls for a new park to be established at Brady Street, by converting existing surface parking lots and portions of public right-of-way into a new public park to establish a neighborhood oasis.

Community Services and Facilities

The Project calls for providing funds to improve library services and incorporating public art in the design of streets and other public improvements. Project Implementation also calls for funding for childcare facilities and recreational facilities to achieve appropriate levels of service.

Benefits to Commerce and the Pedestrian Environment in Hayes Valley

The Project calls for implementing Hayes Street as a two-way street. This part of the Project improves pedestrian crossings at key intersections including Hayes and Gough, Gough and Fell, and Oak and Franklin; alleviates high-speed automobile travel through key neighborhood intersections; creates more friendly pedestrian environment through the reduction of noise and pollution; increases the tendency for residents to walk for their daily needs; and improves pedestrian access to neighborhood commercial establishments. Maintenance of a safe and healthy pedestrian environment far outweighs the significant transportation impacts of converting the street to two-way. A healthy pedestrian environment reduces incidents of pedestrian collisions and increases residents and visitors' ability to walk to most services. Walking to services and facilities creates a social network, a safety network, and a sense of place for residents and visitors. Individual users experience both physical and mental health benefits through exercise. Local commerce is inhibited by unhealthy pedestrian conditions and enhanced by healthy pedestrian conditions.

6. Implementation of the Project will enable enhanced infrastructure and streetscape improvements in the area. Key infrastructure and streetscape improvements identified by the community and the Planning Department in the Market & Octavia Plan include:

Streetscape Improvements

The Project calls for establishing "living streets and alleys" in residential areas. Improvements would include installing traffic-calming features to slow vehicular speeds and improve pedestrian safety. Narrowing traffic lanes and concentrating parking can increase neighborhood use and enjoyment by providing space for unified street tree plantings and vegetation, seating and play areas, bicycle lane improvements and other public benefits.

Pedestrian Improvements

The Project calls for variety of pedestrian improvements to more equitably allocate street space to all users. The Project includes reclaiming portions of traffic lanes for pedestrian use where there is excess vehicular capacity to establish wider sidewalks, mid-block and corner bulb-outs. These areas can be developed with plaza improvements. Corner bulbs also make streets safer by reducing the distance that pedestrians have to travel to cross an intersection.

Having considered these Project benefits and considerations, the Planning Commission finds that the Project's benefits outweigh the unavoidable adverse environmental effects, and that the adverse environmental effects that cannot be mitigated to insignificant levels are therefore acceptable.

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A. Shadow				
<p>A1. Parks and Open Space not Subject to Section 295</p> <p>New buildings and additions to existing buildings in the Project Area where the building height exceeds 50 feet shall be shaped, consistent with the dictates of good design and without unduly restricting the development potential of the site in question, to reduce substantial shadow impacts on public plazas and other publicly accessible spaces other than those protected under Section 295 of the <i>Planning Code</i>.</p> <p>In determining the impact of shadows, the following factors shall be taken into account: the amount of area shaded, the duration of the shadow, and the importance of sunlight to the type of open space being shaded.</p> <p>Implementation of this mitigation measure would reduce but may not eliminate potentially significant shadow impacts. The potential for a significant and unavoidable impact would still exist.</p>	Project Sponsor or each subsequent development project	During project design & development phase	Planning Department & Recreation and Parks Department	Considered complete upon design review by Planning Department
B. Wind				
<p>B1. Buildings in Excess of 85 feet in Height</p> <p>To minimize adverse wind impacts related to new development, the following design guidelines shall be required as part of the proposed Plan for buildings in excess of 85 feet in height:</p> <ul style="list-style-type: none"> Where possible, align long axis or faces of the buildings along a west-east alignment to reduce exposure of the wide faces of the building to westerly winds. Utilize wind shelter 	Project Sponsor or each subsequent development project	During project design & development phase	Planning Department	Considered complete upon design review by Planning Department

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<p>offered by existing upwind structures as much as possible. Avoid continuous western building faces.</p> <ul style="list-style-type: none"> • Articulate and modulate southwest, west and northwest building faces through the use of architectural techniques such as surface articulation, variation of planes, wall surfaces and heights, as well as the placement of stepbacks and other features. Substantial setbacks in west-facing facades (at lower levels) are an effective means of reducing the amount of ground-level wind induced by a building. • Utilize properly located landscaping to mitigate winds in all pedestrian open spaces. Porous materials (vegetation, hedges, screens, latticework, perforated or expanded metal) offer superior wind shelter compared to a solid surface. • Avoid narrow gaps between buildings, which may accelerate westerly winds. • Avoid “breezeways” or notches at the upwind corners of the building, which may focus wind energy at pedestrian levels. <p>Implementation of these guidelines, together with current City and County of San Francisco requirements for wind tunnel testing of proposed building designs for wind impacts, would generally reduce Plan, project, and cumulative wind impacts to a less than significant level.</p>				
<p>B2. All New Construction</p> <p>The following standards for reduction of ground-level wind currents shall be applied to all new construction in the Project Area:</p> <ul style="list-style-type: none"> • New building and additions to existing buildings shall be shaped, or other wind baffling measures shall be adopted, so that the development will not cause year-round ground-level wind currents to exceed, more than 10 percent of the time 	Project Sponsor or each subsequent development project	During project design & development phase	Planning Department	Considered complete upon design review by Planning Department

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<p>between 7:00 AM and 6:00 PM, the comfort level of 11 mph equivalent wind speed in areas of pedestrian use and seven mph equivalent wind speed in public seating areas. When pre-existing ambient wind speeds exceed the comfort levels specified above, the building shall be designed to reduce the ambient wind speeds in efforts to meet the goals of this requirement.</p> <ul style="list-style-type: none"> • An exception to this requirement may be permitted, but only if and to the extent that the project sponsor demonstrates that the building or addition cannot be shaped or wind baffling measures cannot be adopted without unduly restricting the development potential of the building site in question. • The exception may permit the building or addition to increase the time that the comfort level is exceeded, but only to the extent necessary to avoid undue restriction of the development potential of the site. • Notwithstanding the above, no exception shall be allowed and no building or addition shall be permitted that causes equivalent wind speeds to reach or exceed the hazard level of 26 mph for a single hour of the year. • For the purpose of this Section, the term “equivalent wind speed” shall mean an hourly wind speed adjusted to incorporate the effects of gustiness or turbulence on pedestrians. <p>Implementation of these guidelines, together with current City and County of San Francisco requirements for wind tunnel testing of proposed building designs for wind impacts, would generally reduce Plan, project, and cumulative wind impacts to a less than significant level.</p>				
C. Archaeological				
C1. Soil Disturbing Activities in Archaeologically	Project Sponsor of each	Prior to project approval	Planning Department	Considered complete

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<p>Documented Properties</p> <p>This measure shall apply to those properties within the Project Area for which a final Archaeological Research Design/Treatment Plan (ARD/TP) is on file in the Northwest Information Center and the Planning Department. Properties subject to this Mitigation Measure include all lots within the following Assessor's Blocks: 817, 831, 832, 838, 839, 853, 855, 3502, 3503, 3507, 3513, and 3514, which also include the Central Freeway Parcels: A, C, H, K, L, M, N, O, P, Q, R, S, T, U, and V.</p> <p>Any soils-disturbing activities proposed within this area shall be required to submit an addendum to the respective ARD/TP prepared by a qualified archaeological consultant with expertise in California prehistoric and urban historical archaeology to the Environmental Review Officer (ERO) for review and approval. The addendum to the ARD/TP shall evaluate the potential effects of the project on legally-significant archaeological resources with respect to the site- and project-specific information absent in the ARD/TP. The addendum report to the ARD/TP shall have the following content:</p> <ol style="list-style-type: none"> 1. Summary: Description of subsurface effect of the proposed project and of previous soils-disturbing activities; 2. Historical Development: If demographic data for the project site is absent in the discussion in the ARD/TP, the addendum shall include new demographic data regarding former site occupants; 3. Identification of potential archaeological resources: Discussion of any identified potential prehistoric or historical archaeological resources; 4. Integrity and Significance: Eligibility of identified expected resources for listing to the California 	<p>subsequent development project and archaeological consultant</p>		<p>(ERO) shall determine further mitigation required, following completion of final addendum to ARD/TP.</p>	<p>upon Planning Department review of approval of addendum to ARD/TP or as appropriate approval of Final Archaeological Resources Report (FARR).</p>

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<p>Register of Historical Resources (CRHR); Identification of Applicable Research Themes/Questions (in the ARD/TP) that would be addressed by the expected archaeological resources that are identified;</p> <p>5. Impacts of Proposed Project;</p> <p>6. Potential Soils Hazards: Update discussion for proposed project;</p> <p>7. Archaeological Testing Plan (if archaeological testing is determined warranted): the Archaeological Testing Plan (ATP) shall include:</p> <ul style="list-style-type: none"> A. Proposed archaeological testing strategies and their justification B. Expected archaeological resources C. For historic archaeological resources <ul style="list-style-type: none"> 1. Historic address or other location identification 2. Archaeological property type D. For all archaeological resources <ul style="list-style-type: none"> 1. Estimate depth below the surface 2. Expected integrity 3. Preliminary assessment of eligibility to the CRHR E. ETP Map <ul style="list-style-type: none"> 1. Location of expected archaeological resources 2. Location of expected project sub-grade 				

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<p>impacts</p> <p>3. Areas of prior soils disturbance</p> <p>4. Archaeological testing locations by type of testing</p> <p>5. Base map: 1886/7 Sanborn Fire Insurance Company map</p> <p>Implementation of the mitigation measure would reduce impacts to a less than significant level</p>				
<p>C2. General Soil Disturbing Activities</p> <p>This measure shall apply to any project involving any soils-disturbing activities including excavation, installation of foundations or utilities or soils remediation beyond a depth of four feet and located within those properties within the Project Area for which no archaeological assessment report has been prepared, including by a qualified MEA staff. This mitigation measure shall also apply to projects within the Mission Dolores Archaeological District (MDAD) involving only minor soils disturbance (three feet or less below the existing surface).</p> <p>For projects to which this mitigation measure applies, a Preliminary Archaeological Sensitivity Study (PASS) shall be prepared by an archaeological consultant with expertise in California prehistoric and urban historical archaeology. The PASS shall contain the following:</p> <ol style="list-style-type: none"> 1. The historical uses of the project site based on any previous archaeological documentation and Sanborn maps; 2. Types of archaeological resources/properties that may have been located within the project site and whether the archaeological resources/property types would 	<p>Project Sponsor of each subsequent development project and archaeological consultant</p>	<p>Prior to project approval</p>	<p>Planning Department (ERO) shall determine what further resource is present or mitigation evaluation of potential archeological effects is required based on the Final PASS.</p>	<p>Considered complete upon Planning Department review of Preliminary Archaeological Sensitivity Study if no ARD/TP required. If an ARD/TP is required, considered complete upon submittal of Final Archaeological Resources Report (FARR).</p>

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<p>potentially be eligible for listing in the California Register of Historical Resources (CRHR);</p> <ol style="list-style-type: none"> 3. If 19th or 20th century soils-disturbing activities may adversely affect the identified potential archaeological resources; 4. Assessment of potential project effects in relation to the depth of any identified potential archaeological resource; 5. Assessment of whether any CRHR-eligible archaeological resources could be adversely affected by the proposed project and, as warranted, appropriate action. <p>Based on the PASS, the Environmental Review Officer (ERO) shall determine if an Archaeological Research Design/Treatment Plan (ARD/TP) shall be required to more definitively identify the potential for CRHR-eligible archaeological resources and determine the appropriate action necessary to reduce the potential effect of the project on archaeological resources to a less than significant level. The scope of the ARD/TP shall be determined in consultation with the ERO and consistent with the standards for archaeological documentation established by the State Office of Historic Preservation for purposes of compliance with CEQA.</p> <p>Implementation of the mitigation measure would reduce impacts to a less than significant level</p>				
<p>C3. Soil Disturbing Activities in Public Street and Open Space Improvements</p> <p>This measure shall apply to the proposed public street and open space improvement projects proposed in the Plan involving soils disturbance in excess of four feet in depth.</p>	DPW	Prior to any soil disturbing activities	Project sponsor to submit all plans and reports shall be submitted to ERO	Considered complete upon review and approval of final archeological

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<p>The project sponsor shall retain the services of a qualified archaeological consultant having expertise in California prehistoric and urban historical archaeology. The archaeological consultant shall undertake an archaeological monitoring program. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the Environmental Review Officer (ERO) for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archaeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the 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 archaeological resource as defined in <i>CEQA Guidelines</i> §15064.5 (a)(c).</p> <p><u>Archaeological Monitoring Program (AMP)</u></p> <p>The archaeological monitoring program shall, at a minimum, include the following provisions:</p> <ol style="list-style-type: none"> 1. The archaeological consultant, project sponsor, and ERO shall meet and consult on the scope of the Archaeological Monitoring Program (AMP) reasonably prior to any project-related soils disturbing activities commencing. The ERO, in consultation with the project archaeologist, shall determine what project activities shall be archaeologically monitored. 2. The archaeological 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 archaeological resource; 	<p>Project sponsor and archeological consultant.</p>	<p>If Planning Department (ERO) determines monitoring program required.</p>	<p>Planning Department (ERO)</p>	<p>monitoring report.</p>

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<p>3. The archaeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archaeological consultant and the ERO until the ERO has, in consultation with the archaeological consultant, determined that project construction activities could have no effects on significant archaeological deposits;</p> <p>4. The archaeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;</p> <p>5. If an intact archaeological deposit is encountered, all soils disturbing activities in the vicinity of the deposit shall cease. The archaeological monitor shall be empowered to temporarily redirect potentially damaging activity until the deposit is evaluated. The archaeological consultant shall immediately notify the ERO of the encountered archaeological deposit. The archaeological consultant shall, after making a reasonable effort to assess the identity, integrity, and significance of the encountered archaeological deposit, present the findings of this assessment to the ERO.</p> <p>If the ERO, in consultation with the archaeological consultant, determines that a significant archaeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:</p> <ul style="list-style-type: none"> • The proposed project shall be redesigned so as to avoid any adverse effect on the significant archaeological resource; or • An archaeological data recovery program shall be implemented, unless the ERO determines that the archaeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible. 				

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<p>If an archaeological data recovery program is required by the ERO, the archaeological data recovery program shall be conducted in accord with an Archaeological Data Recovery Plan (ADRP). The project archaeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP. The archaeological consultant shall prepare a draft ADRP that shall be submitted to the ERO for review and approval. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archaeological 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, shall be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practical.</p> <p>The scope of the ADRP shall include the following elements:</p> <ul style="list-style-type: none"> • <i>Field Methods and Procedures.</i> Descriptions of proposed field strategies, procedures, and operations. • <i>Cataloguing and Laboratory Analysis.</i> Description of selected cataloguing system and artifact analysis procedures. • <i>Discard and Deaccession Policy.</i> Description of and rationale for field and post-field discard and deaccession policies. • <i>Interpretive Program.</i> Consideration of an on-site/off-site public interpretive program during the course of the archaeological data recovery program. • <i>Security Measures.</i> Recommended security measures to 	<p>Archeological consultant</p>	<p>If ERO requires archeological recovery program</p>	<p>Planning Department (ERO)</p>	

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<p>protect the archaeological resource from vandalism, looting, and non-intentionally damaging activities.</p> <ul style="list-style-type: none"> • <i>Final Report.</i> Description of proposed report format and distribution of results. • <i>Curation.</i> 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. <p><u>Human Remains, Associated or Unassociated Funerary Objects</u></p> <p>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, including immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner’s determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (<i>Public Resources Code</i> §5097.98). The archaeological 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 (<i>CEQA Guidelines</i> §15064.5(d)). The agreement shall take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects.</p> <p><u>Final Archaeological Resources Report.</u></p> <p>The archaeological consultant shall submit a Draft Final Archaeological Resources Report (FARR) to the ERO that</p>	<p>Project sponsor and archeological consultant</p>	<p>Following archeological fieldwork and data</p>		

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<p>evaluates the historical of any discovered archaeological resource and describes the archaeological and historical research methods employed in the archaeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archaeological resource shall be provided in a separate removable insert within the draft final report.</p> <p>Copies of the Draft FARR shall be sent to the ERO for review and approval. 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 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 two copies 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 or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.</p> <p>Implementation of the mitigation measure would reduce impacts to a less than significant level</p>		analysis		
<p>C4. Soil Disturbing Activities in the Mission Dolores Archaeological District</p> <p>This measure applies to any project within the Mission Dolores Archaeological District (MDAD) involving installation of foundations, construction of a subgrade or partial subgrade structure including garage, basement, etc, grading, soils remediation, installation of utilities, or any other activities resulting in substantial soils disturbance.</p> <p>The project sponsor shall retain the services of a qualified</p>	Project Sponsor of each subsequent development project and archaeological consultant	Prior to project construction	Planning Department (ERO)	Considered complete upon submittal of Final Archaeological Resources Report (FARR).

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<p>archaeological consultant having expertise in California prehistoric and urban historical archaeology. The archaeological consultant shall undertake an archaeological testing program as specified herein. In addition, the consultant shall be available to conduct an archaeological monitoring and/or data recovery program if required pursuant to this measure. The archaeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archaeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the 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 archaeological resource as defined in <i>CEQA Guidelines</i> §15064.5 (a)(c).</p> <p><u>Archaeological Testing Program</u></p> <p>The archaeological consultant shall prepare and submit, as determined by the ERO, either an Archaeological Research Design/Testing Plan (ARD/TP) or an Archaeological Testing Plan (ATP) to the ERO for review and approval. The archaeological testing program shall be conducted in accordance with the approved ARD/TP or ATP. The ARD/TP or ATP shall identify the property types of the expected archaeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archaeological testing program will be to determine to the extent possible the presence or absence of archaeological resources and to identify and to evaluate whether any</p>	<p>Archeological consultant</p>	<p>Prior to project construction</p>	<p>Planning Department (ERO)</p>	

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<p>archaeological resource encountered on the site constitutes an historical resource under CEQA.</p> <p>At the completion of the archaeological testing program, the archaeological consultant shall submit a written report of the findings to the ERO. If based on the archaeological testing program the archaeological consultant finds that significant archaeological resources may be present, the ERO in consultation with the archaeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archaeological testing, archaeological monitoring, and/or an archaeological data recovery program. If the ERO determines that a significant archaeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:</p> <ol style="list-style-type: none"> 1. The proposed project shall be re-designed so as to avoid any adverse effect on the significant archaeological resource; or 2. A data recovery program shall be implemented, unless the ERO determines that the archaeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible. <p><u>Archaeological Monitoring Program</u></p> <p>If the ERO, in consultation with the archaeological consultant, determines that an archaeological monitoring program shall be implemented, the archaeological monitoring program shall minimally include the following provisions:</p> <ol style="list-style-type: none"> 1. The archaeological 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 archaeological consultant shall determine what project activities shall be archaeologically monitored. 	<p>Project sponsor and archeological consultant</p>	<p>If Planning Department (ERO) determines monitoring program required</p>	<p>Planning Department (ERO)</p>	

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<p>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 archaeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;</p> <p>2. The archaeological 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 archaeological resource;</p> <p>3. The archaeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archaeological consultant and the ERO until the ERO has, in consultation with project archaeological consultant, determined that project construction activities could have no effects on significant archaeological deposits;</p> <p>4. The archaeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;</p> <p>5. If an intact archaeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archaeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archaeological monitor has cause to believe that the pile driving activity may affect an archaeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in</p>				

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<p>consultation with the ERO. The archaeological consultant shall immediately notify the ERO of the encountered archaeological deposit. The archaeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archaeological deposit, and present the findings of this assessment to the ERO.</p> <p>Whether or not significant archaeological resources are encountered, the archaeological consultant shall submit a written report of the findings of the monitoring program to the ERO.</p> <p><u>Archaeological Data Recovery Program</u></p> <p>The archaeological data recovery program shall be conducted in accord with an archaeological data recovery plan (ADRP). The archaeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archaeological 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 archaeological 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 archaeological resources if nondestructive methods are practical.</p> <p>The scope of the ADRP shall include the following elements:</p> <ul style="list-style-type: none"> • <i>Field Methods and Procedures.</i> Descriptions of 	<p style="text-align: center;">Archeological consultant</p>	<p style="text-align: center;">If ERO requires archeological data recovery program</p>	<p style="text-align: center;">Planning Department (ERO)</p>	

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<p>proposed field strategies, procedures, and operations.</p> <ul style="list-style-type: none"> • <i>Cataloguing and Laboratory Analysis.</i> Description of selected cataloguing system and artifact analysis procedures. • <i>Discard and Deaccession Policy.</i> Description of and rationale for field and post-field discard and deaccession policies. • <i>Interpretive Program.</i> Consideration of an on-site/off-site public interpretive program during the course of the archaeological data recovery program. • <i>Security Measures.</i> Recommended security measures to protect the archaeological resource from vandalism, looting, and non-intentionally damaging activities. • <i>Final Report.</i> Description of proposed report format and distribution of results. • <i>Curation.</i> 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. <p><u>Human Remains and Associated or Unassociated Funerary Objects</u></p> <p>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) (<i>Public</i></p>				

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<p><i>Resources Code §5097.98).</i> The archaeological 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 (<i>CEQA Guidelines §15064.5(d)</i>). 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. If non-Native American human remains are encountered, the archaeological consultant, the ERO, and the Office of the Coroner shall consult on the development of a plan for appropriate analysis and recordation of the remains and associated burial items since human remains, both Native American and non-Native American, associated with the Mission Dolores complex (1776-1850s) are of significant archaeological research value and would be eligible to the CRHR.</p> <p><u>Final Archaeological Resources Report</u></p> <p>The archaeological consultant shall submit a Draft Final Archaeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archaeological resource and describes the archaeological and historical research methods employed in the archaeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archaeological resource shall be provided in a separate removable insert within the final report.</p> <p>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 three copies of the FARR along with copies of any formal site recordation</p>	<p>Project sponsor and archeological consultant</p>	<p>Following archeological date fieldwork and data analysis</p>		

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<p>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.</p> <p>Implementation of these mitigation measures would reduce the archaeological impacts to a less than significant level at a program level and at a project level for soils disturbing activities in archaeological documented properties or for public street and open space improvements. Further evaluation of archaeological resources may be required for soils disturbing activities in areas where no archaeological assessment report has been prepared or in the Mission Dolores Archaeological District.</p> <p>Implementation of the mitigation measure would reduce impacts to a less than significant level</p>				
<p>D. Transportation</p>				
<p>D1. Traffic Mitigation Measure for Hayes and Gough Streets Intersection (LOS C to LOS F PM peak hour)</p> <p>To mitigate the 2025 with Plan and 2025 with Central Freeway Parcel/Near-Term Transportation Improvements intersection operating conditions at the intersections of Hayes and Gough Streets, an additional westbound travel lane would be required. With the reestablished westbound travel lane (and no eastbound lanes), 2025 with Plan conditions at this intersection would improve to LOS C.</p> <p>This mitigation measure would effectively eliminate the Plan's proposed changes along Hayes Street (which would provide an eastbound lane on Hayes Street between Gough Street and Van</p>	<p>Not Adopted</p>	<p>Not applicable.</p>	<p>Not applicable.</p>	<p>Not applicable.</p>

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<p>Ness Avenue by eliminating a westbound lane). As such, in order to maintain acceptable intersection level of service operations, the Plan could not be implemented on Hayes Street.</p> <p>Implementation of this mitigation measure would reduce Plan, project and cumulative impacts to a less than significant level.</p>				
<p>D2. Traffic Mitigation Measure for Hayes and Franklin Streets Intersection (LOS D to LOS F PM peak hour)</p> <p>To mitigate the 2025 with Plan and 2025 with Central Freeway Parcel/Near-Term Transportation Improvements intersection operating conditions at the intersections of Hayes and Franklin Streets, an additional westbound travel lane would be required. With the reestablished westbound travel lane (and no eastbound lanes), 2025 with Plan conditions at this intersection would improve to LOS D.</p> <p>This mitigation measure would effectively eliminate the Plan's proposed changes along Hayes Street (which would provide an eastbound lane on Hayes Street between Gough Street and Van Ness Avenue by eliminating a westbound lane). As such, in order to maintain acceptable intersection levels of service operations, the Plan could not be implemented on Hayes Street.</p> <p>Implementation of this mitigation measure would reduce Plan, project and cumulative impacts to a less than significant level</p>	Not Adopted.	Not applicable.	Not applicable.	Not applicable.
<p>D3. Traffic Mitigation Measure for Laguna/Market/Hermann/Guerrero Streets Intersection (LOS D to LOS E PM peak hour) ¹</p>	MTA and Public Works	Feasibility to be determined as part MTA's normal	MTA	To be determined by MTA.

¹ Because feasibility is uncertain, there may be significant adverse impact.

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<p>To improve operating conditions to acceptable levels and mitigate impacts, new protected left-turns could be provided for northbound Guerrero Street and southwest-bound Market Street. At both locations, the left-turn movements already have pockets; as such, new signals would be required to provide the protected left-turn phases. Implementation of signal timing changes would be dependent upon an assessment of transit and traffic coordination along Market Street to ensure that the changes would not substantially affect Muni bus operations, signal progressions, pedestrian minimum green time requirements, and programming limitations of signals.</p> <p>As the feasibility of the signal timing changes has not been fully assessed, the potential for a significant and unavoidable impact would still exist.</p>		<p>traffic management operations to respond to changing traffic conditions.</p>		
<p>D4. Traffic Mitigation Measure for Market/Sanchez/Fifteenth Streets Intersection (LOS E to LOS E with increased delay PM peak hour) ²</p> <p>Minor changes to the signal timing at the intersection of Market/Sanchez/Fifteenth Streets to allow more time for impacted movements may improve intersection conditions. Implementation of signal timing changes would be dependent upon an assessment of transit and traffic coordination along Market Street to ensure that the changes would not substantially affect Muni bus operations, signal progressions, pedestrian minimum green time requirements, and programming limitations of signals.</p> <p>The addition of a right-turn pocket on the westbound approach on Fifteenth Street, in conjunction with the signal retiming, would improve intersection operations to LOS D.</p> <p>Impacts could be mitigated to a less than significant level if</p>	<p>MTA and Public Works</p>	<p>Feasibility to be determined as part MTA's normal traffic management operations to respond to changing traffic conditions..</p>	<p>MTA</p>	<p>Feasibility to be determined by MTA.</p>

² Because feasibility is uncertain, there may be significant adverse impact.

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<p>the right-turn pocket was implemented in conjunction with the signal retiming.</p> <p>As the feasibility of the signal timing changes has not been fully assessed, the potential for a significant and unavoidable impact would still exist.</p>				
<p>D5. Traffic Mitigation Measure for Market/Church/Fourteenth Streets Intersection (LOS E to LOS E with increased delay PM peak hour)²</p> <p>Minor changes to the signal timing at the intersection of Market/Church/Fourteenth Streets to allow more time for impacted movements may improve intersection conditions. Implementation of signal timing changes would be dependent upon an assessment of transit and traffic coordination along Market Street to ensure that the changes would not substantially affect Muni bus operations, signal progressions, pedestrian minimum green time requirements, and programming limitations of signals.</p> <p>As the feasibility of the signal timing changes has not been fully assessed, the potential for a significant and unavoidable impact would still exist.</p>	MTA and Public Works	Feasibility to be determined as part MTA's normal traffic management operations to respond to changing traffic conditions..	MTA	Feasibility to be determined by MTA.
<p>D6. Traffic Mitigation Measure for Mission Street/Otis Street/South Van Ness Avenue Intersection (LOS F to LOS F with increased delay PM peak hour)³</p> <p>Minor changes to the signal timing at the intersection of Mission Street/Otis Street/South Van Ness Avenue to allow more time for impacted movements may improve intersection conditions. Implementation of signal timing changes would be dependent upon an assessment of transit and traffic</p>	MTA and Public Works	Feasibility to be determined as part MTA's normal traffic management operations to respond to changing traffic conditions..	MTA	Feasibility to be determined by MTA.

³ Because feasibility is uncertain, there may be significant adverse impact.

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<p>coordination along South Van Ness Avenue and Mission Street to ensure that the changes would not substantially affect Muni bus operations, signal progressions, pedestrian minimum green time requirements, and programming limitations of signals.</p> <p>It may be possible to add right-turn pockets to the southbound approach on Mission Street and the northbound approach on South Van Ness Avenue in conjunction with the signal timing changes. Under 2025 with Plan conditions, with this change, the level of service would be LOS F with less delay than under 2025 without Plan conditions.</p> <p>As the feasibility of the signal timing changes has not been fully assessed, the potential for a significant and unavoidable impact would still exist.</p>				
<p>D7. Traffic Mitigation Measure for Hayes Street/Van Ness Avenue Intersection (LOS F to LOS F with increased delay PM peak hour)</p> <p>At the intersection of Hayes Street and Van Ness Avenue, under 2025 without Plan conditions the intersection would operate at LOS F. Under 2025 with Plan conditions, delay would increase due to configurations changes and as the Plan would add vehicles to impacted movements (northbound and southbound through on Van Ness Avenue).</p> <p>To partially mitigate these impacts, the westbound travel lane could be reestablished, which would eliminate the Plan's proposed changes to Hayes Street (which would provide an eastbound lane on Hayes Street between Gough Street and Van Ness Avenue by eliminating a westbound lane). With the reestablished westbound travel lane (and no eastbound lanes), 2025 with Plan conditions would improve the level of service at the intersections of Hayes Street with Van Ness Avenue, Franklin Street, and Gough Street to 2025 without Plan conditions.</p>	Not Adopted.	Not applicable.	Not applicable.	Not applicable.

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<p>The mitigation measure would improve the level of service at the intersections of Hayes Street with Van Ness Avenue, Franklin Street, and Gough Street to 2025 without Plan conditions.</p> <p>This mitigation measure would substantially reduce, but would not eliminate the significant and unavoidable impact.</p>				
<p>D8. Transit Mitigation Measure for degradation to transit service as a result of increase in delays at Hayes Street intersections at Van Ness Avenue (LOS F to LOS F with increased delays); Franklin Street (LOS D to LOS F); and Gough Street (LOS C to LOS F) PM peak hour</p> <p>To mitigate the 2025 with Plan and 2025 with Central Freeway Parcel/Near-Term Transportation Improvements intersection operating conditions at the intersections of Hayes and Franklin Streets, an additional westbound travel lane would be required. With the reestablished westbound travel lane (and no eastbound lanes), 2025 with Plan conditions at this intersection would ameliorate MUNI delays west of Van Ness Avenue and would mitigate this transit impact.</p> <p>This mitigation measure would effectively eliminate the Plan's proposed changes along Hayes Street (which would provide an eastbound lane on Hayes Street between Gough Street and Van Ness Avenue by eliminating a westbound lane). As such, in order to maintain acceptable intersection levels of service operations, the Plan could not be implemented on Hayes Street.</p> <p>Implementation of this mitigation measure would reduce Plan, project and cumulative impacts to a less than significant level</p>	Not Adopted.	Not Applicable	Not applicable.	Not Applicable.

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E. Air Quality				
<p>E1. Construction Mitigation Measure for Particulate Emissions</p> <p>Program or project level construction activities in the Project Area shall be required to implement particulate emission mitigations recommended by the BAAQMD. These measures include:</p> <p>Water all active construction areas at least twice daily. To meet the City's Ordinance 175-91 requirements for the use of non-potable water for dust control, established May 6, 1991, contractors shall be required to obtain reclaimed water from the Clean Water Program for this purpose.</p> <p>Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.</p> <p>Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.</p> <p>Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.</p> <p>Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.</p> <p>Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).</p> <p>Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).</p> <p>Limit traffic speeds on unpaved roads to 15 mph.</p> <p>Install sandbags or other erosion control measures to prevent</p>	Project Sponsor	During demolition, excavation, and construction	Construction Contractor and Department of Building Inspection (DBI)	Maintain on-site observations as warranted; review daily field reports and inspect construction; prepare daily field and monthly compliance reports and submit to the DBI. Compliance through site permit process. DBI to monitor during construction.

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<p>silt runoff to public roadways.</p> <p>Replant vegetation in disturbed areas as quickly as possible.</p> <p>Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site.</p> <p>Install windbreaks, or plant trees/vegetative windbreaks at windward side(s) of construction areas.</p> <p>Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.</p> <p>Implementation of these mitigation measures would reduce impacts to a less than significant level.</p>				
<p>E2. Construction Mitigation Measure for Short-Term Exhaust Emissions</p> <p>To reduce program or project level short-term exhaust emissions from construction equipment, the following mitigation measures shall be implemented for construction activities in the Project Area:</p> <ul style="list-style-type: none"> • Confine idle time of combustion engine construction equipment at construction sites to five minutes. • Maintain and properly tune construction equipment in accordance to manufacturer's specifications. • Use alternative fueled or electrical construction equipment at the project site when feasible. • Use the minimum practical engine size for construction equipment. • Equip gasoline-powered construction equipment with catalytic converters when feasible. <p>Implementation of the mitigation measure would reduce impacts to a less than significant level.</p>	Project Sponsor	During demolition, excavation, and construction	Department of Building Inspection (DBI)	Maintain on-site observations as warranted; review daily field reports and inspect construction; prepare daily field and monthly compliance reports and submit to the DBI. Compliance through site permit process. DBI to monitor during construction.

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F. Hazardous Materials				
<p>F1. Program or Project Level Mitigation Measures</p> <p>Program or project level mitigation measures would vary depending upon the type and extent of contamination associated with each individual project. Mitigation measures to protect the community generally shall include:</p> <ul style="list-style-type: none"> • Airborne particulates shall be minimized by wetting exposed soils, as appropriate, containing runoff, and tarping over-night and weekends. • Storage stockpiles shall be minimized, where practical, and properly labeled and secured. • Vehicle speeds across unpaved areas shall not exceed 15 mph to reduce dust emissions. • Activities shall be conducted so as not to track contaminants beyond the regulated area. • Misting, fogging, or periodic dampening shall be utilized to minimize fugitive dust, as appropriate. • Containments and regulated areas shall be properly maintained. <p>Implementation of the mitigation measure would reduce impacts to a less than significant level.</p>	Project Sponsor	During construction	Project sponsor/DBI	On-site monitoring by project sponsor & DBI
G. Geology, Soils, and Seismicity				
<p>G1. Construction Related Soils Mitigation Measure</p> <p>Program or project level temporary construction related impacts would be mitigated through the implementation of the following measures:</p>	Project Sponsor	During construction	Project sponsor/DBI	On-site monitoring by project sponsor & DBI

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<p>Best Management Practices (BMP) erosion control features shall be developed with the following objectives and basic strategy:</p> <p>Protect disturbed areas through minimization and duration of exposure.</p> <p>Control surface runoff and maintain low runoff velocities.</p> <p>Trap sediment on-site.</p> <p>Minimize length and steepness of slopes.</p> <p>Implementation of the mitigation measure would reduce impacts to a less than significant level.</p>				