

RESOLUTION NO. 31-2006

Adopted March 7, 2006

ADOPTING ENVIRONMENTAL FINDINGS AND A STATEMENT OF OVERRIDING CONSIDERATIONS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND STATE CEQA GUIDELINES IN CONNECTION WITH THE AMENDMENT OF THE REDEVELOPMENT PLAN FOR THE HUNTERS POINT REDEVELOPMENT PROJECT AND RELATED DOCUMENTS AND ACTIONS; HUNTERS POINT REDEVELOPMENT PROJECT AREA AND BAYVIEW HUNTERS POINT REDEVELOPMENT SURVEY AREA

BASIS FOR RESOLUTION

1. On January 20, 1969, by Ordinance No. 25-69, the San Francisco Board of Supervisors adopted the Hunters Point Redevelopment Plan; on January 3, 1995, by Resolution No. 26-95, the Board of Supervisors expanded the Hunters Point Redevelopment Survey Area, which it designated the Bayview Hunters Point Redevelopment Survey Area by Resolution No. 439-99 on May 10, 1999.
2. On October 10, 1996, by Resolution No. 14205, the Planning Commission approved a Preliminary Plan for the Bayview Hunters Point Redevelopment Survey Area, and amended the Preliminary Plan on February 22, 2001, by Resolution No. 16102.
3. The Redevelopment Agency of the City and County of San Francisco ("Agency") is proposing to amend the Hunters Point Redevelopment Plan, which will now be known as the "Bayview Hunters Point Redevelopment Plan" or (hereinafter "Plan").
4. The proposed Plan consists of Project Area A and Project Area B. Project Area A comprises all of the Redevelopment Area G, as designated and described in Resolution No. 711-63 adopted by the Board of Supervisors on December 23, 1963, portions of the Survey Area as designated and described in Resolution No. 100-68 adopted by the Board of Supervisors on February 13, 1968, and survey areas as designated and described in Resolution No. 313-70 adopted by the Board of Supervisors on May 25, 1970. Project Area B comprises portions of Survey Area designated and described in Resolution No. 26-95, adopted by the Board of Supervisors on January 3, 1995. Together, Project Area A and Project Area B comprise approximately 1,575 acres in an area generally bounded by Cesar Chavez Street to the north, U.S. Highway 101 to the west, San Mateo County to the south and San Francisco Bay to the east.
5. On January 20, 1969, by Ordinance 26-69, the Board of Supervisors adopted the India Basin Industrial Park ("IBIP") Redevelopment Plan and on June 30, 1980, the Board of Supervisors by Ordinance 350-80, adopted the Bayview Industrial

Triangle ("BIT") Redevelopment Plan. The Agency is considering future amendments to these two redevelopment plans.

6. In February 2003, the Planning Department issued the *Community Planning in the Eastern Neighborhoods, Rezoning Options Workbook* ("Workbook"). A portion of the Eastern Neighborhoods encompasses the proposed Plan Area and the existing IBIP and BIT plan areas. The Planning Department is contemplating future rezoning of these areas in accordance with the *Workbook*.
7. The Planning Department and Agency have undertaken a planning and environmental review process for the proposed Plan, possible future amendments of the IBIP and BIT plans, and rezoning of the area, and provided for appropriate public hearings before the Planning Commission and the Agency Commission.
8. The actions listed in Attachment A ("Actions") are part of a series of considerations in connection with the adoption of the Plan, various implementation actions related to the Plan, and other possible future amendments of the IBIP and BIT plans and rezoning ("Project"), as more particularly defined in Attachment A, which is attached and incorporated by this reference.
9. The Planning Department and the Agency determined that an Environmental Impact Report ("EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on June 3, 2003.
10. On October 19, 2004, the Planning Department and the Agency published the Draft Environmental Impact Report ("DEIR") on the Bayview Hunters Point Redevelopment Projects and Zoning ("Project"). 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 Sections 15000 *et seq.*, ("CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"). The Agency Commission and Planning Commission each held a public hearing on the DEIR on December 7, 2004 and December 2, 2004, respectively.
11. The Agency and the Planning Department prepared responses to comments on the DEIR, which together with the DEIR and additional information that became available, constitute the Final Environmental Impact Report ("FEIR").
12. Also by Motion No. _____ and Resolution 21-2006, the Planning Commission and Agency Commission, respectively, finding that the FEIR was adequate, accurate and objective, reflected the independent judgment of each Commission and that the Comments and Responses document contains no significant revisions to the DEIR, adopted findings of significant impacts associated with the Project and certified the completion of the FEIR for the Project in compliance with CEQA and the CEQA Guidelines.

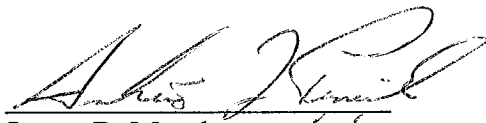
13. The Planning Department and Agency prepared proposed Findings, as required by CEQA, regarding the alternatives, mitigation measures and significant environmental impacts analyzed in the FEIR, overriding considerations for approving the Project, including all of the actions listed in Attachment A 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.

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco ("Agency Commission") that:

1. The Agency Commission certified the FEIR as adequate, accurate and objective, and reflecting the independent judgment of the Agency in Resolution No. 21-2006.
2. The Agency Commission has reviewed and considered the FEIR and hereby adopts the Project Findings attached hereto as Attachment A, including its Exhibit 1, and incorporates the same herein by this reference.
3. The Agency Commission finds, based on substantial evidence in light of the whole record, that: (1) approvals of the actions before it related to implementation of the Project will not require important revisions to the FEIR as there are no new significant environmental effects or substantial increases in the severity of previously identified significant effects; (2) no new information of substantial importance to the Project has become available that would indicate: (a) the Project or the approval actions will have significant effects not discussed in the FEIR; (b) significant environmental effects will be substantially more severe; (c) mitigation measures or alternatives found not feasible that would reduce one or more significant effects have become feasible; or (d) mitigation measures or alternatives that are considerably different from those in the FEIR would substantially reduce one or more significant effects on the environment.

APPROVED AS TO FORM:


for James B. Morales 3/2/06
Agency General Counsel

ATTACHMENT A

BAYVIEW HUNTERS POINT REDEVELOPMENT PROJECTS AND REZONING

CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO

1. INTRODUCTION

These Findings are made by the Redevelopment Agency of the City and County of San Francisco (the "Agency" or "Agency Commission") pursuant to the California Environmental Quality Act, California Public Resources Code section 21000 et seq., ("CEQA") with respect to the Bayview Hunters Point Redevelopment Plans and Rezoning Project ("Bayview Hunters Point Project"), in light of substantial evidence in the record of Project proceedings, including but not limited to, the Hunters Point Project Final Environmental Impact Report ("FEIR") prepared pursuant to CEQA, the State CEQA Guidelines, 14 California Code of Regulations Sections 15000 et seq., (the "CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31").

This document is organized as follows:

Article 2 describes the Project.

Article 3 describes the actions to be taken by the Agency Commission at this time.

Article 4 provides the basis for approval of the Project (the Bayview Hunters Point Redevelopment Plans and related actions identified in the FEIR), a description of each alternative, and the economic, legal, social, technological, and other considerations that lead to the rejection of alternatives as infeasible that were not incorporated into the Project.

Article 5 sets forth Findings as to the disposition of each of the mitigation measures proposed in the FEIR.

Article 6 identifies the unavoidable, significant adverse impacts of the Project that have not been mitigated to a level of insignificance by the adoption of mitigation measures as provided in Article 5.

Article 7 contains a Statement of Overriding Considerations, setting forth specific reasons in support of the Agency Commission's approval actions for the Project in light of the significant unavoidable impacts discussed in Article 6.

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 Section IV of the FEIR 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.

2. PROJECT DESCRIPTION

2.1 Project Approvals

The Project consists of amendment of the Hunters Point Redevelopment Plan which is renamed the "Bayview Hunters Point Redevelopment Plan" ("BVHP Plan"), possible future amendments to the IBIP Plan ("IBIP Plan") and the Bayview Industrial Triangle Redevelopment Plan ("BIT Plan"), and related rezoning. The Project will be implemented through a series of actions that together define the terms under which the Project will occur (collectively the "Project Approvals"). The primary Project Sponsor for the Bayview Hunters Point Redevelopment Plans and Rezoning Projects is the Agency.

The City and County of San Francisco ("City") will be taking various approval actions related to the Project. The Project is composed of the following major permits and approvals, and related and collateral actions:

2.1.2 Adoption of CEQA Findings, including a statement of overriding considerations, mitigation measures, and a mitigation monitoring and reporting program.

2.1.3 Adoption of an approximately 1,500-acre BVHP Plan, which contains an amendment to the existing 137-acre Hunters Point Redevelopment Project Area, and will lead to implementation of the Project elements as follows:

- Provide for very low-, low- and moderate-income housing, including supportive housing for the homeless;
- Preserve the availability of affordable housing units assisted or subsidized by public entities, which are threatened with conversion to market rates;
- Require the integration of affordable housing sites with sites developed for market rate housing;
- Assist the development of affordable and supportive housing by developers;
- Provide relocation assistance to eligible occupants displaced from property in the Project Area;
- Provide participation in redevelopment by owners presently located in the Project Area and the extension of preferences to business occupants and other tenants desiring to remain or relocate within the redeveloped Project Area;
- Acquire land or building sites;
- Demolish or remove certain buildings and improvements;
- Construct buildings or structures;
- Improve land or building sites with on-site or off-site improvements;
- Rehabilitate structures and improvements by present owners, their successors and/or the Agency;
- Dispose of property by sell, lease, donation or other means to public entities or private developers for uses in accordance with this Redevelopment Plan;

- Finance insurance premiums pursuant to Section 33136 of the Community Redevelopment Law;
- Develop plans, pay principal and interest on bonds, loans, advances or other indebtedness or pay financing or carrying charges;
- Retain existing businesses, attract new businesses and provide assistance to the private sector, if necessary.

2.1.4 Amendment of the General Plan to bring the General Plan into conformity with the BVHP Plan and, as necessary, adoption of Planning Code and zoning map amendments

2.1.5 Adoption by the Planning Commission of General Plan and Planning Code § 101.1 consistency findings in regard to the BVHP Plan.

2.1.6 Approval of all actions required under the California Community Redevelopment Law (Health and Safety Code Sections 33000 et seq.) for implementation of the BVHP Plan and related implementation actions.

2.1.7 Possible future adoption of amendments to the 126-acre IBIP Plan and the 20-acre BIT Plan and related implementation actions.

2.1.8 Possible future rezoning of portions of the Project area.

These approvals, along with related implementation actions, are referred to collectively in these findings as the "Project." As described in Article III, the actions before the Agency Commission relate to adoption of CEQA Findings.

2.2 Project Description's Relationship to the FEIR

The Project, described in detail below, is based on the Project Description contained in Chapter II of the FEIR and as revised by the Project Revisions as described in the Draft Environmental Impact Report Comments and Responses, on pages C&R-1 through C&R-5 of the FEIR.

2.3 Public Review of FEIR

The City's Planning Department ("Planning Department") and the Agency determined that an EIR was required for a proposal to adopt the BVHP Plan, including an amendment to the existing Hunters Point Redevelopment Project Area, amend the IBIP and BIT Plans, and rezone the geographic area covered by these redevelopment plans in accordance with the Planning Department's *Community Planning in the Eastern Neighborhoods, Rezoning Options Workbook* ("*Workbook*"). The Agency provided public notice of that determination by publication in a newspaper of general circulation on June 3, 2003.

On October 19, 2004, the Planning Department and the Agency published the Draft Environmental Impact Report (hereinafter "Draft EIR ") on the Bayview Hunters Point Redevelopment Plans and Rezoning Project, and provided public notice in a newspaper of general circulation of the availability of the Draft EIR for public review and comment and of the date and time of the Planning Commission public hearing on the Draft EIR. This notice was mailed to property owners in the Project Area and within a 300-foot radius of the Project Area, all addresses within the 94124 zip code, anyone who requested copies of the Draft EIR, persons on the Agency's Bayview Hunters Point Project Area Committee ("PAC") mailing list, and to government agencies, the latter both directly and through the State Clearinghouse. In addition,

notices were posted at approximately 30 locations in and around the Project Area and the Agency posted the Draft EIR on the Agency's website.

Notice of Completion was filed with the State Secretary of Resources via the State Clearinghouse on October 19, 2004.

The Planning Commission held a duly advertised public hearing on the Draft EIR on December 7, 2004, at which opportunity for public comment was given, and public comment was received on the Draft EIR. The period for acceptance of written comments ended on December 7, 2004.

The Planning Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 49-day public review period for the Draft EIR, 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 review period, and corrected errors in the Draft EIR. This material was presented in a "Bayview Hunters Point Redevelopment Projects and Rezoning EIR Draft Comments and Responses," published on February 7, 2006 and was distributed to the Planning Commission, the Agency Commission and to all parties who commented on the Draft EIR, and was available to others upon request at the Planning Department offices.

2.4 FEIR Certification

On March 2, 2006, after reviewed and considered the information contained in the Final Environmental Impact Report (the "FEIR"), the Agency Commission and the Planning Commission, in a joint meeting, by Resolution No. 21-2006 and Motion No. _____, respectively, certified the FEIR for the Bayview Hunters Point Redevelopment Project as adequate, accurate, and objective and in compliance with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) ("CEQA") and the CEQA Guidelines (14 California Code of Regulations Sections 15000 et seq.)

3. AGENCY COMMISSION ACTIONS

At this time, the Agency Commission is considering various actions ("Actions") in furtherance of the Project, which include the following:

- 3.1 Adoption of these CEQA Findings, including a statement of overriding considerations, mitigation measures, and a mitigation monitoring and reporting program;
- 3.2 Approving the proposed BVHP Plan;
- 3.3 Approving the Report of the proposed BVHP Plan;
- 3.4 Adoption of the Relocation Plan for the proposed BVHP Plan;
- 3.5 Adoption of Owner Participation Rules and the Business Re-entry Policy for the proposed BVHP Plan.
- 3.6 Adoption of a resolution commending the BVHP Project Area Committee ("PAC") and expressing the Agency's intent to consult with the PAC on the implementation of the proposed BVHP Plan.

4. CONSIDERATION OF PROJECT ALTERNATIVES

This Article describes the Project as well as rejected Project Alternatives. Included in these descriptions are the reasons for selecting or rejecting the alternatives. 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. The Project's FEIR presents more details on selection and rejection of alternatives.

4.1 Summary of Alternatives Analyzed in the FEIR

The FEIR for the Bayview Hunters Point Redevelopment ("BVHP") Plans and Rezoning Project analyzed the environmental effects of the Project and considered two alternatives:

- No Project Alternative
- Zoning Option B Alternative

4.2 Overview of the Project as Proposed for Adoption and Comparison with Project Analyzed in the FEIR

The Project proposed is the adoption of approximately 1,500-acre BVHP Plan, which contains an amendment to the existing 137-acre Hunters Point Redevelopment Project Area to include an additional 1,361 acres, and possible future amendments to the 126-acre IBIP Plan and the 20.3-acre BIT Plan and future rezoning of some portions of the area in accordance with Rezoning Option C as set forth in the Planning Department's *Community Planning in the Eastern Neighborhoods, Rezoning Options Workbook*.

The three existing redevelopment projects, consisting of a combined acreage of approximately 283.3 acres, have resulted in new affordable and market-rate housing, improvements to public facilities and public spaces, and revitalization of industrial land with new industrial and commercial facilities. Nevertheless, the Project area has unemployment rates more than twice citywide rates and incomes far below citywide medians. Approximately 21% of Project area households earn annual incomes below \$15,000. The overall purpose of the Project is to enhance and strengthen the existing redevelopment activities in the area for the benefit of current residents and businesses without displacing or replacing them. The Project is designed to not only eliminate blighted conditions but also to address land use compatibility issues and to take advantage of development opportunities that are expected to result from the construction of the Third Street Light Rail Transit ("LRT") project in the Project area.

The Project is expected to foster infill development in the Bayview Hunters Point area of San Francisco that would result in approximately 2.4 million square feet of net new floor area, including commercial, retail and industrial uses, and an increase of approximately 3,700 dwelling units. Of the 2.4 million square feet of net new floor area, 1.2 million would be attributable to retail development associated with the Candlestick Point Stadium Development Retail/Entertainment Center, envisioned by Propositions D and F of the June 1997 San Francisco ballot. Of the remaining 1.2 million square feet, approximately 400,000 square feet each of additional retail uses, other commercial uses and industrial uses are expected to result from the Project.

The Project includes the implementation of various community redevelopment programs in the three redevelopment plan areas. The nature of these programs is as follows.

- Affordable Housing activities including but are not limited to: providing for very low-, low- and moderate-income housing, including supportive housing for the homeless; preserving the availability of affordable housing units assisted or subsidized by public

entities, which are threatened with conversion to market rates; requiring the integration of affordable housing sites with sites developed for market rate housing; assisting the development of affordable and supportive housing by developers; and providing relocation assistance to eligible occupants displaced from property in the Project Area.

- Economic Development including but not limited to: implementing the Façade Improvement Program; implementing the Brownfield Clean Up Assistance Program; assisting with the development of key catalyst commercial sites; providing small business improvement assistance; assisting with marketing and promotional activities for local business groups; creating local business retention programs; developing cultural facilities; rehabilitating historic structures; and planning for innovative parking strategies in the Third Street Corridor.
- Community Enhancements including but not limited to: implementing streetscape plans for Third Street, Evans-Innes Avenue, Oakdale Avenue or other major roadways in Project Area B, including traffic calming where needed; implementing the Green Streets Program to provide for the landscaping and lighting of local streets; developing “way finding” programs such as local signage and gateway elements; developing public parks and recreational facilities; preserving historic structures; and creating an Open Space Framework Plan.

The Project also includes implementation of the Bayview Connections Urban Open Space Project, which would create addition open space, transit hubs and pedestrian and streetscape improvements.

The Project proposed for adoption is the same as the Project described in Chapter II of the Draft EIR, except as described on pages C&R-1 through C&R-5 of the FEIR. As those pages explain, the Agency now proposes to remove from the BVHP Plan approximately 75-acre area along the Hunters Point Shoreline. The Agency has determined that further planning studies are needed in this area before proposing new land use designations and including this area in the redevelopment plan. The area will remain in the Bayview Hunters Point Redevelopment Survey Area. The Agency also has determined that further planning is appropriate in the IBIP Redevelopment Plan Area before proposing to change the land use designation in that existing Redevelopment Plan area. Finally, the Agency is proposing to further study the feasibility of tax increment financing in the BIT Redevelopment Plan Area before amending the BIT Redevelopment Plan to provide for such financing; if feasible, the Agency may propose such an amendment to the BIT Redevelopment Plan in the future. The revisions to the Project described here result in retention of the existing land uses in the Hunters Point Shoreline area and the IBIP. The environmental effects of retaining the existing land uses were considered in the No Project Alternative. Therefore, in terms of development intensity and environmental impacts, the Project as proposed for adoption falls in between the Project as described in the FEIR in Chapter II and the No Project Alternative as described in the FEIR in Chapter VI.

4.3 Reasons for Selection of the Project

The Project is selected because it will promote achievement of all of the following Project Objectives:

1. Eliminate blight and correct environmental deficiencies within the Project, including, but not limited to abnormally high vacancies, abandoned, deteriorated and dilapidated buildings, incompatible land uses, depreciated or stagnant property values and inadequate or deteriorated public improvements, facilities and utilities.

2. Remove structurally substandard buildings, provide land for needed public facilities, remove impediments to land development and facilitate modern, integrated development with improved pedestrian and vehicular circulation within the Project and vicinity.
3. Redesign and develop undeveloped and underdeveloped areas, which are improperly utilized.
4. Provide flexibility in the development of real property within the Project to respond readily and appropriately to market conditions.
6. Provide opportunities for participation by owners in the redevelopment of their properties.
7. Increase the community's supply of housing by facilitating economically feasible, affordable housing for existing very low-, low- and moderate-income households and residents in the community.
8. Strengthen the economic base of the Project and the community by strengthening retail and other commercial functions within the Project through the facilitation of new retail space, and as appropriate, new commercial and light industrial uses.
9. Retain existing residents and existing cultural diversity to the extent feasible.
10. Encourage participation of area residents in the economic development that will occur.
11. Support locally owned small businesses and local entrepreneurship.
12. Facilitate emerging commercial-industrial sectors through improvement of transportation access to commercial and industrial areas, improvement of safety within the Plan Area, and the installation of needed site improvements to stimulate new commercial and industrial expansion, employment, and economic growth.
13. Facilitation public transit opportunities to and within the Project to the extent feasible.
14. Provide land, as feasible and appropriate, for publicly accessible open spaces.
15. Achieve the objectives described above in the most expeditious manner feasible.

4.4 Overview of Other Plan Alternatives Considered and Reasons Rejected

The following section presents an overview of the Alternatives analyzed in the FEIR. A more detailed description of each Alternative can be found in Chapter VI of the FEIR.

Rejected Alternative: No Project Alternative

The No Project Alternative would retain the existing zoning and would not expand redevelopment activities in the Project Area. However, some development would be expected under existing zoning and existing conditions, including the Stadium Development Retail/Entertainment Center. In all, the No Project Alternative would be expected to result in about 63 percent of the employment growth that would be expected under the Project and substantially lower housing growth: approximately 3,700 new units with the Project compared

to 460 units with the No Project Alternative. No new zoning would mean a further increase in long-standing conflicts between industrial and residential uses. The No Project Alternative would not provide incentives for economic revitalization and the quality of development that would occur would not necessarily be an improvement over existing development.

As compared to the Project, the No Project Alternative would have greater land use impacts because of increased incompatibilities between uses, but, like the Project, land use impacts would be less than significant. Both the Project and the No Project Alternative would have less than significant impacts related to employment, population and housing, solar access and shading, wind, noise, hazards and hazardous materials, geology and soils, hydrology and water quality, public services and utilities and energy. Since the No Project Alternative results in less development than with the Project, these less than significant impacts would be reduced as compared to the Project. The No Project Alternative would have fewer significant transportation impacts because it would result in significant traffic impacts at four intersections, compared to five with the Project. Both the No Project Alternative and the Project would significantly impact traffic on northbound US 101 south of I-280. Other transportation impacts would not be significant under either scenario. As the Stadium Development Retail/Entertainment Center could occur under the No Project Alternative, it would have the same significant and unmitigable visual impacts as the Project by blocking scenic views of the Bay and changing the visual character of the Candlestick Point State Recreation Area. Compared to the Project, the No Project Alternative would have more severe significant air quality impacts from toxic air contaminant ("TAC") exposure because buffer zones separating industrial uses for other uses would not be created. Since the No Project Alternative would be expected to result in somewhat less development than with the Project, potentially significant impacts associated with development activities would be proportionately less than with the Project. These include potential adverse impacts to air quality from construction activities, cultural resources from building modifications or demolitions, and biotic resources from construction near shoreline areas. In sum, the No Project Alternative would have the same significant visual impacts as the Project, fewer significant transportation impacts and significant impacts to cultural resources and biotic resources and more severe significant air quality impacts.

The No Project Alternative is rejected as infeasible for the following reasons:

Reduced Revenues – Under the No Project Alternative, the Agency will receive less tax increment revenues, which would result in fewer resources being invested back into the neighborhood and its revitalization. Consequently, the No Project Alternative would not achieve the Project objectives of stimulating economic revitalization or eliminating conditions of blight in the Project area.

Reduced Housing – The No Project Alternative would provide less housing overall and substantially less affordable housing than with the Project.

Reduced Economic and Business Vitality – The No Project Alternative will provide fewer resources for economic revitalization efforts such as façade improvements, catalyst development programs, business improvement programs, or neighborhood promotional opportunities.

Reduced Community Enhancement Opportunities – The No Project Alternative would not result in plan community enhancements, such as improvements to open space, expanded public facilities, construction of streetscape enhancement and improved access to public transportation.

As discussed above, the No Project Alternative does not have appreciably fewer significant environmental effects than the Project. For the economic, legal, social, technological, and other considerations reasons set forth here and in the FEIR, the No Project Alternative is rejected as infeasible.

Rejected Alternative: Zoning Option B Alternative

Zoning Option B Alternative assumes that a BVHP Plan would be implemented but under the zoning scenario identified in the Planning Department's *Workbook* as Zoning Option B. This alternative would allow for reduced housing and reduced commercial and retail development as compared to the Project. The Zoning Option B Alternative would result in 60% of the amount of new employment and 42 % of the amount of new housing units as compared to the Project. Compared to the No Project Alternative, Zoning Option B would result in more housing but somewhat less new employment overall and with less industrial employment and more commercial employment than the No Project Alternative. Zoning Option B would result in 1,100 net new units compared to 460 net new units with the No Project Alternative and 3,700 net new units with the Project.

The Stadium Development Retail/Entertainment Center may occur under both the Project and Zoning Option B so the significant visual impacts associated with that development would be the same. Both scenarios would reduce incompatibility between land uses and have less than significant land use impacts. Both scenarios would have less than significant impacts in the areas of employment, population and housing, solar access and shading, wind, noise, hazards and hazardous materials, geology and soils, hydrology and water quality, public services and utilities and energy. Zoning Option B would have fewer significant transportation impacts than the Project, with similar, but slightly more severe impacts at intersections as compared to the No Project Alternative. Zoning Option B would have fewer significant transportation impacts because it would result in significant traffic impacts at four intersections, compared to five with the Project. Both Zoning Option B and the Project would significantly impact traffic on northbound US 101 south of I-280. Other transportation impacts would not be significant under either scenario.

Since Zoning Option B would be expected to result in somewhat less development than with the Project, potentially significant impacts associated with development activities would be proportionately less than with the Project. These include potential adverse impacts to air quality from construction activities, cultural resources from building modifications or demolitions, and biotic resources from construction near shoreline areas. Zoning Option B would have similar significant air quality impacts from TACs as with the Project. In sum, Zoning Option B, with less development than with the Project would have the same significant visual impacts as the Project, similar significant air quality impacts from TACs, fewer significant transportation impacts and fewer significant impacts to construction air quality, cultural resources and biotic resources.

Zoning Option B is rejected as infeasible for the following reasons:

Reduced Housing – Zoning Option B would provide substantially less housing overall and less affordable housing than with the Project.

Reduced Employment Opportunities – Zoning Option B will provide fewer net new employment opportunities than with the Project.

Reduced Economic Development – Zoning Option B would provide less overall development, thereby reducing tax increment financing available for economic revitalization efforts and would not result in the same level of community enhancements, improvements in public areas and facilities as with the Project.

For the economic, legal, social, technological, and other considerations reasons set forth here and in the FEIR, Zoning Option B Alternative is rejected as infeasible.

5. FINDINGS REGARDING MITIGATION MEASURES

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 concern mitigation measures set forth in the FEIR. These Findings discuss mitigation measures as proposed in the FEIR and recommended for adoption by the Agency Commission, which can be implemented by the Agency and City agencies or departments, including, but not limited to, the Department of City Planning ("Planning Department"), the Department of Public Works ("DPW"), the Municipal Transportation Agency ("MTA"), the Department of Building Inspection ("DBI") and the Department of Public Health ("DPH").

Primary responsibility for implementation of mitigation measures will be shared by the Agency and Planning Department. The BVHP Plan provides that the Agency may enter into a delegation agreement with the Planning Department for delegation of design and site permit review to the Planning Department, as may be set out in such agreement in the future. However, the Agency expects to retain final approval authority as to design and site permit review over projects (after consulting with the Planning Department), where the Agency is involved in funding, acquisition, disposition, or development of property through Disposition and Development Agreements ("DDA"), Owner Participation Agreements ("OPA"), loan agreements, or other transactional and funding documents. Thus, it is contemplated that the Planning Department would be responsible for implementing mitigation measures for development to be approved by the Planning Department under the authority delegated by the Agency and the Agency would be responsible for implementing mitigation measures as to development where the Agency retains final approval authority. As the precise responsibility for mitigation measure implementation will be dictated by the extent of Agency involvement with the site project and any delegation agreement between the Planning Department and the Agency, the Findings provide that both the Agency and the Planning Department, would implement mitigation measures that will apply during the design and site permit review stages.

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 IV and Table C-1 of the Final Supplement 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 Agency Commission finds that, based on the record before it, the mitigation measures proposed for adoption in the FEIR are feasible, as explained further below, and that they can and should be carried out by the identified agencies at the designated time. The Agency Commission urges other agencies to adopt and implement applicable mitigation measures set forth in the FEIR that are within the jurisdiction and responsibility of such entities. The Agency Commission acknowledges that if such measures are not adopted and implemented, the Project may result in additional significant unavoidable impacts. For this reason, and as discussed in Article 6, the Agency Commission is adopting a Statement of Overriding Considerations as set forth in Article 7.

The Findings in this section concern mitigation measures set forth in the FEIR. All mitigation measures identified in the FEIR that will reduce or avoid significant adverse environmental

impacts are proposed for adoption and are set forth in Exhibit 1, in the Mitigation Monitoring and Reporting Program. None of the mitigation measures set forth in the FEIR that is needed to reduce or avoid significant adverse environmental impacts are rejected.

One of the mitigation measures listed in the FEIR is an improvement measure that the Agency or City Agencies may take to reduce a less-than-significant impacts associated with the Project (Mitigation Measure E.3). This measure is listed Exhibit 1 as an Improvement Measure. For projects in which the Agency retains final approval authority, as explained above, the Agency will incorporate the Improvement Measures into its project approval actions, as appropriate.

5.1 Mitigation Measures Recommended by the Agency Commission for Adoption As Proposed For Implementation by City Departments and the Agency.

The Agency Commission finds that the following measures presented in the FEIR will mitigate, reduce, or avoid the significant environmental effects of the Project. They are recommended for adoption and joint implementation by the Agency and City departments with applicable jurisdiction in the approval of specific developments that implement the Project, as set forth below.

Cultural Resources

Mitigation Measures A.1 and A.2. Documented prehistoric and historical archeological deposits are located within the Northern Gateway, Town Center and south Basin Activity Nodes as described in FEIR Chapter III.J. Mitigation Measures A.1 and A.2 would require project developers to retain a qualified archeological consultant to prepare and implement an archeological testing program prior to undertaking any ground-disturbing activities. As a result of the testing program, project developers may be further required to implement an archeological monitoring or archeological data recovery program or both. These measures would mitigate impacts on buried or submerged historical resources that may be present in the Project area. The Agency Commission adopts this measure and recommends that the Agency, in conjunction with the Planning Department implement this measure.

Mitigation Measure A.3. Archeological sites could be located throughout the Project Area as described in the Setting section of FEIR Chapter III.J. This mitigation measure consists of requiring developers to distribute "ALERT" sheets prepared by the Planning Department prior to activities that will disturb site soils and compliance with the procedures set out in the ALERT sheets in the event an archeological resource is encountered during soil disturbing activities. Impacts from the accidental discovery of buried or submerged historical resources would be reduced to a level of insignificance by having project contractors distribute and comply with procedures specified in "ALERT" sheets. The Agency Commission adopts this measure and recommends that the Agency, in conjunction with the Planning Department implement this measure.

Mitigation Measure A.4. Construction activities that result in the alteration of historic resources or occur near to historic resources could result in significant impairment of the resource. This measure, which calls for developers to prepare a historic structure report, the retain a licensed architect to review rehabilitation plans, consult with the Landmarks Preservation Advisory Board, and prepare a plan to protect adjacent historic resources, would mitigate impacts to historic resources that are rehabilitated or are located near construction activities. The Agency Commission adopts this measure and recommends that the Agency, in conjunction with the Planning Department implement this measure.

Mitigation Measure A.5. The Project calls for a Façade Renewal Program that would maintain and enhance the historic facades along major roadways. This element of the Project could have

significant adverse impacts on historic resources by causing a substantial adverse change in the significance of an historic resource. Mitigation Measure A.5 calls for the preparation of and approval by the Landmarks Preservation Advisory Board of an historic structure report prior to undertaking a rehabilitation project to assure that the work is consistent with the *Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*. Compliance with Measure A.5 would mitigate impacts on historic resources undergoing rehabilitation. The Agency Commission adopts this measure and recommends that the Agency, in conjunction with the Planning Department implement this measure.

Transportation

Mitigation Measure B.1. Traffic impacts at the intersection of Third Street/Evans Avenue under cumulative traffic conditions in 2025 would be reduced to a level of insignificance through the implementation of physical changes to the intersection's geometry as described in this Measure B.1. The Planning Commission, in Motion 16899, the Agency Commission, in Resolution 12-2000, and the Board of Supervisors, in Resolution 751-04, adopted CEQA Findings for the Hunters Point Shipyard Project that included the adoption of this same mitigation measure to be implemented by the Agency as part of the implementation of the Hunters Point Shipyard Project. Implementation of this measures as part of the Hunters Point Shipyard Project would fully mitigate traffic impacts associated with the Hunters Point Shipyard Project and the Bayview Hunters Point Project. The Agency would implement this measure by assessing the need for the measure during the design review process for the Hunters Point Shipyard Project and if needed, working with the project developer and appropriate City Agencies, including MTA and DPW, to coordinate the implementation of this measure by the project developer. The Agency Commission adopts this measure and recommends that the Agency, Planning Department, MTA and DPW implement this measure.

Mitigation Measures B.2. Traffic impacts at the intersection of Bayshore Avenue and Paul Avenue under cumulative traffic conditions in 2025 would be reduced to a level of insignificance through the implementation of signal phasing changes at this intersection. No physical intersection geometry changes are needed. The Agency and the Planning Department would implement this measure by determining during the design review process the need for this measure and working with MTA to implement this measure. The Agency Commission adopts this measure and recommends that the Agency, Planning Department and MTA implement this measure.

Mitigation Measure B.3. Traffic impacts at the intersection of Bayshore Boulevard and Silver Avenue under cumulative traffic conditions in 2025 would be reduced to a level of insignificance through the implementation of physical changes to the intersection's geometry as described in this Measure B.3. The Agency has determined that Project funds are available to implement this measure, although the Agency also may seek funds from additional sources. The Agency and the Planning Department would implement this measure by determining during the design review process the need for this measure and working with DPW and MTA to implement this measure. The Agency Commission adopts this measure and recommends that the Agency, Planning Department, DPW and MTA implement this measure.

Mitigation Measure B.4. Traffic impacts at the intersection of Cesar Chavez and Evans Avenue under cumulative traffic conditions in 2025 would be reduced to a level of insignificance through the implementation of physical changes to the intersection's geometry as described in this Measure B.4. The Planning Commission, in Motion 16899, the Agency Commission, in Resolution 12-2000, and the Board of Supervisors, in Resolution 751-04, adopted CEQA Findings for the Hunters Point Shipyard Project that included the adoption of this same mitigation measure to be implemented by the Agency as part of the implementation of the Hunters Point Shipyard Project. Implementation of this measures as part of the Hunters Point

Shipyards Project would fully mitigate traffic impacts at this intersection associated with the Hunters Point Shipyards Project and the Bayview Hunters Point Project. The Agency would implement this measure by assessing the need for the measure during the design review process for the Hunters Point Shipyards Project and if needed, working with the project developer and appropriate City Agencies, including MTA and DPW, to coordinate the implementation of this measure by the project developer. The Agency Commission adopts this measure and recommends that the Agency, Planning Department, MTA and DPW implement this measure.

Mitigation Measure B.5. As part of any development agreements or lease agreements that the Agency enters into with developers, including, but not limited to the Candlestick Mall project, the Agency would require developers to implement transportation demand management measures. These measures may help reduce, but would not fully mitigate significant transportation impacts at Third Street and Cesar Chavez Street and on northbound US 101 south of I-280. These transportation impacts would remain significant and unavoidable. The Agency Commission adopts this measure and recommends that the Agency implement this measure.

Air Quality

Mitigation Measure C.1. Particulate matter emissions could occur during construction and demolition activities. Implementation of Measure C.1 will reduce these impacts to a less than significant level by requiring developers to prepare and implement project-specific dust control plans prior to and during construction activities. The Agency, Planning Department, DBI and DPW would implement this measure by requiring compliance with the measure as a condition of a site permit issuance and during the construction process. The Agency Commission adopts this measure and recommends that the Agency, in conjunction with the Planning Department, DBI and DPW implement this measure.

Mitigation Measure C.2. New stationary sources of toxic air contaminants could locate in the Project Area near sensitive receptors despite the Project's intent to provide buffer areas between residential and industrial uses. This measure would reduce impacts from new sources of TACs to a level of insignificance by assuring that prior to operation, such stationary sources have been evaluated by the BAAQMD to make certain that the facility is in compliance with BAAQMD requirements designed to reduce risks from stationary sources of TACs to acceptable levels. The Agency and Planning Department would implement this measure by working with DBI to assure that before it issues a certificate of occupancy, it has obtained written verification from BAAQMD that the facility is in compliance with BAAQMD requirements applicable to stationary sources of TACs. The Agency Commission adopts this measure and recommends that the Agency, Planning Department and DBI implement this measure.

Mitigation Measure C.3. If dry cleaners that conduct on-site dry cleaning operations locate in residential areas, nearby residents could be exposed to unhealthful levels of TACs. Further, on-site dry cleaning operations in nonresidential areas that locate near existing residences, could expose nearby residents to unhealthful levels of TACs. This mitigation measure would mitigate these potential air quality impacts to a less than significant level by prohibiting dry cleaning facilities with on-site dry cleaning operations from locating in residential areas and requiring all dry cleaning operations in the Project area to install vapor barriers during construction so as to reduce exposure from TACs handled at the facility. The Agency and Planning Department would implement this measure by reviewing site plans of commercial uses in residential areas and working with DBI to assure that any dry cleaning operations in nonresidential areas install the appropriate vapor barriers. The Agency Commission adopts this measure and recommends that the Agency, Planning Department and DBI implement this measure.

Mitigation Measure C.4. The location of new preschool and childcare centers near existing sources of TACs could result in unhealthful exposures of children to TACs. This measure would

mitigation this impact by requiring new preschool and child care centers to consult with DPH and the BAAQMD before finalizing the location of new preschool and child care centers to assure that unhealthful exposure of TACs will not occur. The Agency and Planning Department would implement this measure by reviewing site plans of new uses and, if they involve preschool or child care uses, requiring them to consult with DPH and BAAQMD prior to approving the use. The Agency Commission adopts this measure and recommends that the Agency and Planning Department implement this measure.

Visual Quality

Mitigation Measure D.1. The Stadium Development Retail/Entertainment Center would include a new mall, open during some portion of the evening. The lights from the mall, parking lot and vehicles could be seen from numerous vantage points and nearby residential areas, and could adversely affect adjacent properties, which would be a significant impact. This mitigation measure requires the Agency to prevent glare in new development by requiring new light sources to be shielded from public view and to use indirect lighting, which would reduce this impact to a less than significant level. The Agency and the Planning Department would implement this measure by requiring compliance with the measure as a condition to project approval for the Stadium Development Retail/Entertainment Center and any other project that could be a source of significant new night time lighting, and working with DBI to assure that the lighting requirements are incorporated into project construction plans. The Agency Commission adopts this measure and recommends that the Agency, Planning Department and DBI implement this measure.

Biotic Resources

Mitigation Measure E.1. Construction activities within or near shorelines portions of the Project area could directly impact wetlands, mud flats, or salt marsh habitats and activities in these areas could result in loss of sensitive habitats or species that use these habitats, causing a significant impact to these sensitive habitats and species. Measure E.1 would mitigate this impact to a less than significant level by requiring any project sponsor proposing construction in shoreline areas to complete a wetland delineation and habitat mapping survey. The identification of such sensitive habitats would assure proper federal and state regulatory agency oversight and permitting prior to the project sponsor undertaking any construction work in the area. The measure also requires project sponsors working in shoreline areas to prepare storm water pollution prevention plans to avoid impacts to fish or aquatic species from storm water runoff and to plan construction work so as to avoid working directly in wetlands or mudflats, whenever possible. The Agency and the Planning Department would implement this measure by requiring the submittal of a wetland delineation and habitat mapping survey prior to approving any project located in a shoreline area. The Agency Commission adopts this measure and recommends that the Agency and Planning Department implement this measure.

Mitigation Measure E.2. Construction activities may cause damage to existing street trees and other mature vegetation in the Project Area. Damage to existing mature trees could be considered a potentially significant impact if they are protected trees under the City's Urban Forestry Ordinance. DPW regulates the removal of street trees under the Ordinance, but trees that DPW does not authorize for removal could be damaged during construction. To avoid such damage, this measure requires installing temporary fencing at the tree drip line during construction, avoiding construction activities within the drip lines of trees, and assuring summer irrigation during construction as part of landscape design. The Agency and the Planning Department would implement this measure by requiring the submittal of appropriate plans to address retained street trees within construction areas. DPW would implement this measure through field inspections during construction. The Agency Commission adopts this measure and recommends that the Agency, Planning Department and DPW implement this measure.

5.2 Findings on Adoption of a Mitigation Monitoring and Reporting Program

The Agency Commission finds that the Mitigation Monitoring and Reporting Program attached hereto as Exhibit 1 (the "Program"), is designed to ensure compliance during Project implementation. The Agency Commission further finds that the Program presents measures that are appropriate and feasible for adoption and the Program should be adopted and implemented as set forth herein and in Exhibit 1.

5.3 Improvement Measure

In addition to the mitigation measures contained in Exhibit 1, the Exhibit also contains one improvement measure for Biotic Resources, Measure E.4, shown at the end of the Exhibit, which is not required to avoid or reduce a significant adverse impact but will reduce a less than significant impact related to nesting birds. CEQA does not require the Agency or other implementing agencies to adopt these measures. Nevertheless, the Agency has expressed its intent to require developers in the Project Area to comply with this measure to the extent feasible when the Agency retains final approval authority over developments through its involvement in funding, acquisition, disposition or development of the property. Exhibit 1 explains how the Agency will ensure that this measure is implemented during the redevelopment process.

5.4 Location and Custodian of Record

The public hearing transcript, a copy of all letters regarding the FEIR received during the public review period, the administrative record, and background documentation for the FEIR are located at the Agency, 1 South Van Ness Avenue, Fifth Floor, San Francisco, CA 94103. The Agency Commission Secretary, Erwin Tanjuaquio, is the custodian of records for the Agency.

6. **SIGNIFICANT UNAVOIDABLE ENVIRONMENTAL IMPACTS**

All impacts of the Project would either be less than significant or could be mitigated to less than significant levels, with the exception of the following impacts:

1. The Project would have a considerable contribution to adverse level of service conditions during the weekday PM peak hour in the year 2025 at the intersection of Third Street and Cesar Chavez Street.
2. The Project would have a considerable contribution to adverse level of service conditions during the weekday PM peak hour in the year 2025 on northbound US 101 south of I-280.
3. The Stadium Development Retail/Entertainment Center would block scenic views of the Bay looking southwest along Gilman Street and the new mall would block some shoreline and bay views from Bayview Hill, a public open space. These changes to views are considered significant, unavoidable visual impacts to scenic views of the Bay.
4. The Stadium Development Retail/Entertainment Center would change the visual character of the Candlestick Point State Recreation Area, as a portion of the park would be used for parking. This change in visual character of the state recreation area would be considered a significant, unavoidable visual impact.

In addition, to the extent any mitigation measures identified and adopted in these Findings are not implemented, additional significant environmental impacts could occur related to cultural resources, transportation impacts at additional intersections, air quality impacts from

construction dust and TACs, visual quality and biotic resources. The significant unavoidable environmental impacts associated with the Project are described in more detail below.

6.1 Transportation

At Third Street and Cesar Chavez, the Project would add substantially to weekday PM peak hour delay at the intersection, which under 2025 base case conditions would operate at an unacceptable level of service F. Therefore, the Project's contribution to weekday PM peak hour conditions at this intersection would be considered significant. No feasible mitigation measure is available to reduce this impact to a level of insignificance.

On northbound US 101 south of I-280, the Project would contribute to further delay in 2025 conditions of level of service F even without the Project. The Project would contribute 14.2 percent of the volume increase and 1.2 percent of the total volume in 2025 compared to existing conditions. No feasible mitigation measure is available to reduce this impact to a level of insignificance. The implementation of transportation demand management measures may reduce, but not fully mitigate these two transportation impacts.

6.2. Visual Quality

The Stadium Development Retail/Entertainment Center, if built in accordance with the building envelop generally described in the measure approved by San Francisco voters for the project, would block scenic views of the Bay looking southwest along Gilman Street and the new mall would block some shoreline and bay views from Bayview Hill, a public open space. The Stadium Development Retail/Entertainment Center would change the visual character of the Candlestick Point State Recreation Area, as a portion of the park would be used for parking. At the time the Stadium Development Retail/Entertainment Center is proposed, further project-level environmental review would be conducted and the ultimate project approved may have fewer visual impacts than assumed for the Project. However, in the absence of a specific design proposal, the FEIR concludes that these changes to views are significant, unavoidable visual impacts to scenic views of the Bay and to the visual character of Candlestick Point State Recreation Area.

7. **STATEMENT OF OVERRIDING CONSIDERATIONS**

Notwithstanding the significant effects noted above, pursuant to CEQA Section 21081(b) and the CEQA Guidelines Section 15093, the Agency Commission finds, after considering the FEIR and based on substantial evidence in said documents, the administrative record and as set forth herein, that specific overriding economic, legal, social, and other considerations outweigh the identified significant effects on the environment. In addition, the Agency Commission finds, in addition to the specific reasons discussed in Article 4 above, that those Project Alternatives rejected above are also rejected for the following specific economic, social, or other considerations resulting from Project approval and implementation:

- 7.1 Project implementation will alleviate blight and encourage revitalization of the Project Area.
- 7.2 Project implementation will improve residential conditions and encourage residential activity through the creation, retention and rehabilitation of housing affordable by very low-, low-, and moderate-income persons.

- 7.3 Project implementation will promote the development of commercial and industrial facilities that will lead to increased business activity and improved economic conditions in the Project Area.
- 7.4 Project implementation will facilitate the planning and construction of catalyst development sites throughout the area to leverage increase private investment in businesses and property.
- 7.5 Project implementation will lead to improved housing opportunities and help alleviate city and regional housing needs, especially the high demand for affordable housing.
- 7.6 Project implementation will promote enhanced quality of life in the Project Area through improved open space, residential block revitalization programs, improved neighborhood commercial corridors, and public facilities.
- 7.7 Project implementation will enable enhanced infrastructure improvements in the Project Area including improvement streetscapes and transportation facilities.
- 7.8 Project implementation will facilitate transit-oriented development along the Third Street Corridor in support of the City's Transit First Policy.
- 7.9 Project implementation will assist with coordinated land use planning and revitalization strategies between the existing redevelopment project areas and the Bayview Hunters Point Survey Area.
- 7.10 Project implementation will assist with the evaluation, clean up, and redevelopment of brownfield sites in the project area.

Having considered these Project benefits, including the benefits and considerations discussed in Article 4.A above, the Agency finds that the Project's benefits outweigh the unavoidable adverse environmental effects, and that the adverse environmental effects are therefore acceptable.

EXHIBIT 1

BAYVIEW HUNTERS POINT REDEVELOPMENT PROJECTS AND ZONING MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

Public Resources Code section 21081.6 requires public agencies to adopt a reporting or monitoring program (hereafter referred to as a "Mitigation and Monitoring Plan") whenever a public agency requires changes to a project or imposes conditions of approval to mitigate or avoid a project's significant effects on the environment. The purpose of the Mitigation and Monitoring Plan requirement is to ensure that such project changes and mitigation measures are implemented in a timely manner and in accordance with the terms of project approval.

The Bayview Hunters Point Redevelopment Projects and Zoning ("Project") Mitigation Monitoring and Reporting Program ("Mitigation Monitoring Program"), pursuant to AB 3180, CEQA Section 21081.6 and CEQA Guidelines Section 15091, provides the basic framework through which adopted mitigation measures will be monitored to ensure implementation.

ORGANIZATION

The Mitigation Monitoring Program is attached as Exhibit 1 and organized in a table format. For each measure, the table: (1) lists the mitigation measure; (2) specifies the party responsible for implementing the measure; (3) establishes a schedule for mitigation implementation; (4) assigns mitigation monitoring responsibility; and (5) establishes monitoring actions and a schedule for mitigation monitoring.

At the end of Exhibit 1 is an Improvement Measure, which is a measure that the Redevelopment Agency has agreed to implement to reduce a less than significant impact.¹

For ease of reference each measure listed in Exhibit 1 has a corresponding alphabetical letter and number. The subject-headings are rearranged from the order in which they are discussed in the FEIR, but under each subject heading, the order of the mitigation measures corresponds to the order of mitigation measures listed in the FEIR for that subject.

IMPLEMENTATION

While the Mitigation Monitoring Program generally outlines the actions, responsibilities and schedule for mitigation monitoring, it does not attempt to specify the detailed procedures to be used to verify implementation (e.g., interactions between the Project Sponsor – the San Francisco Redevelopment Agency and City of San Francisco departments, use of private consultants, sign-off on plans, site inspections, etc.). Specific monitoring procedures are either contained in approval documents or will be developed at a later date, closer to the time the mitigation measures will actually be implemented.

¹ While Improvement Measures to mitigate less than significant impacts are not required by CEQA, the Agency and, through a delegation agreement with the Agency, the Planning Department, will apply this Improvement Measure to further reduce environmental impacts in the Project Area.

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BAYVIEW HUNTERS POINT REDEVELOPMENT PROJECTS AND ZONING
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Responsibility for Implementation ¹	Mitigation Schedule	Monitoring Responsibility	Monitoring Actions/Schedule
A. Transportation				
A.1²– At Third Street/Evans Avenue, physical changes to the intersection's geometry would have to be made to mitigate the project's impact at this intersection. With the Third Street LRT, this intersection provides Third Street at Evans Avenue with one through-lane and one shared through-right lane in both the northbound and southbound directions. There will be left turn lanes in both directions on Third Street. The eastbound approach on Evans Avenue will have one left turn lane, one through lane, and one shared through-right lane. The westbound approach on Evans Avenue will have one left-turn lane, two through lanes, and one right-turn lane. <i>The Third Street Light Rail Project FEIS and FEIS for the Disposal and Reuse of Hunters Point Shipyard</i> proposed that the southbound left-turn lane be eliminated at the Third Street/Evans Avenue intersection with the re-routing of turns via Phelps Street to Evans Avenue. In addition, signalization of the Phelps Street/Evans Avenue intersection and removal of parking spaces along Phelps Street and Evans Avenue were proposed as mitigation. This improvement was found to mitigate the Proposed Project's impact at this intersection. This mitigation measure is feasible, but would require right-of-way acquisition, the removal of on-street parking spaces, and substantial construction to build new roadway and sidewalks.	Redevelopment Agency/Planning Dept./ Municipal Transportation Agency (MTA)/or other owner/developer of Hunters Point Shipyard Project	Provide project-specific and cumulative trip generation calculations as part of the Project-level plan review for the Hunters Point Shipyard project and implement part of that project when need demonstrated.	Redevelopment Agency/ MTA	Redevelopment Agency to verify completion at applicable Hunters Point Shipyard project-level plan review.

- ¹ The Bay View Hunters Point Redevelopment Plan Amendment provides that the Redevelopment Agency may enter into a delegation agreement with the Planning Department for delegation of its design and site permit review to Planning Department, as may be set out in such agreement. However, the Redevelopment Agency expects to retain final approval authority as to design and site permit review over projects (after consulting with the Planning Department), where the Redevelopment Agency is involved in funding, acquisition, disposition, or development of property through Disposition and Development Agreements (DDA), Owner Participation Agreements (OPA), loan agreements, or other transactional and funding documents. Thus, it is contemplated that the Planning Department would be responsible for implementing mitigation measures for developments to be approved by the Planning Department under the authority delegated by the Agency and the Agency would be responsible for implementing mitigation measures as to developments where the Agency retains final approval authority.
- ² This measure has been adopted by the Redevelopment Agency and the Board of Supervisors in Agency Resolution No. 12-2000, Adopted February 8, 2000 and the Board of Supervisors Resolution 751-04, adopted December 7, 2004 as part of the approval of the Hunters Point Shipyard project.

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Mitigation Measure	Responsibility for Implementation ¹	Mitigation Schedule	Monitoring Responsibility	Monitoring Actions/Schedule
This mitigation measure would result in operating conditions of LOS D (53.8 seconds of delay), thus fully mitigating the project's impact at this intersection. The measure will be implemented as part of improvements for the approved Hunters Point Shipyard project.				
A.2 – At Bayshore Avenue/Paul Avenue , changes to the signal phasing at this intersection would have to be made to mitigate the Scenario's impact at this intersection. Currently, the left-turn movements on northbound and southbound Bayshore Boulevard operate with permitted left turns. These movements would be converted to protected left-turn movements with this mitigation. No changes in the physical intersection geometry would be made. This mitigation measure would result in operating conditions of LOS D (41.6 seconds of delay), with less delay experienced than in the no-project conditions.	MTA	Review signal operations on a yearly basis, in conjunction with Redevelopment Agency/Planning Dept. design review	MTA	Adjust the signal operation at Bayshore/Paul, when need documented
A.3³ – At Bayshore Boulevard/Silver Avenue , physical changes to the intersection's geometry would have to be made to mitigate the Project impact at this intersection. Currently, the eastbound approach on Silver Avenue has a shared left-turn and through lane and shared through and right-turn lane. To mitigate the impact at this intersection, an exclusive eastbound right-turn lane would need to be added. The proposed eastbound approach would consist of a shared left-turn and through lane, through lane and an exclusive right-turn lane. To provide the right-turn lane the existing US 101 overcrossing would need to be widened. This widening would be needed for approximately 300 feet approaching the intersection; thus, an 11-foot-wide lane addition would result in a total structural modification of approximately 3,300 square feet. This mitigation measure would result in operating conditions of LOS F (V/C ratio of 1.71), with less delay experienced than in the 2025 Base Scenario. This mitigation measure is feasible and would reduce Project impacts to a less-than-significant level.	Redevelopment Agency/Planning Dept./MTA/or other owner/developer of Hunters Point Shipyard Project	Provide project-specific and cumulative trip generation calculations as part of the Project-level plan review for the Hunters Point Shipyard project and implement part of that project when need demonstrated	Redevelopment Agency/MTA	Redevelopment Agency to verify completion at applicable Hunters Point Shipyard project-level plan review

³ This measure has been adopted by the Redevelopment Agency and the Board of Supervisors in Agency Resolution No. 12-2000, Adopted February 8, 2000 and the Board of Supervisors Resolution 751-04, adopted December 7, 2004 as part of the approval of the Hunters Point Shipyard project.

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Mitigation Measure	Responsibility for Implementation ¹	Mitigation Schedule	Monitoring Responsibility	Monitoring Actions/Schedule
A.4⁴ – At Cesar Chavez Street/Evans Avenue, physical changes to the intersection's geometry would have to be made to mitigate the scenario's impact at this intersection. Evans Avenue provides one left-turn lane and one shared left-right lane on the northbound approach at its intersection with Cesar Chavez Street. The <i>FEIS for the Disposal and Reuse of Hunters Point Shipyard</i> identified a project impact at the Cesar Chavez Street/Evans Avenue intersection and proposed the re-striping of the northbound approach to consist of two left-turn lanes and a right-turn lane. Structural modifications to the Caesar Chavez viaduct would be necessary to provide a proper curb return for right turn movement and will be implemented as part of the Hunters Point Shipyard project. These changes would mitigate the proposed Project's impact. This mitigation measure would result in operating conditions of LOS E (61.6 seconds of delay), with less delay experienced than in the no-project conditions and thus the Project would have a less-than-significant impact at this intersection.	Redevelopment Agency/Planning Dept./MTA/or other owner/developer of Hunters Point Shipyard Project	Provide project-specific and cumulative trip generation calculations as part of the Project-level plan review for the Hunter's Point Shipyard project and implement part of that project when need demonstrated	Redevelopment Agency/MTA	Redevelopment Agency to verify completion at applicable Hunters Point Shipyard project-level plan review
A.5 – Transportation Demand Management: As part of any development agreements or other contractual relationship that the Agency enters into with developers for development in the Plan area, including, but not limited to the Candlestick Mall project, the Agency could require developers to implement the following programs. These measures may help reduce, but would not mitigate impacts at intersections identified with significant transportation impacts: 1. Transit Pass Sales. To the extent transit pass sales locations do not exist near the development, establish a transit pass sales location at the development. 2. Transit, Pedestrian and Bicycle Information. Provide maps of local pedestrian and bicycle routes, transit stops and routes and other information, including bicycle commuter information, on signs	Redevelopment Agency/Project Sponsor* <i>*Note: "Project Sponsor" refers to project sponsor of specific development projects in the redevelopment project area</i>	Incorporated as part of development agreement; prior to signing any such agreement	Redevelopment Agency	Include in development agreement, and verify as part of project approvals

⁴ This measure has been adopted by the Redevelopment Agency and the Board of Supervisors in Agency Resolution No. 12-2000, Adopted February 8, 2000 and the Board of Supervisors Resolution 751-04, adopted December 7, 2004 as part of the approval of the Hunters Point Shipyard project.

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Mitigation Measure	Responsibility for Implementation ¹	Mitigation Schedule	Monitoring Responsibility	Monitoring Actions/Schedule
and/or kiosks available at the development. Have the developer provide rideshare information and services through 511.org or an equivalent program. 3. Employee Transit Subsidies. Require developments with 50 or more employees to use a transit subsidy system (e.g., through the Commuter Check Program) for their employees by incorporating transit subsidy requirements in agreements with developers. 4. Secure Bicycle Parking. In addition to the existing requirements of Planning Code Section 155, require developers to provide bicycle parking spaces in off-street parking areas in accordance with the amounts required by San Francisco Planning Code Section 155.1 for City-owned or leased buildings. In developments with 50 or more employees, require employers to provide clothing lockers and showers for bicyclists. 5. Parking Management Guidelines. Establish mandatory parking management policies for any developers that include parking facilities in their development. The mandatory parking management policies would be designed to discourage long-term parking, provide areas for rideshare vehicles and alternative fuel vehicles. 6. Flexible Work Time/Telecommuting. Require developers to offer employees the opportunity to work on flexible schedules and/or telecommute so they can avoid peak hour traffic conditions. 7. Local Hiring. In addition to any applicable requirements of the City's First Source hiring program, require developers to comply with the Agency's local hiring requirements."				
B. Air Quality B.1 – The project sponsor shall prepare and implement a dust control plan. The plan shall be submitted to the City of San Francisco Public Works Department, which would be responsible for field verification of the plan during construction. The plan shall comply with the City grading ordinance. To reduce particulate matter emissions during construction and demolition phases, the contractor shall include in the dust control plan dust control strategies recommended by the	Project Sponsor	During demolition, excavation, and construction	Construction Contractor and Department of Building Inspection (DBI), Redevelopment Agency/Planning Dept./Department of	Maintain on-site observations as warranted; review daily field reports and inspect construction; prepare daily field and monthly compliance

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Mitigation Measure	Responsibility for Implementation ¹	Mitigation Schedule	Monitoring Responsibility	Monitoring Actions/Schedule
BAAQMD. The project sponsor shall include the following measures, as appropriate, in the plans and specifications for construction contracts, and in the dust control plan. <i>Basic Control Measures:</i> to be implemented on all construction sites. • Cover all trucks hauling construction and demolition debris from the site; • Water all exposed or disturbed soil surfaces at least twice daily; • Use watering to control dust generation during demolition of structures or break-up of pavement; • Pave, apply water three times daily, or apply non-toxic soil stabilizers on all unpaved parking areas and staging areas; • Sweep daily (with water sweepers) all paved parking areas and staging areas; • Provide daily clean-up of mud and dirt carried onto paved streets from the site. <i>Enhanced Control Measures:</i> to be implemented at construction sites greater than four acres in area. • Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles of soil, 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.			Public Works (DPW)	reports and submit to the Public Works Department; Redevelopment Agency/Planning Dept. to require evidence of compliance through site permit process. DBI/DPW to monitor during construction.
B.2 – Prior to issuing a certificate of occupancy for a facility containing potential TAC sources, obtain written verification from BAAQMD either that the facility has been issued a permit from BAAQMD, if required by law, or that permit requirements do not apply to the facility.	Project Sponsor, DBI	Prior to issuing a certificate of occupancy for a facility containing potential TAC sources	DBI	Verify permit issuance (if required by law)

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B.3 – Prohibit dry cleaning facilities that conduct on-site dry cleaning operations from residential areas within the Project Area. For any dry cleaning operations within the Project Area, require vapor barriers in their design and construction so as to reduce exposure to TACs handled at the facility.	DBI, Redevelopment Agency/Planning Dept.	Prior to issuance of building permits; during operation of the project; during site review	DBI, Redevelopment Agency/Planning Dept.	Review of design prior to issuance of building permits; review of site application
B.4 – Require preschool and child care centers to notify BAAQMD and the San Francisco Department of Public Health regarding the locations of their operations, and require these centers to consult with these agencies regarding existing and possible future stationary and mobile sources of TACs. The purpose of these consultations is to obtain information so that preschool and child care centers can be located to minimize potential impacts from TAC emission sources.	Project Sponsor of new preschool or child care centers	Prior to issuance of use permits	Redevelopment Agency/Planning Dept.	Require as part of use permit review
C. Visual Quality				
C.1 – Require the following of new development:	Project Sponsor	Before and during construction	Construction contractor; DBI; Redevelopment Agency/Planning Dept.	Redevelopment Agency/Planning Department to review design prior to issuance of building plans; monitor the installation of proper lighting during construction; ensure floodlights shielded away from public view
- Lighting would be used to illuminate businesses and improve sidewalk visibility and increase building safety. - Indirect lighting onto signs and the building façade would be encouraged. This would supplement the street lighting for pedestrians and would identify the building and its business occupants. - Auxiliary security lighting (i.e., floodlights) would be shielded from public view.				
D. Biotic Resources				
D.1 – To avoid and minimize impacts to sensitive wetland habitats, the Project Sponsor shall complete a wetland delineation and habitat mapping survey for all shoreline areas proposed for construction as a result of the Project. This survey shall be submitted to the Agency and Planning Department (or City). These efforts would identify all sensitive habitats within a specific project area and allow for a quantitative evaluation of project impacts. Any activity that involves	Project Sponsor	Prior to start of construction; during the design of the project; before and during construction	Redevelopment Agency/Planning Dept.	Require as part of Permit review

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dredging or fill of a wetland area would be within the jurisdiction of several regulatory agencies and require permits and mitigation plans to satisfy these agencies (see Regulatory Framework discussion). Additionally, the Project Sponsor shall complete the following items for each specific project: • Prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) to ensure that there would be no impacts from stormwater runoff on fish or other aquatic species occurring in San Francisco Bay. The SWPPP shall be submitted to the Agency and City. • Plan construction activities to avoid working directly in sensitive wetlands or mud flats when at all possible. For areas where avoidance is not possible, a permit(s), complete restoration, and cleanup of disrupted areas will be required. D.2 – Specific projects shall avoid damage to, or removal of, street trees to the extent possible. Removal of street trees shall only occur after obtaining the appropriate permit from the DPW. Street trees removed or damaged by construction activities shall be replaced with plantings of the same tree species, or tree species designated or approved by the DPW. Those trees to be retained shall not be damaged during construction. This shall be achieved by installing temporary fencing at the tree drip line during construction. There shall be no disturbance from construction activity, storage of materials, or worker parking within the drip lines of trees. Existing trees to be retained shall receive summer watering during construction. Continued summer irrigation of these trees shall be incorporated into the landscaping design for any individual project within the Project Area.	Project Sponsor	During design of project; before and during construction activities	DPW, Redevelopment Agency/Planning Dept.	Redevelopment Agency/Planning Dept. to review design prior to issuance of appropriate permits; DPW field inspection during construction to verify compliance with appropriate permits and this mitigation measure

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E. Cultural Resources				
E.1⁵ Prior to any ground-disturbing activities within the Project Area at a depth of three feet below the existing grade, the archeology testing mitigation measures would be implemented. Based on a reasonable presumption that archeological resources may be present within the Project Area, the following measures shall be undertaken to avoid any potentially significant adverse effect from the Project on buried or submerged historical resources. The project sponsor shall retain the services of a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).	Project Sponsor, Archeological Consultant, at the direction of the ERO	Prior to undertaking any soil disturbing activities within the project site	Archeological consultant, Agency/Planning Department to require implementation prior to excavation	Prepare Archeological Research Design (ARD); undertake archeological monitoring program; prepare a written report of the findings

⁵ This archeological mitigation (Mitigation Measure 12 of the FEIR) applies to the following Bayview Hunters Point Redevelopment Project (BVHP) areas: Town Center Block, South Basin (area bounded by Carroll Ave., Underwood Ave., Hawes St., Ingalls St. and properties adjoining 3rd St.); Northern Gateway, Hunters Point Shoreline (except as specified under mitigation measure E.2); and Bayview Connections Urban Open Space project.

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E.1.1 Archeological Testing Program. The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the Project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.	Project Sponsor, Archeological Consultant at the direction of ERO	Prior to undertaking any soil disturbing activities within the project site	Archeological Consultant	Prepare and submit a draft Archeological Testing Plan (ATP) for approval; then implement ATP;
At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the Project, at the discretion of the project sponsor either: A. The Project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or B. A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.	Archeological Consultant	After completion of the ATP		

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E.1.2 Archeological Monitoring Program. If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented the archeological monitoring program shall minimally include the following provisions: - The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archeological resources and to their depositional context; - The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource; - The archeological monitors shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits; - The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis; - If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/ excavation/ pile driving/ construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological	Project Sponsor, Archaeological Consultant, Contractor(s) at the direction of ERO Archeological Consultant Archeological Consultant, Project Contractor	ERO and Archeological Consultant meet prior to undertaking any soil disturbing activities within the project site; monitor throughout all soil-disturbing activities	Archeological Consultant	Prepare and conduct an Archeological Testing Plan (ATP); submit a report of ATP findings to ERO Advise Project Contractor(s) Notify ERO if intact archeological deposit is encountered

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resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.				
Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the Findings of the monitoring program to the ERO.	Archeological Consultant	Submit after completion of Archeological Monitoring Program		
E.1.3 Archeological Data Recovery Program. The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the Project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.	Archeological Consultant at the direction of the ERO	Prior to commencement of the Archeological Data Recovery, if ERO determines data recovery is required	Archeological Consultant	Prepare ADRP
The scope of the ADRP shall include the following elements:				
• <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.				

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• <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 archeological data recovery program. • <i>Security Measures.</i> Recommended security measures to protect the archeological 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.				
E.1.4 Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.	Project Sponsor, Archeological Consultant in consultation with the Coroner of the City and County of San Francisco, Native American Heritage Commission, and Most Likely Descendant	Upon identification of human remains	Project Contractor(s)	Notify the Coroner of the City and County of San Francisco; Implement regulatory requirements, if applicable

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E.1.5 <i>Final Archeological Resources Report.</i> The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.	Project Sponsor, Archeological Consultant	Upon completion of ADRP	Archeological Consultant	Prepare a Draft Final Archeological Resources Report (FARR)
Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archeological 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. Copies of the FARR shall be sent to the Agency. 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.				
E.2⁶ Based on the reasonable potential that archeological resources may be present within the Project Area, the following measures shall be undertaken to avoid any potentially significant adverse effect from the Project on buried or submerged historical resources. The project sponsor shall retain the services of a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. The archeological consultant shall undertake an archeological monitoring program. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological	Project Sponsor, Archeological Consultant at the direction of the ERO	Prior to any physical removal of buildings, building foundations, or site features	Archeological Consultant, Agency/Planning Department	- Prepare Archeological Research Design (ARD) - Undertake archeological monitoring program - Prepare a written report of findings; Agency/Planning to require

⁶ This archeological mitigation (Mitigation Measure 13 of the FEIR) applies to the following BVHP areas: India Basin Industrial Park; Hunters Point Shoreline (Hunters Point Power Plant site; area north of India Basin Shoreline Park and east of Hunters Point Blvd on either side of Evans St).

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monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).				implementation of ARD prior to removal of buildings or site features
<i>Archeological monitoring program (AMP).</i> The archeological monitoring program shall minimally include the following provisions: • The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the project archeologist shall determine what project activities shall be archeologically monitored. In most cases, any soils disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the potential risk these activities pose to archeological resources and to their depositional context. • The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource; • The archeological monitors shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with the archeological consultant, determined that project construction activities could have no effects on significant archeological deposits; • The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;	Archeological Consultant			
	Archeological Consultant	During any project soils disturbing activities, including removal of building foundations		

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If an intact archeological deposit is encountered, all soils disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/ excavation/ pile driving/ construction crews and heavy equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall, after making a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, present the findings of this assessment to the ERO.	Archeological Consultant/Project Sponsor			
E.2.1 If the ERO in consultation with the archeological consultant determines that a significant archeological resource is present and that the resource could be adversely affected by the Project, at the discretion of the project sponsor either: A. The Project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or B. An archeological data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.	Project Sponsor	Prior to commencement of the Archeological Data Recovery Plan (ADRP)	Archeological Consultant	Prepare an ADRP
If an archeological data recovery program is required by the ERO, the archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The project archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP. The archeological 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 archeological resource is	Archeological Consultant			

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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 Project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical. The scope of the ADRP shall include the following elements: • <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 archeological data recovery program. • <i>Security Measures.</i> Recommended security measures to protect the archeological 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.				

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E.2.2 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) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects.	Project Sponsor, Archeological Consultant in consultation with the coroner of the City and County of San Francisco, and Native American Heritage Commission	Upon identification of human remains	Project Contractor(s)	Notify the Coroner of the City and County of San Francisco and if necessary, the California State Native American Heritage Commission
E.2.3 Final Archeological Resources Report. The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the 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 Archeological 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. Copies of the FARR shall be sent to the Agency. 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	Project Sponsor	Upon completion of ADRP	Archeological Consultant	Prepare a Draft Final Archeological Resources Report (FARR)

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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.				
E.3 ⁷ The following mitigation measure is required to avoid any potential adverse effect from the Project on accidentally discovered buried or submerged historical resources as defined in <i>CEQA Guidelines</i> Section 15064.5(a)(c). The project sponsor shall distribute the Planning Department archeological resource "ALERT" sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the "ALERT" sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractors), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.	Project Sponsor	Prior to undertaking any soil disturbing activities within the project site	Head Foreman, Agency/Planning Department	Circulate the ALERT SHEET to all field personnel; Agency/Planning Department to verify compliance with measure prior to soil disturbing activities
Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.	Project Sponsor/Project Contractor	During any project soil disturbing activities		

⁷ This archeological mitigation (Mitigation Measure 14 of the FEIR) applies to all other areas within the BVHP area to which mitigation measures E.1 and E.2 (Mitigation Measures 12 and 13 of the FEIR) are not applicable.

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Mitigation Measure

Responsibility for Implementation¹

Mitigation Schedule

Monitoring Actions/Schedule

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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 or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above. E.4 A. Prior to undertaking a rehabilitation project of a Historic Resource, the project sponsor would prepare, or cause to be prepared, a historic structure(s) report (HSR) for the historic resource. The HSR would set forth the history of the resource, describe and document its existing condition, make recommendations for repair, rehabilitation, replacement, reconstruction, and other treatments based on the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (Secretary of the Interior's Standards). The HSR would act as a guide to the rehabilitation plan for the building(s). The HSR would be prepared by a licensed architect who meets the qualifications for Historical Architect as set forth in the <i>Secretary of the Interior's Historic Preservation Professional Qualification Standards</i>, published in the Federal Register, June 20, 1997 (Volume 62, Number 119). The project sponsor would retain the services of a Historical Architect as a member of the design team for the proposed rehabilitation project. The Historical Architect could be the same Historical Architect who prepared the HSR, without encountering a conflict of interest. If not a member of the project team, the Historical Architect would review the rehabilitation plans prepared by the project architect for compliance with the Secretary of the Interior's Standards for the	Project Sponsor	Prior to alteration or demolition of an identified historic resource in the project area	Historical Architect, Agency/Planning Department	Prepare a Historic Structures Report (HSR); review the alteration or new construction plans; Agency/Planning Department to require preparation of HSR, and consultation with LPAB prior to project construction

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Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, and Section 1111.6. Standards and Requirements for Review of Applications for Alterations (Article 11). The Historical Architect would make a report to the Landmarks Preservation Advisory Board (LPAB) concerning project compliance with the Secretary of the Interior's Standards. The LPAB would approve, approve with conditions, or disapprove the project design based on its evaluation using the Secretary of the Interior's Standards. The LPAB's decision would be final and not appealable. The project sponsor shall consult with the LPAB to evaluate the Project's architectural compatibility with adjacent historic resources(s), as new development may differ in scale, design or materials from the existing older structures, and could change the context of historic resources. B. The project sponsor shall prepare a plan for protection of adjacent historic resources. Such a plan would include the following: • Storage of materials a sufficient distance away from the historic resource. • Instructions to equipment operators making them aware of the historic resource and using caution when operating near the resource. • Monitoring construction activities to assure implementation of the plan. • The project sponsor shall consult with the San Francisco Landmarks Preservation Advisory Board (LPAB) to evaluate the Project's architectural compatibility with adjacent historic resources(s), as new development may differ in scale, design or materials than the existing older structures, and could change the context of historic resources.				

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MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Responsibility for Implementation ¹	Mitigation Schedule	Monitoring Responsibility	Monitoring Actions/Schedule
E.5 Prior to undertaking a rehabilitation project as proposed under the Façade Renewal Program, the City or Agency shall prepare a historic structure(s) report (HSR) for the historic resource(s) to be affected. The HSR would set forth the history of the resource, describe and document its existing condition, make recommendations for repair, rehabilitation, replacement, reconstruction, and other treatments based on the <i>Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings</i> (Secretary of the Interior's Standards). The HSR would act as a guide to the rehabilitation plan for the building(s). The HSR shall be prepared by a licensed architect who meets the qualifications for Historical Architect as set forth in the <i>Secretary of the Interior's Historic Preservation Professional Qualification Standards</i>. The Historical Architect would make a report to LAPB concerning project compliance with the Secretary of the Interior's Standards. The LPAB would approve, approve with conditions, or disapprove the project design based on its evaluation using the Secretary of the Interior's Standards.	Project Sponsor	Prior to undertaking a rehabilitation project in the Project Area	Historical Architect, Agency/Planning to require preparation of HSR and consultation with LPAB before undertaking work	Prepare a Historic Structures Report (HSR); review the rehabilitation plans

EXHIBIT 2
BAYVIEW HUNTERS POINT REDEVELOPMENT PLAN AMENDMENTS
IMPROVEMENT MEASURES⁸

Improvement Measure	Responsibility for Implementation	Mitigation Schedule	Monitoring Responsibility	Monitoring Actions/Schedule
D. Biotic Resources				
D.3 – The removal of trees, shrubs, or weedy vegetation should avoid the February 1 through August 31 bird nesting period to the extent possible. If no vegetation or tree removal is proposed during the nesting period, no surveys are required. If it is not feasible to avoid the nesting period, a survey for nesting birds should be conducted by a qualified wildlife biologist no earlier than 14 days prior to the removal of trees, shrubs, grassland vegetation, buildings, or other construction activity. Survey results shall be valid for 21 days following the survey. The area surveyed should include all construction areas as well as areas within 150 feet outside the boundaries of the areas to be cleared or as otherwise determined by the biologist. In the event that an active nest is discovered in the areas to be cleared, or in other habitats within 150 feet of construction boundaries, clearing and construction should be postponed for at least two weeks or until a wildlife biologist has determined that the young have fledged (left the nest), the nest is vacated, and there is no evidence of second nesting attempts.	Project Sponsor	Submit pre-construction survey to Planning Department. If not feasible to avoid the nesting period, then no earlier than 14 days prior to construction	Redevelopment Agency/Planning Dept./Project Sponsor	Require compliance with measure as a condition of project implementation

⁸ While Improvement Measures to mitigate less than significant impacts are not required by CEQA, the Agency and the Planning Department will apply this Improvement Measure as appropriate to further reduce environmental impacts in the South of Market Redevelopment Project Area.