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ADDENDUM 4 TO ENVIRONMENTAL IMPACT REPORT

Date of Addendum:	July 25, 2025
Date of EIR Certification:	March 16, 2023
EIR Case No.:	**2019-023037ENV-03**
Title of EIR:	Waterfront Plan Final Environmental Impact Report (FEIR)
Project Title:	**2829 -2835 Taylor Street – Alioto's Demo and Taylor Street Plaza Project**
Project Address:	2829–2835 Taylor Street (also addressed 8 Fisherman's Wharf)
Block/Lot:	Portion of Assessor Parcel Number (APN) 9900/049, Block 5 Lot 001
Project Sponsor:	David Beaupre, Port of San Francisco Pier 1, The Embarcadero San Francisco, CA 94111 (415) 215-5465
Lead Agency:	San Francisco Planning Department
Staff Contact:	Joy Navarrete – 628.652.7561 joy.navarrete@sfgov.org

Remarks

Background

A final environmental impact report (FEIR) for the subject project, Case No. 2019-023037ENV, was certified by the San Francisco Planning Commission on March 16, 2023.[1] The Port of San Francisco's Waterfront Plan analyzed in the FEIR updates and amends the 1997 Waterfront Land Use Plan, which sets long-term goals and policies to guide the use, management, and improvement of 7.5 miles of properties owned and managed by the Port, from Fisherman's Wharf to India Basin. The FEIR analyzed the physical environmental impacts of the proposed goals, policies, and objectives of future waterfront improvements, and includes land use growth assumptions determined by the San Francisco Planning Department ("planning department"), and the resulting physical development that could occur under the Waterfront Plan. Land use objectives proposed by the Waterfront Plan are particular to each of the five waterfront subareas: Fisherman's Wharf, Northeast Waterfront, South Beach, Mission Bay and the Southern Waterfront. Overall, the land use objectives increase intensity of use, diversify uses, and enhance public access and transportation infrastructure throughout the waterfront. The Waterfront Plan objectives include, but are not limited to: promoting diversity of public-oriented uses that equitably serve and attract visitors of all ages, races, income levels, and abilities; promoting a greater range of land uses as defined by public trust

[1] San Francisco Planning Department, *Waterfront Plan Final Environmental Impact Report*, Planning Department Case No. 2019- 023037ENV, State Clearinghouse No. 2020080458, certified March 16, 2023, https://sfplanning.org/environmental-review-documents?title=Waterfront&field_environmental_review_categ_target_id=All&items_per_page=10.

objectives to increase certainty and financial viability of historic pier repair and rehabilitation projects in the Embarcadero Historic District, including requirements that all improvements be consistent with the Secretary of the Interior's Standards for Rehabilitation and to include flood protection measures; preserving and enhancing public views of the bay, maritime uses, and historic structures; maintaining a continuous waterfront walkway that connects parks, public access, and activity areas from Fisherman's Wharf to India Basin, and provide improvements to the San Francisco Bay Trail; improving open spaces to enhance connections between the city, waterfront, and the bay through design, wayfinding, and interpretive exhibits; and encouraging and designing resilience projects that achieve multiple public objectives, consistent with the Waterfront Plan goals and policies, and city and Port resilience programs.

The Port of San Francisco's (Port) Fisherman's Wharf neighborhood attracted over 10 million people and was the most visited destination in the City of San Francisco (City) in 2024 and is on a similar visitor attraction and tourist destination trajectory in 2025 and beyond. Home to the SkyStar Observation Wheel, numerous restaurants, the Fisherman's Wharf Promenade, entertainment venues and more, this area continues to be an economic engine and beacon of hope for San Francisco. Due to the COVID-19 pandemic-induced recession (2020-Present times), Fisherman's Wharf area has endured serious challenges. Historically, Taylor Street has been the center of activity in Fisherman's Wharf; however, because of the large number of store-front vacancies, the area is struggling. Large multilevel buildings, that were once thriving family-owned restaurants for generations, like Alioto's, Grotto No. 9, and Tarantino's, now lay empty. These vacancies highlight how business strategies for restaurants are moving away from this style of dining. The Port has focused on leasing vacant properties, including Alioto's. After multiple leasing interventions including targeted strategies from Maven Properties between 2022-2025, the facility has proved to be unleasable. The vacant Alioto's restaurant building at 2829–2835 Taylor Street is in poor condition, and the significant investment required by any operator to rehabilitate the space, with little ability for the Port to provide capital, is ultimately too great a deterrent and does not make economic sense in the current retail environment. The extensive outreach and lack of interest supports the conclusion that the restaurant premises in this area are too large, functionally obsolete, and not attractive to prospects in the market for restaurant space. Therefore, the need for the current Port proposed project (described below).

Addendum 1. In response to discussion with representatives of the South End Rowing Club (SERC) and Jean Allan, and others regarding the Recreation and Hydrology and Water Quality sections of the EIR, the planning department prepared Addendum 1 to the Waterfront Plan FEIR which includes minor text changes incorporated into the FEIR. Based on Addendum 1 issued by the planning department on April 5, 2023, the planning department found that no additional environmental review was required beyond the review in the FEIR.

Addendum 2. In response to the Port's proposal to install and operate an illuminated observation wheel in Fisherman's Wharf (relocated from Golden Gate Park) on Seawall Lot 301, a triangular-shaped lot located on San Francisco Port property that is bounded to the north by the Embarcadero, to the south by Jefferson Street, and to the west by Taylor Street, the planning department prepared Addendum 2 to the Waterfront Plan FEIR. Based on Addendum 2 issued by the planning department on October 30, 2023, the planning department found that no additional environmental review was required beyond the review in the FEIR.

Addendum 3. In response to the Port's proposal to demolish above-ground buildings and grain silos at Pier 90 to clear the site vacant for a future, as-yet-unidentified project, the planning department prepared Addendum 3 to the Waterfront Plan FEIR. Based on Addendum 3 issued by the planning department on

December 13, 2024, the planning department found that no additional environmental review was required beyond the review in the FEIR.

Proposed Modifications

For this Addendum 4, the Port proposes to demolish the vacant and dilapidated above-ground building at 2829–2835 Taylor Street (also addressed 8 Fisherman's Wharf) and develop a publicly accessible plaza on the site. The project site is located on Port property in an area of the North Beach neighborhood known as Fisherman's Wharf **(Figure** 1 – **Existing Site Plan).** The approximately 5,800-square-foot (sf) project site at 2829–2835 Taylor Street occupies the central portion of APN 9900/049 on the west side of Taylor Street between Jefferson Street and The Embarcadero. The property is situated on a portion of Wharf J-1, which is constructed with timber piles, deck framing and cap beams, topped with concrete deck slabs. The property abuts the adjacent vacant restaurant building (known as Fishermen's Grotto No. 9) at 2851 Taylor Street/206 Jefferson Street to the north; Taylor Street to the east; a narrow pedestrian passage and a restaurant building (known as Nick's Lighthouse) at 2815 Taylor Street to the south; and the inner Fisherman's Wharf lagoon to the south. The project site is currently zoned C-2, Community Business.

The approximately 117-acre Fisherman's Wharf area extends from the east end of Aquatic Park to the east marina of Pier 39, an area of shoreline located roughly between Hyde and Kearny streets. Current land uses in the Fisherman's Wharf include commercial and industrial fishing, maritime activities and commercial waterfront land uses including tourism-related businesses such as retail, restaurant, hotel and entertainment uses. Pier 45 and its restaurant/retail uses, wharves and boat docks are located to the north of the project site. The commercial fishing industry is centered at Pier 45 where fishing boat operations, fish processing and distribution are based. Other nearby facilities include fishing vessel berthing in the inner and outer Fisherman's Wharf lagoons.

The project site is occupied by a vacant three-story restaurant building that was reconstructed in 1961.[2] The business known as Alioto's and Alioto's Restaurant occupied the on-site building until April 2022, when the business permanently closed and terminated their lease with the Port. The onsite building is roughly rectangular in plan; however, the southeast quadrant of the building is more angular. The primary eastern façade has frontage on Taylor Street and the secondary western façade fronts on to the inner lagoon, while the northern and southern facades are bordered by existing restaurant buildings.

The Port proposes to demolish the vacant and dilapidated on-site building including the front portico located at 2829–2835 Taylor Street, and complete substructure improvements to the existing wharf under the building (**Figure 2 - Proposed Site Plan**). The project is anticipated to make the area into a vibrant usable public space with Bay views, including of the Golden Gate Bridge.

[2] On December 23, 1960, a fire destroyed Alioto's Restaurant at the project site, resulting in over $250,000 in damages.25 Within a few months, the restaurant was reconstructed as a three-story building by 1961. Various alterations and repairs to this property have also occurred between 1970 and 1996. See Environmental Science Associates. 2829–2835 Taylor Street Historic Resource Evaluation, Prepared for the San Francisco Planning Department. July 16 2025, p. 26.

The proposed scope of work is expected to include:

- Demolition of the three-story, approximately 30-foot-tall, approximately 11,575-sf building, including hazardous building materials abatement, and disconnecting and modifying utilities (electrical, gas and water). Hazardous building materials present in the existing on-site building structure would be abated and properly disposed of at appropriate licensed disposal facilities.
- Repairs on up to 25 existing 14-inch diameter timber piles, as required based on existing pile condition. Repairs are expected to consist of grouted fiberglass jackets.
- Replacement of up to 28 14-inch diameter timber piles (8 bearing and 20 fender) using vibratory installation in the case where repairs to dilapidated timber piles are not feasible.
- Required modifications to the existing fire sprinklers and repair and replacement of 100 feet of fire separation walls below deck.
- Required minor repairs to exterior finishes and roofing at the adjacent Grotto No. 9 building at 2847-2851 Taylor Street and Nick's Lighthouse building at 2815 Taylor Street after the proposed Alioto's restaurant building demolition at 2829–2835 Taylor Street.

After demolition of the on-site vacant building and substructure repairs, the cleared footprint of the vacant building would be developed into a new public plaza area that would provide views of the Bay and Golden Gate Bridge.

The subsequent scope of work is expected to include:

- Demolition of up to 3,500 sf of existing 5-inch thick concrete topping slab over the timber decking below the building footprint, as required based on deteriorated existing deck condition.
- Demolition of up to 1,500 sf of existing 5-inch thick concrete slab-on-grade and concrete footings, as required based on existing condition.
- Replacement of up to 5,000 sf of timber framing and decking and installation of new concrete topping slab, as required based on existing condition.
- Improvements for up to 10,000 sf of public space on the existing overwater deck and adjacent sidewalks. This improvement work would include upgraded utilities, new railing, seating, lighting, furnishings, landscaping, street murals and public art, among other improvements to beautify the space.
- Lighting improvements to docks within the inner lagoon and other inner harbor upgrades and improvements.
- Integration of the proposed plaza design with any new tenants in the adjacent Nick's Lighthouse and/or Grotto No. 9 buildings.
- The plaza scope of work does not include any planned modifications to the nearby roadway, with the exception of new paint or striping.

Public Access

The walkway on the waterside of the restaurant buildings in the project area is currently public access space. Pedestrian access along this portion of the Taylor Street sidewalk and these waterside walkways would be temporarily obstructed during project construction. The Port building permit would include requirements for proper signage and barricading to safely route pedestrians and the public around the closed area during

construction. Access to Pier 47 to the northwest of the project site and the Chowder Hut located at 2890 Taylor Street to the east of the project site would be maintained, with potential traffic detours.

The project would provide new public access space, replacing the existing vacant and dilapidated building with the proposed plaza. Currently, only narrow access paths connect Taylor Street to the waterside walkway and the existing J3 and J4 wharves and boat docks. Visual connection and public access to these waterside spaces would be improved by opening up the project area, with proposed project implementation.

Proposed Construction Methods and Schedule
The modified project is expected to be completed in approximately six months.

- Building Demolition and Substructure Repairs is expected to occur from November 2025 through January 2026.
- Public Plaza Improvements are expected to occur from February 2026 through May 2026.

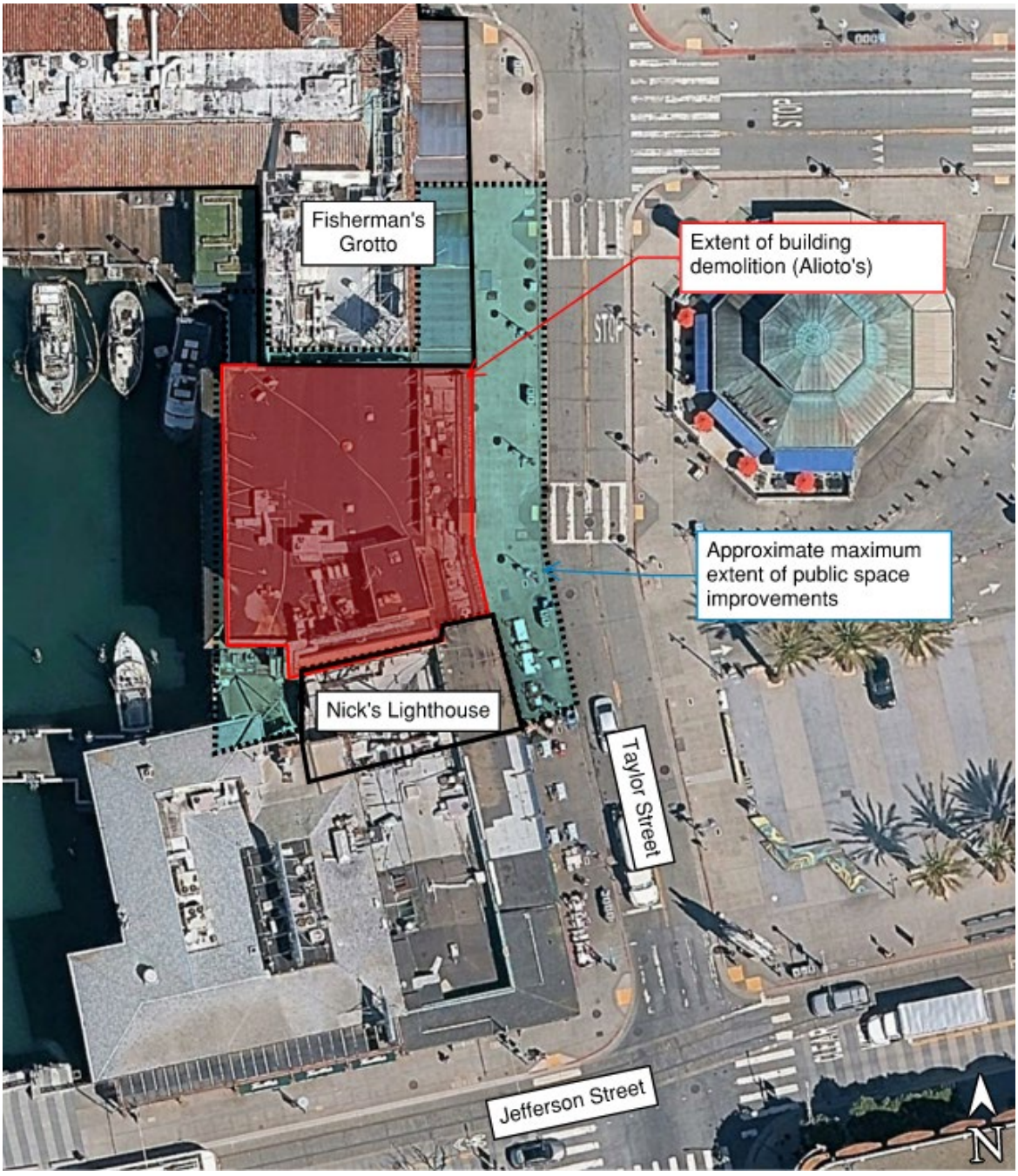
The proposed demolition of the building is expected to be completed mostly from landside along Taylor Street, though some demolition could occur from the waterside. Regardless of demolition method, an in-water material barge is expected for underdeck work such as utilities, and approximately 8 berths in the inner lagoon may need to be temporarily relocated during this demolition work. Closure of the western Taylor Street sidewalk and southbound traffic lane is expected and interruption of traffic temporarily (intermittently for up to six months) may be required at specific times. Pedestrian signage and traffic control would be provided during project construction. Temporary closure of the nearby Nick's Lighthouse and Sabella & La Torre businesses would be required during certain periods of project demolition, due to noise and to ensure public safety.

Project activities that are expected to create turbidity or disturb the seabed (e.g. concrete jacketing repairs on piles or timber pile replacement), will be conducted primarily within seasonal work windows identified to reduce potential impacts on special-status species (i.e., June 1 – November 30). No substantial on-site grading or excavation would occur as part of the project. A minor amount of soil disturbance (less than 50 cubic yards) would be required for the project. The modified project requires approval of a Port Building Permit.

Section 31.19(c)(1) of the San Francisco Administrative Code states that a modified project must be reevaluated and that, "If, on the basis of such re-evaluation, the Environmental Review Officer determines, based on the requirements of CEQA, that no additional environmental review is necessary, this determination and the reasons therefor shall be noted in writing in the case record, and no further evaluation shall be required by this Chapter."

FIGURE 1: EXISTING SITE PLAN

FIGURE 2: PROPOSED SITE PLAN - TAYLOR STREET



Analysis of Potential Environmental Effects

This addendum evaluates whether the environmental impacts of the modified project are addressed in the FEIR that was certified on March 16, 2023. As shown in the analysis below, the modified project, which is the subject of this addendum #4, would not result in new environmental impacts, substantially increase the severity of the previously identified environmental impacts, or require new mitigation measures. Additionally, no new information has emerged that would materially change the analyses or conclusions set forth in the FEIR. Therefore, as discussed in more detail below, the modified project would not change the analysis or conclusions reached in the FEIR.

The modified project would consist of demolition of the three-story, 11,575-sf restaurant building (including the front portico) located at 2829–2835 Taylor Street, and it would include hazardous materials abatement and substructure improvements to the existing wharf under the building. The modified project would also include public space improvements on the cleared footprint of the restaurant building to create a new 5,800-sf public plaza with views of the bay.

AESTHETICS

The FEIR determined that implementation of the Waterfront Plan would result in a less-than-significant impact related to aesthetics. The 2829-2835 Taylor Street project site is located on Port of San Francisco property in the area of the North Beach neighborhood known as Fisherman's Wharf. The approximately 117-acre Fisherman's Wharf area extends from the east end of Aquatic Park to the east side of Pier 39, an area of shoreline located roughly between Hyde and Kearny streets. The Fisherman's Wharf area includes a mix of land uses, including commercial and industrial fishing, maritime activities and commercial waterfront land uses including tourism-related businesses such as retail, restaurant, hotel and entertainment uses that are interspersed with water recreation areas. Pier 45 and its restaurant/retail uses, wharves and boat docks are located to the north of the project site. The commercial fishing industry is centered at Pier 45 where fishing boat operations, fish processing and distribution are based. Other nearby facilities include fishing vessel berthing in the inner and outer lagoons. The Fisherman's Wharf area with its historic finger piers and bulkhead buildings is located within the boundaries of the National Register- and California Register-listed Port of San Francisco Embarcadero Historic District. However, the existing building at 2829-2835 Taylor Street project site itself is not located within the Embarcadero Historic District or any other eligible or adopted historic districts and it is not a contributor to any such historic district.

The project site contains the three-story, 11,575-sf Alioto's restaurant building located at 2829–2835 Taylor Street, which is vacant and has fallen into disrepair since the COVID-19 pandemic.

The project site is included in the Fishermen's Wharf area of the Port's Waterfront Plan. The FEIR references San Francisco Bay Conservation and Development Commission's (BCDC) San Francisco Waterfront Special Area Plan (SAP).[3] The following geographic-specific policies of the SAP for the Fishermen's Wharf area are applicable to the evaluation of potential effects to aesthetic and visual resources that could result from implementation of the Waterfront Plan, including the modified project. The Fisherman's Wharf policies are

[3] San Francisco Bay Conservation and Development Commission, San Francisco Waterfront Special Area Plan, 1975 (as amended through April 2012), https://bcdc.ca.gov/sfwsap/SFWSAP_Final_2012.pdf, accessed May 16, 2021.

associated with providing maximum feasible public access; visual access to the bay; maintaining the area as a center for commercial fishing and maritime uses; and permitting limited bay-oriented commercial recreation.[4]

The modified project would include demolition of the existing on-site three-story, 11,575-sf building (including the front portico) located at 2829–2835 Taylor Street and public space improvements on the cleared footprint of this building to create a new 5,800-sf public plaza with views of the bay. The modified project would therefore further the aesthetic and visual resources-related policies of the SAP for the Fishermen's Wharf area that are associated with providing maximum feasible public access and visual access to the bay.

While the modified project would alter the appearance of the site through demolition of the existing building and creation of a public plaza with bay views, it would not have a substantial adverse effect on a scenic vista, damage scenic resources, degrade the existing visual character or quality of public views of the site or its surroundings, or conflict with applicable zoning and other regulations governing scenic quality, consistent with the findings of the FEIR.

The modified project could generate additional lighting during hours of darkness in the future, but this change would not be substantial or adverse in the context of existing lighting in the project area. The new lighting would not exceed existing lighting at nearby buildings and could be lower in comparison because of code requirements for energy conservation. In addition, Planning Commission Resolution 9212 generally prohibits the use of mirrored or reflective glass in new projects. Therefore, project impacts related to glare would not be substantial. New lighting would use improved designs and technology, such as light-emitting diode (LED) technology, which allows individual lights to be directed downward at the public right-of-way at ground level, resulting in less spillage into surrounding buildings. Compliance with existing regulations and citywide policies would ensure that the modified project would not result in obtrusive light or glare that would adversely affect daytime or nighttime views. This impact would be less than significant, and no mitigation measures are necessary.

For the reasons discussed above, the modified project would not result in new environmental impacts not previously disclosed in the FEIR or substantially increase the severity of previously identified less-than-significant aesthetics impacts. The modified project would not require new mitigation measures.

HISTORIC RESOURCES

The FEIR determined that the Waterfront Plan would result in less-than-significant impacts to historical resources with implementation of mitigation measures.[5] The project area buildings and structures were evaluated for individual significance and for potential as a historic district. Planning department preservation staff determined in the FEIR that the buildings and structures on the project site appeared

[4] San Francisco Planning Department, *Waterfront Plan Final Environmental Impact Report*, Planning Department Case No. 2019- 023037ENV, State Clearinghouse No. 2020080458, certified March 16, 2023, https://sfplanning.org/environmental-review-documents?title=Waterfront&field_environmental_review_categ_target_id=All&items_per_page=10, pp. 4.A-9 and 4.A-10.

[5] San Francisco Planning Department, *Historic Resource Evaluation Response, PORT: Port of San Francisco 2019 Draft Waterfront Plan (Case No. 2019-023037ENV)*, March 31, 2021.The FEIR included historic mitigation measures related to streetscape or street network improvements that would require moving an auxiliary water supply system hydrant and best practices for using heavy-duty construction equipment and construction monitoring program.

ineligible for listing in the California Register—not individually, as a stand-alone historic district, or as a district contributor.[6]

The San Francisco Planning Department directed that the FEIR historic resources analysis be validated and confirmed by a new historic resources analysis, focused on the modified project and project site at 2829–2835 Taylor Street. Accordingly, a Historic Resource Evaluation (HRE) was prepared in July 2025 by an independent historic architectural resource consultant, Environmental Science Associates (ESA), and subsequently a Historic Resource Review (HRR) was prepared by the San Francisco Planning Department for the modified project and the subject property at 2829–2835 Taylor Street.[7, 8] The findings of the HRE and HRR prepared for the modified project are summarized below.

The existing building at 2829–2835 Taylor Street was evaluated for individual significance. Based on the site survey, archival research, and analysis provided in the above-noted HRE and HRR, the 2829–2835 Taylor Street building was determined to not be individually eligible for listing in the National Register or the California Register under any criteria. The building was also determined not to be a district contributor. As such, the existing on-site building at 2829–2835 Taylor Street would not be considered a historic property under Section 106 of the National Historic Preservation Act or a historical resource for the purposes of CEQA. The Planning Department also reviewed the modified project to determine if there would be any new or more severe impacts to historic resources that had not been previously disclosed in the FEIR. The modified project would demolish the existing on-site building and construct a plaza on the 2829–2835 Taylor Street site (Figure 2). The subject property at 2829-2835 Taylor Street does not appear eligible for listing on the California Register under any criteria as an individual resource, nor does it appear to contribute to a possible historic district. The Planning Department therefore concurs with the findings of the Historic Resource Evaluation prepared by the independent historic architectural resource consultant, Environmental Science Associates (ESA).[9] Because the modified project would not demolish any individually significant historic resources or structures within a historic district, there would be no impact to historic resources.

The closest historic resource to the project site is Fishermen's Grotto No. 9 at 2581 Taylor Street/206 Jefferson Street,[10] is to the north of the project site. Fishermen's Grotto No. 9 was determined in the FEIR to be eligible for listing in the California Register under Criterion 1 with a period of significance of 1935–1955. Since there is a nearby historic resource and construction of the modified project could potentially generate impacts to nearby historic resources, the following FEIR mitigation measure regarding best practices for using construction equipment with a construction monitoring program would apply to the modified project. Therefore, implementation of **Mitigation Measure M-CR-1b, Best Practices and Construction Monitoring**

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[6] architecture + history llc, *Port of San Francisco Historic Resources Summary Report,* prepared for the Port of San Francisco, February 2022. This report is cited in the *Waterfront Plan Final Environmental Impact Report (EIR), (Case No. 2019-023037ENV),* certified March 16, 2023.

[7] Environmental Science Associates. 2829–2835 Taylor Street Historic Resource Evaluation, Prepared for the San Francisco Planning Department. July 16, 2025.

[8] San Francisco Planning Department, *2829-2835 Taylor Street Historic Resource Evaluation Response 2019-023037HRR, July 22, 2025. Port of San Francisco Waterfront Plan EIR (Case No. 2019-023037ENV)*, March 31, 2021.

[9] San Francisco Planning Department, *2829-2835 Taylor Street Historic Resource Evaluation Response 2019-023037HRR, July 22, 2025, p. 7. Port of San Francisco 2019 Draft Waterfront Plan EIR (Case No. 2019-023037ENV)*, March 31, 2021.

[10] 2S = Individual property determined eligible for National Register of Historic Resources by the Keeper. Listed in the California Register; 5S1 = Individual property that is listed or designated locally.

Program for Historic Resources,[11] would be required to reduce the project's construction-related impacts to a less-than-significant level. Implementation of above-noted mitigation measure would ensure that construction impacts on historic districts would be less than significant with mitigation.

For the reasons discussed above, the modified project would not result in new environmental impacts not previously disclosed in the FEIR or substantially increase the severity of previously identified less-than-significant-with-mitigation historic resources impacts. The modified project would not require new mitigation measures. However, Mitigation Measure M-CR-1b, Best Practices and Construction Monitoring Program for Historic Resources, identified in the FEIR, would continue to apply to the modified project and would ensure historic resources impacts continue to be less-than-significant with mitigation.

The full text of the FEIR Mitigation Measure M-CR-1b is provided below.

Mitigation Measure M-CR-1b: Best Practices and Construction Monitoring Program for Historic Resources. The project sponsor of a development project using heavy-duty construction equipment onsite or directly adjacent to an historic resource, as determined by department preservation staff or listed in historic inventory maintained by the Port and department preservation staff, shall incorporate into contract specifications a requirement that the general and sub-contractor(s) use all feasible means to protect and avoid damage to onsite and directly adjacent historic resources as identified by the planning department, including, but not necessarily limited to, staging of equipment and materials so as to avoid direct damage, maintaining a buffer zone when possible between heavy equipment and historic resources, and, when applicable, covering the roof of adjacent structures to avoid damage from falling objects. Specifications shall also stipulate that any damage incurred to historic resources as a result of construction activities shall be immediately reported to the ERO. Prior to the start of construction activities, the project sponsor shall submit to the planning department preservation staff for review and approval, a list of measures to be included in contract specifications to avoid damage to historic resources. If damage to a historic resource occurs during construction, the project sponsor shall hire a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate), as set forth by the Secretary of the Interior's Professional Qualification Standards (36 CFR, Part 61). Damage incurred to the historic resource shall be repaired to match pre-construction conditions per the Secretary of the Interior's Standards for the Treatment of Historic Properties in consultation with the qualified professional and planning department preservation staff. If directed by planning department preservation staff, the project sponsor shall engage a qualified preservation professional to undertake a monitoring program to ensure that best practices are being followed. If monitoring is required, the qualified preservation professional shall prepare a monitoring plan to direct the monitoring program that shall be reviewed and approved by planning department preservation staff.

[11] See *Waterfront Plan Final Environmental Impact Report, (Case No. 2019-023037ENV),* certified March 16, 2023, Section 4.B, Historic Resources, for a description of Mitigation Measure M-CR-1b, Best Practices and Construction Monitoring Program for Historic Resources.

ARCHAEOLOGICAL AND TRIBAL CULTURAL RESOURCES

The FEIR determined that implementation of the Waterfront Plan would result in a less-than-significant impact with mitigation on archeological and tribal cultural resources.[12]

The modified project, once demolition activities are completed, would be developed with a public plaza. No grading or excavation would occur as part of the modified project. A minor amount of soil disturbance (less than 50 cubic yards) would be required to abandon existing utilities in place. The modified project would not include excavation and the soil disturbance would not occur to a depth greater than 5 feet. Thus, there is a relatively low potential to encounter significant historic features or deposits and very low potential to encounter Native American deposits. However, to protect potential resources that could be accidentally discovered during soil disturbing activities, **FEIR Mitigation Measure M-CR-2a, Procedures for Accidental Discovery of Archeological Resources**, would be applied to the modified project. If specific treatment measures would be required to address impacts to the resource, as specified in FEIR Mitigation Measure M-CR-2a, they shall be implemented in accordance with the archeological monitoring and testing protocols set forth in FEIR Mitigation Measures M-CR-2b, Archeological Monitoring; M-CR-2c, Archeological Testing; and/or M-CR-2d, Submerged or Deeply Buried Resources, as detailed in the Waterfront Plan EIR MMRP. Implementation of the applicable FEIR mitigation measures would ensure that appropriate protection measures are enacted, and tribal notification and consultation occurs in the event of a discovery during project soil-disturbing activities and potential impacts would be reduced to a less-than-significant level consistent with the findings in the FEIR.[13]

For the reasons discussed above, the modified project would not result in new environmental impacts not previously disclosed in the FEIR or substantially increase the severity of previously identified less-than-significant-with-mitigation cultural and tribal cultural resources impacts. The modified project would not require new mitigation measures. However, Mitigation Measure M-CR-2a, Procedures for Accidental Discovery of Archeological Resources, and Measure M-TCR-1: Tribal Notification and Consultation, identified in the FEIR would continue to apply to the modified project and would ensure cultural and tribal cultural resources impacts continue to be less-than-significant with mitigation.

The full text of the FEIR Mitigation Measures M-CR-2a and M-TCR-1 is provided below.

Mitigation Measure M-CR-2a: Procedures for Accidental Discovery of Archeological Resources.

The following mitigation measure shall be implemented for any projects for which the preliminary archeological review conducted by qualified San Francisco Planning Department archeological staff identifies the potential for significant archeological impacts. All plans and reports prepared by the qualified archeologist (hereinafter, "project archeologist"), as specified herein and in the subsequent measures, 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.

[12] The FEIR included the following mitigation measures: accidental discovery of archeological resources; archeological monitoring program; archeological testing program; treatment of submerged and deeply buried resources; and tribal notification and consultation.
[13] The full text of FEIR archeological mitigation measures can be located here: https://sfplanning.org/environmental-review-documents?title=Waterfront&field_environmental_review_categ_target_id=All&items_per_page=10, pp. S-41 through S-73.

ALERT Sheet. 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, subcontractor(s), and utilities firm) confirming that all field personnel involved in soil-disturbing activities have received copies of the Alert Sheet.

Procedures upon Discovery of a Potential Archeological Resource. The following measures shall be implemented in the event of an archeological discovery during project soil-disturbing activities:

- *Discovery Stop Work and ERO Notification.* Should any indication of an archeological resource be encountered during any soils-disturbing activity of the project, the project sponsor shall immediately notify the ERO and shall immediately suspend any soils-disturbing activities in the vicinity of the discovery and protect the find in place until the ERO has determined what additional measures should be undertaken, as detailed below.

- *Project Archeologist*. If the ERO determines that the discovery may represent a significant archeological resource, the Port/project sponsor shall retain the services of a project archeologist; that is, one who meets the Secretary of the Interior's Professional Qualification Standards,[14] and who has demonstrable experience, as applicable based on the resource type discovered or suspected, in the geoarcheological identification of submerged Native American deposits and/or in the identification and treatment of 19th century archeological resources, including maritime resources as applicable, to examine and preliminary evaluate the significance and historic integrity of the resource.

  The project sponsor shall ensure that the project archeologist or designee is empowered, for the remainder of soil disturbing project activity, to halt soil disturbing activity in the vicinity of potential archeological finds, and that work shall remain halted until the discovery has been assessed and a treatment determination made, as detailed below.

- Resource Evaluation and Treatment Determination. The project archeologist shall examine and appropriately document the discovered resource and make a recommendation to the ERO as to what further actions, if any, are warranted. Based on this information, the ERO may require the project sponsor to implement specific treatment measures to address impacts to the resource. Treatment measures might include preservation in situ of the archeological resource (the preferred mitigation; see below); an archeological monitoring program; an archeological testing program; archeological

[14] 36 SFR 61: The minimum professional qualifications in Archeology are a graduate degree in archeology, anthropology, or closely related field plus: • At least one year of full-time professional experience or equivalent specialized training in archeological research, administration or management; • At least four months of supervised field and analytical experience in general North American archeology; and • Demonstrated ability to carry research to completion. In addition to these minimum qualifications, a professional in prehistoric archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the prehistoric period. A professional in historic archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the historic period.

data recovery; and/or an archeological interpretation program, as detailed below. If an archeological interpretive, monitoring, and/or testing program are required, these shall be consistent with the Environmental Planning Division guidelines for such programs and shall be implemented immediately in accordance with the archeological monitoring and testing protocols set forth in Mitigation Measures M-CR-2b, Archeological Monitoring; M-CR-2c, Archeological Testing; and/or M-CR-2d, Submerged or Deeply Buried Resources, as detailed in the Waterfront Plan EIR MMRP. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions. In addition, the ERO shall notify any tribal representatives who responded to the project tribal cultural resources notification and requested to be notified of the discovery of Native American archeological resources and to coordinate on the treatment of archeological and tribal cultural resources.

- *Archeological Site Records*. At the conclusion of assessment, the project archeologist shall prepare an archeological site record or primary record (DPR 523 series) for each resource evaluated as significant or potentially significant. In addition, a primary record shall be prepared for any Native American isolate. Each such record shall be accompanied by a map and GIS location file. Records shall be submitted to the department for review as attachments to the archeological resources report (see below) and once approved by the ERO, to the Northwest Information Center.

- *Submerged Paleosols.* Should a submerged paleosol be identified the project archeologist shall extract and process samples for dating, flotation for paleobotanical analysis, and other applicable special analyses pertinent to identification of possible cultural soils and for environmental reconstruction, irrespective of whether cultural material is present.

- *Preservation in Place Consideration.* Should a significant archeological resource be discovered during construction or during archeological testing or monitoring, preservation in place is the preferred treatment option. The ERO shall consult with the project sponsor and, for Native American archeological resources, with the tribal representative(s), if requested, to consider (1) the feasibility of permanently preserving the resource in place and (2) whether preservation in place would be effective in preserving both the archeological values and (if applicable) the tribal values represented. If based on this consultation the ERO determines that preservation in place would be both feasible and effective, based on this consultation, then the project archeologist, in consultation with the tribal representative, if a Native American archeological resource, shall prepare a Cultural Resources Preservation Plan (CRPP). For Native American archeological resources, the CRPP shall explicitly take into consideration the cultural significance of the tribal cultural resource to the tribes. Preservation options may include measures such as design of the project layout to place open space over the resource location; foundation design to avoid the use of pilings or deep excavations in the sensitive area; a plan to expose and conserve the resource and include it in an on-site interpretive exhibit; and/or establishment of a permanent preservation easement. The project archeologist shall submit a draft CRPP to the department and the tribes for review and approval, and the Port/project sponsor shall ensure that the approved plan is implemented during and after construction. If, based on this consultation, the ERO determines that preservation in place is infeasible, archeological data recovery and public interpretation of the resource shall be carried out, as detailed below. The ERO in

consultation with the project archeologist shall also determine if additional treatment is warranted, which may include additional testing and/or construction monitoring.

- *Coordination with Descendant Communities.* On discovery of an archeological site associated with descendant Native Americans, Chinese, or other potentially interested descendant group, the project archeologist shall contact an appropriate representative of the descendant group and the ERO. The representative of the descendant group shall be offered the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site and data recovered from the site, and, if applicable, any interpretative treatment of the site. The project archeologist shall provide a copy of the Archeological Resources Report (ARR) to the representative of the descendant group.

- *Compensation.* Tribal representatives or other descendant community representatives for archeological resources or tribal cultural resources, who participate in the project, shall be compensated for time invested in the preparation or review of plans, documents, artwork, etc., as well as for archeological monitoring undertaken in fulfillment of the requirements of this mitigation measure, similarly to other consultants and experts employed for subsequent projects under the Waterfront Plan. The ERO, Port/project sponsor and project archeologist, as appropriate, shall work with the tribal representative or other descendant community representatives to identify the appropriate scope of consultation work.

Archeological Data Recovery Program. The project archeologist shall prepare an Archeological Data Recovery Plan (ADRP) if all three of the following apply: (1) a potentially significant resource is discovered, (2) preservation in place is not feasible, and (3) the ERO determines that archeological data recovery is warranted. When the ERO makes such a determination, the project archeological consultant, project sponsor, ERO and, for tribal cultural archeological resources, the tribal representative, if requested, shall consult on the scope of the data recovery program. The project archeologist shall prepare a draft ADRP and submit it to the ERO for review and approval. If the time needed for preparation and review of a comprehensive ADRP would result in a significant construction delay, the scope of data recovery may instead by agreed upon in consultation between the project archeologist and the ERO and documented by the project archeologist in a memo to the ERO. The ADRP/memo shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP/memo will identify what scientific/historic 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 historic property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resource that would not otherwise by disturbed by construction if nondestructive methods are practical.

If archeological data recovery is required, the archeological data recovery program 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 may be extended beyond four weeks only if such a

suspension is the only feasible means to reduce to a less-than-significant level potential effects on a significant archeological resource as defined in CEQA Guidelines section 15064.5(a) and (c).

The ADRP shall include the following elements:

- Field Methods and Procedures: Descriptions of proposed field strategies, procedures, and operations.
- Cataloguing and Laboratory Analysis: Description of selected cataloguing system and artifact analysis procedures.
- Discard and Deaccession Policy: Description of and rationale for field and post-field discard and deaccession policies.
- Security Measures: Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- Final Report: Description of proposed report format and distribution of results.
- Public Interpretation: Description of potential types of interpretive products and locations of interpretive exhibits based on consultation with project sponsor.
- Curation: Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

The project archeologist shall implement the archeological data recovery program upon approval of the ADRP/memo by the ERO.

Coordination of Archeological Data Recovery Investigations. In cases in which the same resource has been or is being affected by another project for which data recovery has been conducted, is in progress, or is planned, the following measures shall be implemented to maximize the scientific and interpretive value of the data recovered from both archeological investigations:

- In cases where neither investigation has not yet begun, both archeological consultants and the ERO shall consult on coordinating and collaboration on archeological research design, data recovery methods, analytical methods, reporting, curation and interpretation to ensure consistent data recovery and treatment of the resource.
- In cases where archeological data recovery investigation is already under way or has been completed for a prior project, the archeological consultant for the subsequent project shall consult with the prior archeological consultant, if available; review prior treatment plans, findings and reporting; and inspect and assess existing archeological collections/inventories from the site prior to preparation of the archeological treatment plan for the subsequent discovery, and shall incorporate prior findings in the final report of the subsequent

investigation. The objectives of this coordination and review of prior methods and findings will be to identify refined research questions; determine appropriate data recovery methods and analyses; assess new findings relative to prior research findings; and integrate prior findings into subsequent reporting and interpretation.

Treatment of Human Remains and Funerary Objects. If human remains or suspected human remains are encountered during construction, the contractor and project sponsor shall ensure that grounddisturbing work within 50 feet of the remains is halted immediately and shall arrange for the protection in place of the remains until appropriate treatment and disposition have been agreed upon and implemented in accordance with this section. The treatment of any human remains and funerary objects discovered during any soils disturbing activity shall comply with applicable state laws, including Health and Safety Code section 7050.5 and Public Resources Code section 5097.98. Upon determining that the remains are human, the project archeologist shall immediately notify the Medical Examiner of the City and County of San Francisco of the find. The archeologist shall also immediately notify the ERO and the project sponsor of the find. In the event of the Medical Examiner's determination that the human remains are Native American in origin, the Medical Examiner will notify the California State Native American Heritage Commission (NAHC) within 24 hours. The NAHC will immediately appoint and notify a Most Likely Descendant (MLD). The MLD will complete his or her inspection of the remains and make recommendations or preferences for treatment within 48 hours of being granted access to the site.

If the remains cannot be permanently preserved in place, the Port shall consult with the MLD and may consult with the project archeologist, project sponsor and the ERO on recovery of the remains and any scientific treatment alternatives. The landowner shall then make all reasonable efforts to develop a Burial Agreement (Agreement) with the MLD, as expeditiously as possible, for the treatment and disposition, with appropriate dignity, of human remains and funerary objects (as detailed in CEQA Guidelines section 15064.5(d)). Per Public Resources Code section 5097.98(c)(1), the Agreement shall address, as applicable and to the degree consistent with the wishes of the MLD, the appropriate excavation, removal, recordation, scientific analysis, custodianship prior to reinternment or curation, and final disposition of the human remains and funerary objects. If the MLD agrees to scientific analyses of the remains and/or funerary objects, the archeological consultant shall retain possession of the remains and funerary objects until completion of any such analyses, after which the remains and funerary objects shall be reinterred or curated as specified in the Agreement.

Both parties are expected to make a concerted and good faith effort to arrive at a Burial Agreement. However, if the Port and the MLD are unable to reach an Agreement on scientific treatment of the remains and/or funerary objects, the ERO, in consultation with the Port shall ensure that the remains and/or funerary objects are stored securely and respectfully until they can be reinterred on the project site, with appropriate dignity, in a location not subject to further or future subsurface disturbance, in accordance with the provisions of State law.

Treatment of historic-period human remains and/or funerary objects discovered during any soil-disturbing activity shall be in accordance with protocols laid out in the project archeological treatment document, and other relevant agreements established between the project sponsor, Medical Examiner and the ERO. The project archeologist shall retain custody of the remains and associated materials while any scientific study

scoped in the treatment document is conducted and the remains shall then be curated or respectfully reinterred by arrangement on a case-by case-basis.

Cultural Resources Public Interpretation Plan and Land Acknowledgement. If a significant archeological resource is identified, the project archeologist shall prepare a Cultural Resources Public Interpretation Plan (CRPIP). The CRPIP shall describe the interpretive product(s), locations or distribution of interpretive materials or displays, the proposed content and materials, the producers or artists of the displays or installation, and a long-term maintenance program.

If the resource to be interpreted is a tribal cultural resource, the department shall notify Native American tribal representatives that public interpretation is being planned. The CRPIP shall be prepared in consultation with and developed with the participation, if requested by a tribe, of Native American tribal representatives, and the interpretive materials shall include an acknowledgement that the project is located upon traditional Ohlone lands. For interpretation of a tribal cultural resource, the interpretive program may include a combination of artwork, preferably by local Native American artists, educational panels or other informational displays, a plaque, or other interpretative elements including digital products that address local Native people's experience and the layers of history. As feasible, and where landscaping is proposed, the interpretive effort may include the use and the interpretation of native and traditional plants incorporated into the proposed landscaping.

The project archeological consultant shall submit the CRPIP and drafts of any interpretive materials that are subsequently prepared to the ERO for review and approval. The project sponsor shall ensure that the CRPIP is implemented prior to occupancy of the project.

Archeological Resources Report. If significance resources are encountered, the project archeologist shall submit a confidential draft Archeological Resources Report (ARR) to the ERO that evaluates the California Register significance of any discovered archeological resource, describes the archeological and historic research methods employed in the archeological program(s) undertaken and the results and interpretation of analyses, and discusses curation arrangements.

Once approved by the ERO, the project archeologist shall distribute the approved ARR as follows: copies that meet current information center requirements at the time the report is completed (presently, an electronic copy of the report and of each resources record in pdf format and, if available, GIS shapefiles of the project site and of the boundaries and locations of any recorded resources) to the California Archeological Site Survey Northwest Information Center (NWIC), and a copy of the transmittal of the approved ARR to the NWIC to the ERO; one bound hardcopy of the ARR, along with digital files that include an unlocked, searchable PDF version of the ARR, GIS shapefiles of the site and feature locations, 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, via USB or other stable storage device, to the department environmental planning division of the planning department; and, if a descendant group was consulted, a digital or hard copy of the ARR to the descendant group, depending on their preference.

Curation. If archeological data recovery is undertaken, the project archeologist and the project sponsor shall ensure that any significant archeological collections and paleoenvironmental samples of future research

value shall be permanently curated at an established curatorial facility. The facility shall be selected in consultation with the ERO. Upon submittal of the collection for curation the Port or project sponsor or archeologist shall provide a copy of the signed curatorial agreement to the ERO.

TRANSPORTATION AND CIRCULATION

The modified project, once demolition activities are completed, would be developed with a public plaza and would not result in any substantial operational transportation impacts.[15] The FEIR found a significant and unavoidable transportation impact related to cumulative construction transportation impacts, cumulative public transit delay, and commercial vehicle and/or passenger loading. The FEIR determined that all known feasible measures to avoid or minimize effects of construction activities are already incorporated into San Francisco Municipal Transportation Agency (SFMTA) and public works regulations and no additional feasible mitigation measures were identified.

The modified project would provide new public access space, replacing the existing closed restaurant building with the proposed upgraded plaza. Currently, only narrow access paths connect Taylor Street to the waterside walkway and the existing J3 and J4 wharves and boat docks. Public pedestrian access to these waterside spaces would be improved by opening up the Alioto's project area, with implementation of the modified project.

During the approximately 6-month construction period for the modified project, closure of the western Taylor Street sidewalk and southbound traffic lane is expected and interruption of traffic temporarily (intermittently during the 6-month construction period) may be required at specific times. Temporary closure (up to 6 months) of the nearby Nick's Lighthouse and Sabella & La Torre restaurant businesses would also be required during certain periods of project demolition, due to noise and to ensure public safety. The walkway on the waterside of the restaurant buildings (including Alioto's) in the project area is currently public access space. Pedestrian access along this portion of the Taylor Street sidewalk and these waterside walkways would be temporarily obstructed during project construction for approximately 6 months between November 2025 to May 2026. The Port building permit would include requirements for proper signage and barricading to safely route pedestrians and the public around the closed area during construction. Access to Pier 47 to the northwest of the project site and the Chowder Hut located at 2890 Taylor Street to the east of the project site would also be maintained during project construction, with potential traffic detours.

No cumulative projects were identified in the vicinity of the project area in the FEIR. However, there is one Port project currently proposed in the vicinity of the project site, which is the nearby Smokehouse demolition project that is anticipated to be implemented approximately between September to December 2025. Due to the anticipated timing of construction, the Smokehouse Demolition Project could overlap with demolition activities for the modified project, which are expected to occur approximately between November 2025 through May 2026.

During the approximately 6-month construction period for the modified project, temporary and intermittent traffic and transit impacts may result from truck movements to and from the project site. The guidelines contained in the City's Regulations for Working in San Francisco Streets, eighth edition (also known as the

[15] The FEIR included two transportation mitigation measures related to driveway and loading operations plans for projects that are more than 100,000 square feet and to reduce transit delay in the South Beach subarea. These mitigation measures are related to transportation impacts during project operations and therefore not applicable to the modified project.

SFMTA blue book) establish regulations for working in San Francisco streets so that the activities are conducted safely and with the least possible interference with people walking and bicycling, transit, and vehicles. Additionally, the Smokehouse Demolition Project would institute a traffic management plan that would maintain two-way access throughout the duration of construction along adjacent streets. As such, the modified project and the Smokehouse Demolition Project would not combine to result in significant construction-related transportation impacts.

The construction impacts associated with the modified project would not result in new environmental impacts or substantially increase the severity of the previously identified environmental impacts. In addition, the modified project would not require new mitigation measures, and none of the FEIR transportation and circulation mitigation measures would apply.

NOISE AND VIBRATION

The FEIR determined that implementation of the Waterfront Plan would result in a less-than-significant impact with mitigation related to noise and vibration.[16]

The FEIR described that construction activities that are not located within the noise influence area of noise sensitive receptors (generally defined as a distance of 900 feet from the construction site) would not result in a significant construction noise impact. This distance is used because typical construction noise levels can affect a sensitive receptor at a distance of 900 feet if there is a direct line-of-sight between a noise source and a noise receptor (i.e., a piece of equipment generating 85 dBA would attenuate to 60 dBA over a distance of 900 feet). An exterior noise level of 60 dBA will typically attenuate to an interior noise level of 35 dBA with the windows closed and 45 dBA with the windows open. Noise sensitive receptors include residential land uses, hospitals, convalescent homes, schools, and churches.

For the modified project, the closest noise sensitive receptor (500 Beach Street) is located approximately 1,050 feet from the proposed demolition activities. This location contains the 500 Block of Beach Street Residential and was modeled in the Final EIR as mixed-use with residential use.[17] At this distance, noise generated from demolition activities would not significantly affect sensitive noise receptors. In addition, no nighttime construction activities would occur, and police code section 2907(a) limits noise from individual pieces of non-impact equipment to 80 dBA at 100 feet. Therefore, construction-related noise impacts associated with implementation of the modified project would be less than significant, and the FEIR mitigation measure related to construction noise control would not apply.

The modified project would include demolition activities using relatively low-impact, non-pile driving construction equipment. Therefore, project-related construction activities and equipment would not exceed the peak particle velocity (PPV) of 0.25 inch per second, which is the vibration-related damage criteria, for buildings in the project vicinity. As such, construction-related vibration impacts due to implementation of

[16] The FEIR included mitigation measures related to construction noise control, protection of adjacent buildings/structures and vibration monitoring during construction, and protection of vibration-sensitive equipment during construction. Other mitigation measures identified to address operational noise impacts are not applicable to the modified project.
[17] San Francisco Planning Department, *Waterfront Plan Final Environmental Impact Report*, Planning Department Case No. 2019- 023037ENV, State Clearinghouse No. 2020080458, certified March 16, 2023, https://sfplanning.org/environmental-review-documents?title=Waterfront&field_environmental_review_categ_target_id=All&items_per_page=10, p. 4.D-5.

the modified project would be less than significant, and the FEIR mitigation measures related to construction vibration would not apply

For the reasons discussed above, the modified project would not result in new environmental impacts not previously disclosed in the FEIR or substantially increase the severity of previously identified less-than-significant-with-mitigation noise and vibration impacts. The modified project would not require new mitigation measures.

AIR QUALITY

The FEIR determined that implementation of the Waterfront Plan would result in a significant and unavoidable impact related to criteria air pollutants, particulate matter ($PM_{2.5}$), and toxic air contaminants on sensitive receptors.[18] The project site for the modified project is located within an air pollutant exposure zone (APEZ) and the nearest sensitive receptor identified in the FEIR (500 Beach Street Residential Building) is located approximately 1,050 feet from the proposed demolition activities. This is outside the 1,000-foot threshold for APEZ impacts related to criteria air pollutants, particulate matter ($PM_{2.5}$), and toxic air contaminants on sensitive receptors.

The modified project would involve demolition activities over an approximately 6-month construction period and would result in direct air pollutant emissions. Emissions generated during construction activities would include exhaust emissions from the use of heavy off-road diesel equipment, on-road diesel trucks, and employee vehicles, as well as fugitive dust emissions associated with earth-disturbing activities and other demolition and construction work. While the project site is paved and no excavation or grading would occur, demolition would generate dust and result in potential dust-related air quality impacts. However, as described in the FEIR, the modified project would be subject to dust control measures included in Port building code section 106A.3.2.3, and since the project site is smaller than one-half acre, a Dust Control Plan would not be required for approval by the San Francisco Department of Public Health that would include dust control measures and monitoring during construction. Compliance with the regulations and procedures set forth in the Port building code would ensure that potential dust-related construction air quality impacts from the modified project would be reduced to a less-than-significant level, consistent with the findings of the FEIR.

Regarding criteria air pollutant and precursor emissions from construction, the FEIR noted that based on quantitative air quality assessments conducted by the planning department for large projects over the years, projects on large sites that require substantial ground disturbance; projects requiring extremely compressed construction schedules; projects that require specialty equipment such a drilling rigs, and in particular projects requiring in-water construction activities;[19] are the types of projects that could exceed significance thresholds. Large single- and multiple-building projects often do not exceed the significance thresholds. The

[18] The FEIR included several mitigation measures related to the following: clean construction equipment, super-compliant VOC architectural coatings during construction, educate residential and commercial tenants concerning low-VOC, consumer products, reduce operational emissions, best available control technology for projects with diesel generators and fire pumps, electric vehicle charging, design land use buffers around active loading docks, reduce exposure to toxic air contaminants, and implement truck route plan. The only FEIR mitigation measure that addresses construction activities is the clean construction equipment mitigation measure; thus, the other mitigation measures would not apply to the modified project.

[19] For example, in-water construction equipment like workboats, dredges, and barges typically have high emission rates for oxides of nitrogen (NO_x).

modified project would not include substantial ground disturbance, an extremely compressed construction schedule with overlapping phases, specialty construction equipment, or substantial in-water construction activities. Since the modified project would involve mainly landside demolition-related construction activities, it is not likely that criteria air pollutant emissions would exceed significance thresholds. However, to ensure that construction-related criteria air pollutant emissions significance thresholds would not be exceeded, FEIR Mitigation Measure M-AQ-3a, Clean Construction Equipment, would be applied to the modified project. FEIR Mitigation Measure M-AQ-3a requires emission reduction measures from off-road construction equipment including the use of Tier 4 off-road construction equipment and electric equipment for smaller equipment pieces; therefore, significant construction-related criteria air pollutant emissions would not be anticipated as a result of the modified project. Tier 4 Interim off-road engines emit 80 to 90 percent less PM and 45 percent less NO_x than Tier 2 engines; Tier 4 Final engines emit 80 percent less NO_x than Tier 4 Interim engines. As the FEIR determined that a significant and unavoidable air quality impact would occur under the Waterfront Plan related to criteria air pollutants, the modified project would not result in new environmental impacts or substantially increase the severity of the previously identified environmental impacts.

Regarding construction-related health risks, the FEIR included projects with completed health risk analyses as examples of potential health risk from construction activities that could occur under the Waterfront Plan. An example project that included demolition of 143,500 square feet of existing buildings and construction of 2.4 million square feet of office, retail, and vendor space resulted in mitigated health risks below significance thresholds for sensitive receptors located in an air pollutant exposure zone (APEZ).[20] Mitigated health risks included implementation of Tier 4 off-road construction equipment and electric equipment for smaller equipment types. Because mainly demolition activities and minor open space improvement activities would occur on the approximately 5,800-square-foot site, FEIR Mitigation Measure M-AQ-3a would require the use of Tier 4 off-road construction equipment and electric equipment for smaller equipment pieces, and the closest sensitive receptor is approximately 1050 feet from the project site, significant construction-related health risk impacts would not be anticipated as a result of the modified project. The project is also subject to Chapter 25 of the Environment Code. This regulation requires that projects using off-road diesel equipment 25 horsepower or greater for 20 or more cumulative days and located within the APEZ, such as the proposed project, use the cleanest (lowest emitting) construction equipment available. Compliance with Mitigation Measure M-AQ-3a would also meet the engine requirements in Chapter 25 of the Environment Code. As the FEIR determined that a significant and unavoidable impact would occur under the Waterfront Plan related to $PM_{2.5}$ and toxic air contaminants on sensitive receptors, the modified project would not result in new environmental impacts or substantially increase the severity of the previously identified environmental impacts.

For the reasons discussed above, the modified project would not result in new environmental impacts not previously disclosed in the FEIR or substantially increase the severity of previously identified less-than-significant-with-mitigation air quality impacts. The modified project would not require new mitigation measures. However FEIR Mitigation Measure M-AQ-3a: Clean Construction Equipment, identified in the FEIR

[20] For locations already meeting APEZ criteria, $PM_{2.5}$ concentration at or above 0.2 µg/m3 or an excess cancer risk at or greater than 7.0 per million, would be a substantial health risk contribution and a significant impact would occur.

would continue to apply to the modified project and would ensure air quality impacts continue to be less-than-significant with mitigation.

The full text of the FEIR mitigation measure M-AQ-3a is provided below.

Mitigation Measure M-AQ-3a: Clean Construction Equipment. The project sponsor shall submit a construction emissions minimization plan to the Port Chief Harbor Engineer, who will then notify the Port Environmental Regulatory Compliance staff and an Environmental Planning Air Quality Specialist for review and approval.

The construction emissions minimization plan shall apply to all off-road and in-water marine equipment operating for more than 20 total hours over the entire duration of construction activities. The plan shall detail project compliance with the following requirements as necessary:

1. All off-road equipment greater than 25 horsepower shall meet the following requirements:
    a. Where access to grid-powered electricity is reasonably available, portable diesel engines shall be prohibited and electric engines shall be used for concrete/industrial saws, sweepers/scrubbers, aerial lifts, welders, air compressors, fixed cranes, forklifts, and cement and mortar mixers, pressure washers, and pumps. If grid electricity is not available, propane or natural gas generators shall be used if feasible. Diesel engines shall only be used if grid electricity is not available and propane or natural gas generators cannot meet the electrical demand;
    b. All other off-road equipment shall have engines that meet or exceed either U.S. Environmental Protection Agency (U.S. EPA) or California Air Resources Board (CARB) Tier 4 Interim or Final off-road emission standards;
2. All in-water marine equipment greater than 100 horsepower shall have engines that meet or exceed U.S. EPA or CARB Tier 3 Marine Engine emission standards;
3. Any other best available technology that reduces emissions offered at the time that future projects are reviewed may be included in the construction emissions minimization plan (e.g., alternative fuel sources, etc.).
4. Exceptions to requirements 1 and 2 above may be granted if the project sponsor has submitted information providing evidence that meeting the requirement (1) is technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, or (3) there is a compelling emergency need to use equipment that to not meet the engine standards and the sponsor has submitted documentation that the requirements of this exception provision apply. In seeking an exception, the project sponsor shall demonstrate that the project will use the cleanest piece of construction equipment available and feasible and strive to meet a performance standard of average construction emissions of ROG, NOx, PM2.5 below 54 lbs/day, and PM10 emissions below 82 lbs/day.
5. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than 2 minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the 2-minute idling limit.

6. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.
7. The construction emissions minimization plan shall include estimates of the construction timeline by phase with a description of each piece of off-road and marine equipment required for every construction phase. Off-road and marine equipment descriptions and information may include, but is not limited to, equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel use and type, and hours of operation.
8. The construction emissions minimization plan shall be kept on site and available for review during working hours by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the plan and a way to request a copy of the plan. The project sponsor shall provide copies of the construction emissions minimization plan as requested.
9. *Reporting.* Biannual reports shall be submitted to the Port Chief Harbor Engineer and Port Environmental Regulatory Compliance staff, in addition to an Environmental Planning Air Quality Specialist for review, indicating the construction phase and equipment information used during each phase including the information required in requirement 7, above.

   Within six months of the completion of construction activities, the project sponsor shall submit to the Port Chief Harbor Engineer and Port Environmental Regulatory Compliance staff, in addition to an Environmental Planning Air Quality Specialist for review, a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in requirement 7.
10. *Certification Statement and On-Site Requirements.* Prior to the commencement of construction activities, the project sponsor shall certify (1) compliance with the construction emissions minimization plan, and (2) all applicable requirements of the construction emissions minimization plan have been incorporated into contract specifications.

BIOLOGICAL RESOURCES

The FEIR determined that implementation of the Waterfront Plan would result in a less-than-significant impact with mitigation on biological resources.[21] The modified project would include minor in-water construction and would not substantially affect special-status marine species. The modified project would have a limited effect on terrestrial biological resources that inhabit the Waterfront Plan area primarily because the existing urban environment of the project site, which is developed with buildings and pavement, offers marginal habitat value to resident plant and animal species. As such, the modified project would not affect any sensitive natural communities (pickleweed mat), jurisdictional wetlands, and wildlife movement and nursery sites. However, demolition of the on-site building could affect nesting birds during the breeding season if

[21] The FEIR included the following mitigation measures: worker environmental awareness program training; special-status plant species surveys; nesting bird protection measures; avoidance and minimization measures for bats; fish and marine mammal protection during pile driving; avoidance of pickleweed mat sensitive natural community; and avoidance of impacts on wetlands and waters.

active nests are present and roosting bats during periods of winter torpor or maternity roosting if roosting bats are present. Therefore, the following FEIR mitigation measures would apply to the modified project:

- Mitigation Measure M-BI-1a: Worker Environmental Awareness Program Training.
- Mitigation Measure M-BI-2a: Nesting Bird Protection Measures.
- Mitigation Measure M-BI-2b: Avoidance and Minimization Measures for Bats.

Implementation of these mitigation measures would reduce potential impacts on nesting birds and special-status roosting bats to less-than-significant levels with mitigation, consistent with the findings of the FEIR.

Additionally, commensurate with any construction activity adjacent to, or within, an aquatic environment is the potential for the accidental discharge of hydrocarbon containing materials (e.g., fuel, lubricating oils, construction materials), construction debris, or other harmful materials. Such construction activities including demolition could pose a temporary risk of exposing resident marine taxa to toxic contaminants and non-edible forage. However, with implementation of **Mitigation Measure M-HY-1: Water Quality Best Management Practices for In-Water Work**, water quality impacts of the modified project on special-status marine species due to pile installation or pile removal would be less than significant with mitigation.

For the reasons discussed above, the modified project would not result in new environmental impacts not previously disclosed in the FEIR or substantially increase the severity of previously identified less-than-significant-with-mitigation biological resources impacts. The modified project would not require new mitigation measures. However, Mitigation Measures M-BI-1a**:** Worker Environmental Awareness Program Training, M-BI-2a: Nesting Bird Protection Measures, M-BI-2b: Avoidance and Minimization Measures for Bats, and M-HY-1: Water Quality Best Management Practices for In-Water Work identified in the FEIR and its Initial Study (see FEIR Appendix B) would continue to apply to the modified project and would ensure biological resources impacts continue to be less-than-significant with mitigation.

The full text of the applicable FEIR Mitigation Measures M-BI-1a, M-BI-2a and M-BI-2b is provided below.

Mitigation Measure M-BI-1a: Worker Environmental Awareness Program Training. Project-specific Worker Environmental Awareness Program (WEAP) training shall be developed and implemented by a qualified biologist and attended by all project personnel performing demolition or ground-disturbing work where buildings, bridges, landscaping/street trees, natural vegetation or shoreline habitats are present prior to the start of work. The WEAP training shall generally include, but not be limited to, education about the following:

- Applicable state and federal laws, environmental regulations, project permit conditions, and penalties for non-compliance.
- Special-status plant and animal species with the potential to be encountered on or in the vicinity of the project area during construction.
- Avoidance measures and a protocol for encountering special-status species including a communication chain.
- Preconstruction surveys and biological monitoring requirements associated with each phase of work and at specific locations within the project area (e.g., shoreline work) as biological

resources and protection measures will vary depending on where work is occurring within the site, time of year, and construction activity.

- Known sensitive resource areas in the project vicinity that are to be avoided and/or protected as well as approved project work areas, access roads, and staging areas.

Mitigation Measure M-BI-2a: Nesting Bird Protection Measures. Mitigation Measure M-BI-2a applies to new development projects that include removal of trees or vegetation, major tree trimming, demolition of buildings, or use of heavy equipment (e.g., earthwork, demolition) that could disturb nests or nesting birds. Nesting birds and their nests shall be protected during construction by use of the following measures:

1. A qualified wildlife biologist shall conduct pre-construction nesting surveys during the avian nesting breeding season (approximately February 15 to September 15) within 7 days prior to construction. Surveys shall be performed for the project area, vehicle and equipment staging areas, and suitable habitat within 250 feet to locate any active passerine (perching bird) nests and within 500 feet to locate any active raptor (bird of prey) nests.
2. If active nests are located during the pre-construction nesting bird surveys, the qualified wildlife biologist shall evaluate if the schedule of construction activities could affect the active nests and the following measures shall be implemented based on their determination:
    a. If construction is not likely to affect the active nest, construction may proceed without restriction.
    b. If it is determined that construction may affect the active nest, the qualified biologist shall establish a no-disturbance buffer around the nest(s) and all project work shall halt within the buffer until a qualified biologist determines the nest is no longer in use. Typically, these buffer distances are up to 250 feet for passerines and 500 feet for raptors; however, the buffers may be adjusted downward for some species, or if an obstruction, such as a building, is within line-of-sight between the nest and construction activities.
    c. Modifying nest buffer distances, allowing certain construction activities within the buffer, and/or modifying construction methods in proximity to active nests shall be done at the discretion of the qualified biologist and in coordination with the Port. Necessary actions to remove or relocate an active nest(s) shall be coordinated with the Port.
    d. Any work that must occur within established no-disturbance buffers around active nests shall be monitored by a qualified biologist. If adverse effects in response to project work within the buffer are observed and could compromise the nest, work within the no-disturbance buffer(s) shall halt until the nest occupants have fledged.
    e. Any birds that begin nesting within the project area and survey buffers amid construction activities shall be assumed to be habituated to construction-related or similar noise and disturbance levels and no work exclusion zones shall be established around active nests in these cases; however, should birds nesting nearby begin to show disturbance associated with construction activities, no-disturbance buffers shall be established as determined by the qualified wildlife biologist.

Mitigation Measure M-BI-2b: Avoidance and Minimization Measures for Bats. A qualified biologist (as defined by CDFW[22]) who is experienced with bat surveying techniques (including auditory sampling methods), behavior, roosting habitat, and identification of local bat species shall be consulted prior to demolition or building relocation activities or tree work to conduct a pre-construction habitat assessment of the project area (focusing on buildings to be demolished or relocated) to characterize potential bat habitat and identify potentially active roost sites. No further action is required should the pre-construction habitat assessment not identify bat habitat or signs of potentially active bat roosts within the project area (e.g., guano, urine staining, dead bats, etc.).

The following measures shall be implemented should potential roosting habitat or potentially active bat roosts be identified during the habitat assessment in buildings to be demolished or relocated for subsequent projects under the Waterfront Plan or in trees adjacent to construction activities that could be trimmed or removed for subsequent projects under the Waterfront Plan:

1. In areas identified as potential roosting habitat during the habitat assessment, initial building demolition, relocation, and any tree work (trimming or removal) shall occur when bats are active, approximately between the periods of March 1 to April 15 and August 15 to October 15, to the extent feasible. These dates avoid the bat maternity roosting season and period of winter torpor.[23]
2. Depending on temporal guidance as defined below, the qualified biologist shall conduct pre-construction surveys of potential bat roost sites identified during the initial habitat assessment no more than 14 days prior to building demolition or relocation, or any tree trimming or removal.
3. If active bat roosts or evidence of roosting is identified during pre-construction surveys for building demolition and relocation or tree work, the qualified biologist shall determine, if possible, the type of roost and species. A no-disturbance buffer shall be established around roost sites until the qualified biologist determines they are no longer active. The size of the no-disturbance buffer would be determined by the qualified biologist and would depend on the species present, roost type, existing screening around the roost site (such as dense vegetation or a building), as well as the type of construction activity that would occur around the roost site.
4. If special-status bat species or maternity or hibernation roosts are detected during these surveys, appropriate species- and roost-specific avoidance and protection measures shall be developed by the qualified biologist in coordination with CDFW. Such measures may include postponing the removal of buildings or structures, establishing exclusionary work buffers while the roost is active (e.g., 100-foot no-disturbance buffer), or other compensatory mitigation.
5. The qualified biologist shall be present during building demolition, relocation, or tree work if potential bat roosting habitat or active bat roosts are present. Buildings and trees with active roosts shall be disturbed only under clear weather conditions when precipitation is not forecast for three days and when daytime temperatures are at least 50 degrees Fahrenheit.
6. The demolition or relocation of buildings containing or suspected to contain bat roosting habitat or active bat roosts shall be done under the supervision of the qualified biologist. When

[22] CDFW (California Department of Fish and Wildlife) defines credentials of a *qualified biologist* within permits or authorizations issued for a project. Typical qualifications include a minimum of four years of academic training leading to a degree and a minimum of 2 years of experience conducting surveys for each species that may be present within the project area.
[23] *Torpor* refers to a state of decreased physiological activity with reduced body temperature and metabolic rate.

appropriate, buildings shall be partially dismantled to significantly change the roost conditions, causing bats to abandon and not return to the roost, likely in the evening and after bats have emerged from the roost to forage. Under no circumstances shall active maternity roosts be disturbed until the roost disbands at the completion of the maternity roosting season or otherwise becomes inactive, as determined by the qualified biologist.

7. Trimming or removal of existing trees with potential bat roosting habitat or active (non-maternity or hibernation) bat roost sites shall follow a two-step removal process (which shall occur during the time of year when bats are active, according to 1) above and, depending on the type of roost and species present, according to 3) above.
    a. On the first day and under supervision of the qualified biologist, tree branches and limbs not containing cavities or fissures in which bats could roost shall be cut using chainsaws.
    b. On the following day and under the supervision of the qualified biologist, the remainder of the tree may be trimmed or removed, either using chainsaws or other equipment (e.g., excavator or backhoe).
    c. All felled trees shall remain on the ground for at least 24 hours prior to chipping, off-site removal, or other processing to allow any bats to escape, or be inspected once felled by the qualified biologist to ensure no bats remain within the tree and/or branches.

Mitigation Measure M-HY-1: Water Quality Best Management Practices for In-Water Work. The project sponsor shall implement water quality best management practices to protect water quality from pollution due to fuels, oils, lubricants, and other harmful materials, as determined in consultation with the Environmental Planning Division of the San Francisco Planning Department based on review of engineering and construction details of project improvements. The Planning Department shall review best management practices detailed in the San Francisco Department of Public Health Pollution Prevention Toolkit for Maritime Industries along with other measures as may be identified to address specific construction details of proposed project improvement to determine the specific mitigation details, which may include:

- Preparation of a spill prevention control and countermeasure (SPCC) plan to address the emergency cleanup of any hazardous material and will be available on site, which typically includes:
    - Methods to address the emergency cleanup of any hazardous material and what materials will be available on site;
    - SPCC, hazardous waste, stormwater and other emergency planning requirements;
    - Measures to prevent spills into the Bay associated with in water fueling, if in water fueling is required on some of the construction barges. Such measures can include
        - Secondary booms and/or pads, depending upon where fueling would take place on the vessel;
        - Secondary containment on the deck of the vessel to contain the petroleum product;
        - Specifying volume of petroleum products that will be on the vessel and evaluating the potential for spills. Absorbent and cleanup materials (such as oil sorbent boom,

heavy oil pads, Oil-Dri Absorbent Floor, etc.) of sufficient quantity to clean up potential spill volume shall be provided; and

- The locations of properly permitted offsite locations where vessels will be fuele-The locations of properly permitted offsite locations where vessels will be fueled.

- Fueling of equipment consistent with proper fuel transfer procedures as per U.S. Coast Guard regulations (33 CFR 156.120 and 33 CFR 155.320), including inspection requirements of spill containment and the fueling location to document that no spills have occurred, or that any spills are cleaned up immediately.

- Well-maintained equipment is used to perform the construction work, and equipment maintenance is performed off site when possible. Daily equipment inspections to help prevent leaks or spills. Leaks or spills are best cleaned up when discovered, with proper disposal of cleaning materials;

- Precautions to protect listed species, their habitats, and Essential Fish Habitat from construction by-products and pollutants such as demolition debris, construction chemicals, fresh cement, saw-water, or other deleterious materials. Construction will be conducted from both land and water, and care shall be used by equipment operators to control debris so that it does not enter the Bay.

- A materials management disposal plan (MMDP) to prevent any debris from falling into the Bay during construction to the maximum extent practicable. The measures identified in the MMDP are commonly based on the Best Available Technology, and may include:

    - During construction, any barges performing the work shall be moored in a position to capture and contain the debris generated during any sub-structure or in-water work. In the event that debris does reach the Bay, personnel in workboats within the work area shall immediately retrieve the debris for proper handling and disposal. All debris shall be disposed of at an authorized upland disposal site;

    - Measures to ensure that fresh cement or concrete shall not be allowed to enter San Francisco Bay. Construction waste shall be collected and transported to an authorized upland disposal area, and per federal, state, and local laws and regulations;

    - All hazardous material shall be stored upland in storage trailers and/or shipping containers designed to provide adequate containment. Short-term laydown of hazardous materials for immediate use shall be permitted with the same anti-spill precautions;

    - All construction material, wastes, debris, sediment, rubbish, trash, fencing, etc., shall be removed from the site once the proposed project is completed and transported to an authorized disposal area, in compliance with applicable federal, state, and local laws and regulations;

    - Construction material shall be covered every night and during any rainfall event (if there is one);

- Construction crews shall reduce the amount of disturbance within the project site to the minimum necessary to accomplish the project; and
- Measures to prevent saw water from entering the Bay.

PALEONTOLOGICAL RESOURCES

The FEIR determined that implementation of the Waterfront Plan would result in a less-than-significant impact with mitigation on paleontological resources.[24]

No grading or excavation would occur as part of the modified project. A minor amount of soil disturbance (less than 50 cubic yards) would be required to abandon existing utilities in place. The FEIR determined that excavations greater than 5 feet in depth and more than 2,500 cubic yards of soil could affect unique paleontological resources in the Waterfront Plan area. Since the modified project would not include excavation and the soil disturbance would be less than 50 cubic yards, none of the FEIR paleontological resources mitigation measures would apply.

The construction impacts associated with the modified project would not result in new environmental impacts or substantially increase the severity of the previously identified environmental impacts. In addition, the modified project would not require new mitigation measures, and none of the FEIR paleontological resources mitigation measures would apply.

OTHER ENVIRONMENTAL TOPICS

The FEIR found that the implementation of the Waterfront Plan would have less-than-significant impacts with mitigation for the following topics: hydrology and water quality (for in-water work) and wind. Other than Mitigation Measure M-HY-1: Water Quality Best Management Practices for In-Water Work, none of the FEIR mitigation measures for these topics would apply to the modified project because the modified project would not result in new environmental impacts not previously disclosed in the FEIR or substantially increase the severity of previously identified less-than-significant-with-mitigation hydrology and water quality and wind impacts. The modified project would not require new mitigation measures.

The FEIR found that implementation of the Waterfront Plan would have less-than-significant impacts related to land use and planning, population and housing, greenhouse gas emissions, shadow, recreation, utilities and service systems, public services, geology and soils (except for paleontological resources), hazards and hazardous materials, mineral resources, energy, agriculture and forest resources, and wildfire. No new mitigation measures would be required for the modified project because the modified project would not result in new environmental impacts not previously disclosed in the FEIR or substantially increase the severity of previously identified less-than-significant impacts. The modified project would not change the analysis or conclusions reached in the FEIR.

[24] The FEIR included mitigation measures related to the unanticipated discovery of paleontological resources during construction and development of a paleontological resources monitoring plan during construction.

Conclusion

Based on the foregoing, it is concluded that the analyses conducted and the conclusions reached in the FEIR certified by the planning commission on March 16, 2023, remain valid and that no supplemental environmental review is required. The proposed revisions to the project would not cause new significant impacts not identified in the FEIR, and no new mitigation measures would be necessary to reduce significant impacts. No changes have occurred with respect to circumstances surrounding the modified project that would cause significant environmental impacts to which the project would contribute considerably, and no new information has become available that shows that the project would cause significant environmental impacts. Therefore, no supplemental environmental review is required beyond this addendum.

I do hereby certify that the above determination as been made pursuant to State and Local requirements.

Environmental Review Officer

July 25, 2025

Date of Determination

cc: Devyani Jain, Port of San Francisco
Ming Yeung, Port of San Francisco
Distribution List