

**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS IN CONNECTION  
WITH THE APPROVAL OF AMENDMENT #4 TO THE UCSF 2014 LONG RANGE  
DEVELOPMENT PLAN AND THE DESIGN OF THE UCSF MINNESOTA STREET  
GRADUATE STUDENT AND TRAINEE HOUSING, SAN FRANCISCO CAMPUS**

**I. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT**

The University of California (“University” or “UCSF”), as the lead agency pursuant to the California Environmental Quality Act (“CEQA”), has prepared a Final Environmental Impact Report, State Clearinghouse Number 2016082004 (“Final EIR”) for the UCSF Minnesota Street Graduate Student and Trainee Housing (the “Project”). The Project will be located on two adjacent properties at 590 and 600 Minnesota Street in the Dogpatch neighborhood, south of UCSF’s Mission Bay campus site. The Board of Regents (the “Board”) hereby issues these Findings and concurrently approves an amendment to the UCSF 2014 Long Range Development Plan (“2014 LRDP”) to add the 40,000 square-foot northern parcel and 40,080 square-foot southern parcel Project sites to Chapter 9, Smaller Owned Sites, of the 2014 LRDP.

The Final EIR assesses the potential environmental effects of implementation of the Project, identifies the means to eliminate or reduce potentially significant adverse impacts, and evaluates a reasonable range of alternatives to the Project. The Final EIR also responds to comments on the Draft EIR, explains changes made to the text of the Draft EIR, and includes a Mitigation Monitoring and Reporting Program that outlines the substance and timing of mitigation measures required for the Project.

Pursuant to Public Resources Code sections 21081, 21081.5 and 21081.6, and CEQA Guidelines sections 15090, 15091, 15092, and 15093, the Board certifies that it completed the following activities prior to approving Amendment #4 to the 2014 LRDP and the design of the Project: the Board has received the Final EIR; the Board has reviewed and considered the information contained in the Final EIR and received through public comments; and the Board has considered all additional written and oral statements received prior to or at the Regents meeting. The Board additionally certifies that the Final EIR was completed in compliance with CEQA and that the Final EIR reflects the University’s independent judgment and analysis. The conclusions presented in these Findings are based on the Final EIR and other evidence in the administrative record.

**II. FINDINGS**

Having received, reviewed, and considered the Final EIR and other information in the administrative record, the Board hereby adopts the following Findings and Statement of Overriding Considerations for the Project in compliance with CEQA, the CEQA Guidelines, and the University’s procedures for implementing CEQA (“University of California Procedures for Implementation of CEQA”). The Board adopts these Findings and Statement of Overriding Considerations in conjunction with its approval of Amendment #4 to the 2014 LRDP and the design of the Project, as set forth in Section III, below.

**A. ENVIRONMENTAL REVIEW PROCESS**

**1. CEQA Process and Preparation of the EIR**

On August 1, 2016, a Notice of Preparation (“NOP”), including an Initial Study, was published for the Project’s EIR. The 30-day public scoping period ended on August 30, 2016. A copy of the NOP/Initial Study is included in Appendix 1.0a of the Draft EIR. A scoping meeting was held on August 17, 2016, at the UCSF Medical Center at Mission Bay Auditorium to accept public input on environmental topics to be analyzed in the EIR and approaches to the impact analyses. Written and oral comments received on the NOP are included in Appendix 1.0c of the Draft EIR. The Draft EIR was published on January 9, 2017, commencing a 45-day public review period ending on February 23, 2017. Copies of the Draft EIR were placed at various branches of the San Francisco Public Library (San Francisco Main Branch, 100 Larkin Street, the Mission Bay Branch, 960 4<sup>th</sup> Street, and the Potrero Hill branch, 1616 20<sup>th</sup> Street) and at the UCSF Mission Bay campus site library at 1675 Owens Street. The Draft EIR was posted online on the Campus Planning website. The Draft EIR was sent to the State Clearinghouse and to other local and regional agencies. A public hearing for the Draft EIR was held on February 6, 2017, at the UCSF Medical Center at Mission Bay Auditorium, and a transcript of the public hearing is on-file at Campus Planning.

**i. Public Comments**

During the public review period, twelve (12) comment letters on the Draft EIR were received, and one individual provided verbal comments at the Draft EIR public hearing. Written responses to the comments were prepared and included in the Final EIR. Among the comment letters received, one (1) was from a local agency, the San Francisco Public Utilities Commission. The San Francisco Public Utilities Commission letter provided information regarding existing and projected retail water supply, and comments concerning the utilities and service systems analysis.

Comments from the general public, neighbors, or neighborhood groups included, amongst others: (1) opposition to the preparation of two separate EIRs to analyze and disclose the potential environmental impacts of the proposed Project and the proposed Child, Teen, and Family Center & Department of Psychiatry Building located at 2130 Third Street; (2) concern regarding indirect impacts on public services because of the University’s exemption from payment of real property taxes and local impact fees, which some commenters alleged could result in fewer funds for critical services in the neighborhood; (3) concern regarding the Project’s impact on growth within the Central Waterfront and Showplace Square/Potrero Hill Plan areas; (4) suggestions regarding the feasibility of the Block 15 Site alternative; (5) concerns about potential conflict of the proposed Project with the objectives of the City’s General Plan and the Central Waterfront Area Plan related to historic resources; and (6) suggestions to build the proposed Project on the 777 Mariposa Street property acquired by UCSF in 2016. All comments have been responded to in the Final EIR. None of the issues raised by the commenters alters the Draft EIR analysis in any significant way.

## **ii. Community Meetings**

Throughout the public review period, the University also has held multiple community meetings with several neighborhood groups to discuss various concerns about the Project, and in order to provide information regarding design and development, project schedule, construction logistics, and parking and transportation demand management. UCSF has also engaged the community by posting updates about the Project's preliminary plans and proposed development online on the UCSF Community and Government Relations website.

## **iii. Final EIR**

The Final EIR contains all of the comment letters received during the public comment period. The Final EIR also contains responses to those comments, which the University prepared in accordance with CEQA, the CEQA Guidelines, and the University of California Procedures for Implementation of CEQA. The Board has reviewed the comments received and the responses thereto and finds that the Final EIR provides adequate, good faith, and reasoned responses to those comments.

## **2. Absence of Significant New Information**

CEQA Guidelines section 15088.5 requires that a lead agency recirculate an EIR for additional review and comment when significant new information is added to the EIR after the public comment period but before certification of the EIR. Such information can include changes in the project or environmental setting, but that information is not significant unless the EIR is changed in a manner that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project's proponent declines to implement.

The following text changes were made to the Draft EIR and are incorporated as Section 2.0 "Revisions to the Draft EIR" in the Final EIR. Changes were made to the Project Description to update Figures 3.0-2, 3.0-3 and 3.0-5, as well as to correctly identify 601 Minnesota Street as a commercial live/work building; to Project Objectives to include modified and additional objectives; to Project Features and Operations to indicate the Project is now smaller than the proposed Project analyzed in the Draft EIR as the number of units and building population has slightly decreased; to Cultural Resources to revise the impact statement for Cumulative Impact C-CUL-1 to be consistent with the text of the impact analysis; to Utilities and Service Systems to include information provided by the San Francisco Public Utilities Commission; and to Appendix 4.8 Water Supply Assessment to include the referenced resolution mentioned by the San Francisco Public Utilities Commission. These text changes are either minor or technical revisions, and do not trigger the criteria for recirculation.

Subsequent to completion of the Draft EIR public review period, the Project was reduced in unit size from about 610 units to 595 units, the population of building occupants was reduced

from 810 to 768, and the maximum number of vehicle parking spaces was reduced from 140 to ~~122~~approximately 127. The amount of retail space increased slightly from 3,000 gsf to 4,500 gsf. Altogether these changes result in a Project that is slightly smaller than the proposed Project analyzed in the Draft EIR. The remainder of the Project has not been modified. The Final EIR concludes that the reduced size of the Project will not cause any new significant impacts or increase the severity of impacts found to be potentially significant in the Draft EIR because in fact, a slightly reduced Project will reduce land use, traffic and circulation, and construction-related impacts. An updated traffic analysis also indicates that there will be reduced travel demand (*Trip Generation, Revised Project April 2017*, Adavant Consulting, April 2017).

The Board finds that no significant new information was added to the Draft EIR after the public review period. The Board specifically finds that: no new significant environmental impact would result from the Project or from the implementation of a mitigation measure; no substantial increase in the severity of an environmental impact would result, or if such an increase would result, the University has adopted mitigation measures to reduce the impact to a level of insignificance; the University has not declined to adopt any feasible project alternative or mitigation measures considerably different from others previously analyzed that would clearly lessen the environmental impacts of the Project; and the Draft EIR is not so fundamentally and basically inadequate in nature that it precluded meaningful public review.

Having reviewed the information in the Draft EIR, Final EIR, and administrative record, as well as the requirements under CEQA Guidelines Section 15088.5 and interpretive judicial authority regarding recirculation of Draft EIRs, the Board finds that no new significant information was added to the EIR following public review, and recirculation of the EIR is therefore unnecessary and not required by CEQA.

### **3. Differences of Opinion Regarding the Project's Impacts**

In making its determination to certify the Final EIR and to approve the Project, the Board recognizes that the Project involves several controversial environmental issues and that a range of opinion exists with respect to these issues. Through its review of the Final EIR, the comments received on the Draft EIR, and the responses to comments, the Board has acquired a comprehensive understanding of the scope of such issues. This has enabled the Board to make fully informed and thoroughly considered decisions after taking into account the various viewpoints on the important environmental issues involved in the Project's implementation. Considering the evidence and analysis presented in the Final EIR and the administrative record as a whole, the Board finds that the Findings herein are based on a full appraisal of all viewpoints expressed throughout the CEQA review process, as well as other relevant information contained in the administrative record.

## **B. IMPACTS AND MITIGATION MEASURES**

As required by CEQA and the CEQA Guidelines, the following section summarizes the environmental impacts of the Project identified in the Final EIR and includes the Board's

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Findings regarding those impacts and any mitigation measures set forth in the Final EIR, adopted by the Board, and incorporated as requirements of the Project. These Findings summarize the determinations of the Final EIR with respect to the Project's impacts before and after mitigation and do not attempt to describe the full analysis of each environmental impact considered in the Final EIR. Instead, the Findings provide a summary description of each impact, describe the applicable mitigation measures identified in the Final EIR and adopted by the Board for the Project, and state the Board's Findings regarding the significance of each impact with the adopted mitigation measures. The Final EIR contains a full explanation of each impact, mitigation measure, and the analysis that led the University to its conclusions on those impacts. These Findings hereby incorporate by reference the discussion and analysis in the Final EIR, which supports the Final EIR's determinations regarding the Project's environmental impacts and mitigation measures. In making these Findings, the Board ratifies, adopts, and incorporates by reference the Final EIR's analysis, determinations, and conclusions relating to environmental impacts and mitigation measures, except to the extent that any such determinations and conclusions are specifically and expressly modified by these Findings.

In adopting the mitigation measures described below, the Board intends to adopt each of the mitigation measures recommended in the Final EIR related to the Project. Accordingly, in the event that a mitigation measure recommended in the Final EIR has been inadvertently omitted from these Findings, that mitigation measure is hereby adopted and incorporated by reference in the Findings. Additionally, in the event that the description of mitigation measures set forth below fails accurately to capture the substance of a given mitigation measure due to a clerical error (as distinct from specific and express modification by the Board through these Findings), the language of the mitigation measure as set forth in the Final EIR shall govern.

With respect to mitigation measures that were suggested in comments by the public or other public agencies but not included in the Final EIR, the responses to comments explain that the suggested mitigation measures either are already part of the Project and associated CEQA documentation or are infeasible or ineffectual and thus not recommended for adoption for the reasons outlined in the responses to comments. The Board hereby adopts and incorporates by reference the reasons stated in the responses to comments as the basis for finding these suggested mitigation measures not necessary or appropriate for inclusion as Project requirements.

The Final EIR focuses only on areas for which the Initial Study determined additional environmental review would be required, namely Aesthetics, Air Quality, Cultural Resources, Greenhouse Gas Emissions, Land Use and Planning, including Recreation, Noise, Transportation and Traffic, Utilities and Service Systems, and Energy. As indicated in the Initial Study, impacts in the following categories were found to be less than significant or to have no impact: Agriculture and Forestry Resources, Biological Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Mineral Resources, Population and Housing, and Public Services, and these impact categories were not analyzed in the Final EIR.

**1. Aesthetics**

- i. *Impact AES-1: The proposed project would alter the existing visual character of the project site but would not substantially degrade the existing visual character or quality of the site and its surroundings. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.1-9 to 4.1-10), the Board finds that the Project would not result in a significant impact on the existing visual character of the Project site; therefore, no mitigation is required.

- ii. *Impact AES-2: Implementation of the proposed project would create a new source of substantial light or glare which could adversely affect day or nighttime views in the area. (Potentially Significant; Less than Significant with Mitigation)*

Mitigation Measure AES-2: Light and glare from the Project shall be minimized through the orientation of the building, use of landscaping materials, and choice of primary façade materials. These measures will reduce light and glare from the Project. (Final EIR at pages 4.1-10 to 4.1-11).

**FINDING:** The Board finds that the Project would result in potentially significant impacts by the building's use of reflective surfaces, such as metal and glass, which glare could affect nearby residents, pedestrians and passing motorists (Final EIR at page 4.1-10). Mitigation Measure AES-2 is hereby adopted and incorporated into the Project. For the reasons stated in the Final EIR (Final EIR at pages 4.1-10 to 4.1-11), the Board finds that implementation of Mitigation Measure AES-2 would ensure that appropriate design standards and minimizing the quantity of reflective material used in new construction would reduce the Project's light and glare impact to a less-than-significant level.

- iii. *Impact AES-3: Implementation of the proposed project would not substantially reduce sunlight or significantly increase shadows in public open space areas. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.1-11 to 4.1-12), the Board finds that the Project would not result in a significant impact on reducing sunlight or significantly increasing shadows in public open space areas; therefore, no mitigation is required.

- iii. *Impact C-AES-1: The proposed project in combination with past, present, and reasonably foreseeable future development in the project vicinity would not result in significant impacts to visual resources. (Less than Significant)*



**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.1-14 to 4.1-15), the Board finds that the Project would not result in a significant cumulative impact on the visual character and quality of the area, light and glare, and shadow; therefore, no mitigation is required.

**2. Air Quality**

- i. *Impact AQ-1: The proposed project would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors). (Potentially Significant; Less than Significant with Mitigation)*

Mitigation Measure AQ-1: The University shall implement several Best Management Practices during all phases of construction for the Project, for example: watering exposed surfaces twice daily; covering haul trucks transporting soil, sand, or other loose material; removing visible mud or dirt track-out onto adjacent public roads at least once per day; limiting vehicle speeds on unpaved roads; completing paving of all roadways, driveways and sidewalks; minimizing idling times; maintaining and tuning all construction equipment in accordance with manufacturer's specifications; and posting publicly visible signs for dust complaints. These measures will reduce fugitive dust emissions. (Final EIR at pages 4.2-25 to 4.2-26).

**FINDING:** The Board finds that construction activities, particularly during site preparation, remediation, and grading, would temporarily generate fugitive dust in the form of PM10 and PM2.5, pollutants for which the air basin is in nonattainment under the California Clean Air Act (Final EIR at pages 4.2-20 to 4.2-26). Mitigation Measure AQ-1 is hereby adopted and incorporated into the Project. For the reasons stated in the Final EIR (Final EIR at pages 4.2-20 to 4.2-26), the Board finds that implementation of Mitigation Measure AQ-1 would ensure that best management practices would be implemented during construction of the Project to reduce criteria pollutants for which the project region is in nonattainment under the California Clean Air Act to a less-than-significant level.

- ii. *Impact AQ-2: The proposed project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.2-26 to 4.2-27), the Board finds that the Project would not result in a significant impact to an existing or projected air quality violation; therefore, no mitigation is required.

- iii. *Impact AQ-3: The proposed project would not conflict with or obstruct implementation of the applicable air quality plan. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at page 4.2-27), the Board finds that the Project would not result in a significant impact on the 2010 Clean Air Plan nor obstruct its implementation; therefore, no mitigation is required.

- iv. *Impact AQ-4: Project construction could expose existing sensitive receptors to substantial pollutant concentrations. (Potentially Significant; Less than Significant with Mitigation)*

Mitigation Measure AQ-4a: Implement Mitigation Measure AQ-1: See Section II.B.2.i above.

Mitigation Measure AQ-4b: The construction contractor(s) shall develop a plan demonstrating that the off-road equipment used on-site to construct the project would achieve a fleet-wide average 75 percent reduction in PM<sub>2.5</sub> exhaust emissions, compared to uncontrolled aggregate statewide emission rates for similar equipment. (Final EIR at page 4.2-32).

**FINDING:** The Board finds the best management practices in Mitigation Measure AQ-1 would reduce exhaust emissions by five percent and fugitive dust emissions by over 50 percent (Final EIR at page 4.2-32), and that Mitigation Measure AQ-4 would further reduce on-site diesel exhaust emissions by 70 percent. The Board also finds that with implementation of both Mitigation Measures AQ-4a (which is the implementation of Mitigation Measure AQ-1) and AQ-4b, the computed maximum excess residential cancer risk would be less than 2 in one million, which is below the BAAQMD threshold of no greater than 10.0 in one million. Mitigation Measures AQ-4a and AQ-4b are hereby adopted and incorporated into the Project. For the reasons stated in the Final EIR (Final EIR at pages 4.2-28 to 4.2-33), the Board finds that implementation of Mitigation Measures AQ-1 and AQ-4b would ensure that best management practices would be implemented during construction of the Project to reduce the community health risk impact during construction to a less-than-significant level.

- v. *Impact AQ-5: Project operation and occupancy would not expose sensitive receptors to substantial pollutant concentrations. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.2-33 to 4.2-38), the Board finds that the Project would not result in a significant impact on Project site receptors as the period of exposure for Project site receptors would be much less than the lifetime period assumed in cancer risk assessments, and for the two emergency generators, the maximum increased cancer risk is below the BAAQMD significance threshold; therefore, no mitigation is required.

- vi. *Impact C-AQ-1: The proposed project, in conjunction with other past, present and reasonably foreseeable future development, would not result in significant cumulative air quality impacts. (Less than Significant)*



**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.2-39 to 4.2-42), the Board finds that the Project would not result in a cumulative significant impact as the Project's operational emissions would not exceed the BAAQMD significance thresholds and the Project's construction phase emissions of criteria pollutants would not exceed the significance thresholds; therefore, no mitigation is required.

### **3. Cultural Resources**

- i. *Impact CUL-1: Construction of the proposed project could cause a substantial change in the significance of an historic resource pursuant to Section 15064.5. (Potentially Significant; Significant and Unavoidable)*

Mitigation Measure CUL-1: The University shall retain a qualified architectural historian to thoroughly document the building located at 600 Minnesota Street, and associated landscaping and setting. Documentation shall include still photography and a written documentary record of the building to the National Park Service's standards of the Historic American Building Survey or Historic American Engineering Record, including accurate scaled mapping and architectural Descriptions. A copy of the record shall be archived with the UCSF archives, the History Room of the San Francisco Public Library, the Northwest Information Center at Sonoma State University, and the San Francisco Planning Department. The University shall install interpretive materials at or near the project site to enhance public awareness in the form of a historical marker, kiosk, or other display that contains historical photos and text about the building's historical significance. (Final EIR at pages 4.3-25 to 4.3-26).

**FINDING:** The Board finds that the demolition of the building located at 600 Minnesota Street would have a significant impact on historic resources because it would materially affect in an adverse manner the qualities and characteristics which convey its historic significance (Final EIR at pages 4.3-19 to 4.3-26). Mitigation Measure CUL-1 is hereby adopted and incorporated into the Project. For the reasons stated in the Final EIR (Final EIR at pages 4.3-19 to 4.3-26), the Board finds that the demolition of the building located at 600 Minnesota Street would have a significant impact on historic resources because it would materially affect in an adverse manner the qualities and characteristics which convey its historic significance. While implementation of Mitigation Measure CUL-1 would reduce this potentially significant impact, the impact of the removal of the building would remain significant and unavoidable. The Board finds this remaining significant impact to be acceptable because the benefits of the Project outweigh this and other significant and unavoidable environmental impacts of Project for the reasons set forth in the "Statement of Overriding Considerations" in Section III, below.

- ii. *Impact CUL-2: The proposed project could cause a substantial change in the significance of an archaeological resource pursuant to Section 15064.5. (Potentially Significant; Less than Significant with Mitigation)*

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Mitigation Measure CUL-2: If an archaeological artifact is discovered during Project construction and excavation, pursuant to CEQA Guidelines 15064.5 (f), “provisions for historical or unique archaeological resources accidentally discovered during construction” shall be instituted. In the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 100 feet of the resources shall be halted and UCSF shall consult with a qualified archaeologist or paleontologist to assess the significance of the find. If any find is determined to be significant and will be adversely affected by the Project, representatives of UCSF and the qualified archaeologist and/or paleontologist shall meet to determine the appropriate avoidance measures or other appropriate mitigation. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and documented by the qualified archaeologist according to current professional standards per the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation. (Final EIR at page 4.3-28).

**FINDING: The Board finds that while building construction, including excavation and grading associated with the Project, would have a low-moderate potential to affect potentially historic or unique subsurface archaeological resources within the Project site, the Project could still cause substantial adverse changes to potentially historic or unique subsurface archaeological resources within the Project site (Final EIR at pages 4.3-26 to 4.3-28). Mitigation Measure CUL-2 is hereby adopted and incorporated into the Project. For the reasons stated in the Final EIR (Final EIR at pages 4.3-26 to 4.3-28), the Board finds that implementation of Mitigation Measure CUL-2 would reduce this potentially significant impact to a less-than-significant impact and that the Project will not, therefore, cause a substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5.**

- iii. *Impact CUL-3: The proposed project could disturb human remains, including those interred outside of formal cemeteries. (Potentially Significant; Less than Significant with Mitigation)*

Mitigation Measure CUL-3: The treatment of human remains discovered during any soils disturbing activity shall comply with applicable State and Federal laws. In the event of such a discovery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until: (a) The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and (b) If the coroner determines the remains to be Native American: (1) the coroner shall contact the Native American Heritage Commission within 24 hours; (2) The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American; (3) The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98. If certain conditions are met, the landowner may rebury the Native American human remains and

associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance. (Final EIR at pages 4.3-29 to 4.3-30).

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.3-29 to 4.3-30), the Board finds that implementation of Mitigation Measure CUL-3 would reduce this potentially significant impact to a less-than-significant impact and that the Project will not, therefore, cause a substantial adverse impact on disturbing any human remains, including those interred outside of formal cemeteries.

- iv. *Impact CUL-4: The proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at page 4.3-30), the Board finds that the Project would not result in a significant impact on any known or unknown tribal cultural resources in the area; therefore, no mitigation is required.

- v. *Impact C-CUL-1: Cumulative development could cause a substantial change in the significance of a historical resource or unique archaeological resource pursuant to Section 15064.5 or disturb any human remains, including those interred outside of formal cemeteries. The proposed project would not contribute substantially to the cumulative impacts on archaeological resources and human remains but would contribute substantially to the cumulative impacts on historical resources. (Potentially Significant; Significant and Unavoidable)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.3-31 to 4.3-32), the Board finds that with mitigation, the Project's contribution to cumulative impacts on archaeological resources and human remains would not be cumulatively considerable and would be less than significant. With respect to historic resources, the Project would contribute to the potentially significant cumulative impact on historical resources in the Central Waterfront Plan Area, and the Project's cumulative impact would remain significant and unavoidable. The Board finds this remaining significant impact to be acceptable because the benefits of the Project outweigh this and other significant and unavoidable environmental impacts of Project for the reasons set forth in the "Statement of Overriding Considerations" in Section III, below.

#### **4. Greenhouse Gas Emissions**

- i. *Impact GHG-1: Project development would generate greenhouse gas emissions, either directly or indirectly, that would not have a significant impact on the environment. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.4-27 to 4.4-28), the Board finds that the Project would not exceed applicable significance thresholds and would not result in a significant impact on the environment from greenhouse gas emissions; therefore, no mitigation is required.

- ii. *Impact GHG-2: The proposed project would not conflict with state law, UC Policy on Sustainable Practices, or the UCSF Climate Action Plan. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.4-29 to 4.4-31), the Board finds that the Project would not result in a significant impact on applicable laws, plans and policies adopted for the purpose of reducing greenhouse gas emissions; therefore, no mitigation is required.

- iii. *Impact C-GHG-1: The proposed project would not result in a significant cumulative GHG impact. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at page 4.4-31), the Board finds that the Project would not result in a significant cumulative impact related to greenhouse gas emissions; therefore, no mitigation is required.

## **5. Land Use and Planning, Including Recreation**

- i. *Impact LU-1: The proposed project would not conflict with the UCSF 2014 LRDP, once amended. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at page 4.5-11), the Board finds that the addition of the Project site to the 2014 LRDP would not result in significant impacts on land uses surrounding the Project; therefore, no mitigation is required.

- ii. *Impact LU-2: The proposed project would be consistent with regional and local land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.5-12 to 4.5-13), the Board finds that the Project would be consistent with applicable land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect; therefore, no mitigation is required.

- iii. *Impact LU-3: The proposed project would not conflict with local land use regulations such that a significant incompatibility is created with adjacent land uses. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at page 4.5-13), the Board finds that the Project would be generally compatible with the surrounding residential,

**commercial, and industrial land uses such that the Project would not conflict with local land use regulations; therefore, no mitigation is required.**

- iv. *Impact LU-4: Development of the proposed project would not increase the use of existing neighborhood parks or other recreational facilities such that substantial physical deterioration of the facilities could occur or be accelerated. In addition, the demand created by the proposed project would not require the construction of new or physically altered parks and recreation facilities. (Less than Significant)*

**FINDING: For the reasons stated in the Final EIR (Final EIR at page 4.5-14 to 4.5-15), the Board finds that the Project would not increase the use of existing neighborhood parks or other recreational facilities such that substantial physical deterioration of the facilities could occur or be accelerated; therefore, no mitigation is required.**

- v. *Impact C-LU-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would be consistent with land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect. (Less than Significant)*

**FINDING: For the reasons stated in the Final EIR (Final EIR at pages 4.5-15 to 4.5-16), the Board finds that the Project would be generally compatible with the surrounding residential, commercial, and industrial land uses such that the Project would not create a cumulative impact with future development in regards to land use; therefore, no mitigation is required.**

- vi. *Impact C-LU-2: The proposed project, in conjunction with other past, present and reasonably foreseeable future development, would not result in a significant cumulative impact on parks. (Less than Significant)*

**FINDING: For the reasons stated in the Final EIR (Final EIR at pages 4.5-16 to 4.5-17), the Board finds that the Project would not contribute substantially to an increase in demand for parkland or the increased utilization of existing facilities. Thus, the Project's contribution to cumulative impacts on parks would not be considerable; therefore, no mitigation is required.**

## **6. Noise**

- i. *Impact NOI-1: Construction activities associated with the proposed project would temporarily elevate noise levels at the project site and in the surrounding areas. (Potentially Significant; Less than Significant with Mitigation)*

Mitigation Measure NOI-1a: The University's contractors shall employ site-specific noise attenuation measures during construction to reduce the generation of construction noise to less

than 10 dBA over existing noise levels. These measures shall be included in a Noise Control Plan that shall be submitted for review and approval by the University for construction of the Project to ensure that construction noise is reduced to the degree feasible and consistent with the standards set forth in the City's Noise Ordinance. Measures specified in the Noise Control Plan and implemented during project construction shall include noise control strategies regarding equipment, trucks, sound-control devices, impact tools, stationary noise sources, enclosures and mufflers for stationary equipment. (Final EIR at pages 4.6-15 to 4.6-16).

Mitigation Measure NOI-1b: Construction hours shall be restricted, and in certain circumstances where work may need to occur outside of the set work hour limits, the UCSF Community and Government Relations will receive advance notice from the project manager and will engage the community to identify measures to minimize potential impacts. (Final EIR at page 4.6-16).

**FINDING: The Board finds that the proposed construction equipment would not generate noise levels that would exceed 80 dB(A)  $L_{\max}$  at 100 feet, and the construction noise impact would be less than significant. However, if a concrete saw is used during demolition, the construction noise would exceed the threshold and the impact would be potentially significant (Final EIR at page 4.6-15). Mitigation Measures NOI-1a and NOI-1b are hereby adopted and incorporated into the Project. For the reasons stated in the Final EIR (Final EIR at pages 4.6-12 to 4.6-16), the Board finds that implementation of Mitigation Measures NOI-1a and NOI-1b would reduce the Project's construction noise impacts to a less-than-significant level. Given that these mitigation measures would implement construction-related noise control measures and recognizing that the noise generated by construction activities would be temporary, the Project's construction noise impact would be less than significant with mitigation.**

- ii. *Impact NOI-2: Project construction activities would expose people and structures to or generate excessive groundborne vibration levels. (Potentially Significant; Less than Significant with Mitigation)*

Mitigation Measure NOI-2: A list of all heavy construction equipment to be used for the Project and the anticipated time duration of using the equipment shall be submitted by the contractor in order to identify equipment and activities that would potentially generate substantial vibration. Where possible, use of the heavy vibration-generating construction equipment shall be prohibited within 20 feet of any adjacent building in order to avoid potential damage to adjacent structures. The use of heavy vibration-generating construction equipment shall be prohibited within 50 feet of any adjacent residence in order to avoid the potential for strongly perceptible vibration levels and human annoyance. A construction vibration monitoring plan shall be implemented to document conditions prior to, during and after vibration generating construction activities. The results of all vibration monitoring shall be summarized and submitted to UCSF in a report shortly after substantial completion of each phase identified in the project construction schedule. (Final EIR at pages 4.6-19 to 4.6-20).



**FINDING:** The Board finds that potentially significant impacts related to construction vibrations would occur both in terms of potentially causing human annoyance/response and damage to the nearest buildings (Final EIR at pages 4.6-17 to 4.6-20). Mitigation Measure NOI-2 is hereby adopted and incorporated into the Project. For the reasons stated in the Final EIR (Final EIR at pages 4.6-17 to 4.6-20), the Board finds that implementation of Mitigation Measure NOI-2 would reduce the Project's construction vibration impacts to a less-than-significant level. In addition, Mitigation Measure NOI-1 shall be implemented, which requires compliance with the City's Police Code to limit hours when construction activities would take place. Given that these mitigation measures would implement construction-related vibration control measures, the Project's construction vibration impact would be less than significant with mitigation.

- iii. *Impact NOI-3: Vehicular traffic associated with the proposed project would result in an incremental, but imperceptible, long-term increase in ambient noise levels. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.6-20 to 4.6-21), the Board finds that the Project would result in marginal increases in traffic noise levels which would be less than significant as they do not exceed the threshold of permanently increasing noise levels by 3dB(A)  $L_{dn}$ ; therefore, no mitigation is required.

- iv. *Impact NOI-4: The operation of the proposed facility would result in a substantial long-term increase in ambient noise levels. (Potentially Significant; Less than Significant with Mitigation)*

Mitigation Measure NOI-4: Mechanical equipment shall be selected and designed to ensure that impacts on surrounding uses to meet the City's Police Code requirements. A qualified acoustical consultant shall be retained to review mechanical noise as these systems are selected to determine specific noise reduction measures necessary to reduce noise to comply with the City's Police Code. Noise reduction measures could include, but are not limited to, selection of equipment that emits low noise levels; installation of noise barriers such as enclosures and parapet walls to block the line of sight between the noise source and the nearest receptors; and siting the mechanical equipment as far as possible from the nearby existing sensitive receptors.. (Final EIR at page 4.6-22).

**FINDING:** The Board finds that the Project may contain mechanical equipment that could exceed the City's Police Code requirements (Final EIR at pages 4.6-21 to 4.6-22). Mitigation Measure NOI-4 is hereby adopted and incorporated into the Project. For the reasons stated in the Final EIR (Final EIR at pages 4.6-21 to 4.6-22), the Board finds that implementation of Mitigation Measure NOI-4 would reduce the Project's operational impacts on ambient noise levels to a less-than-significant level. Given that this mitigation measure would implement noise reduction measures, the Project's operational impact on ambient noise levels would be less than significant with mitigation.

- v. *Impact C-NOI-1: Construction of cumulative development projects, including the proposed project, would temporarily elevate noise levels in the northwestern portion of the Dogpatch neighborhood. (Potentially Significant; Significant and Unavoidable)*

Mitigation Measure C-NOI-1: Implement Mitigation Measure NOI-1. See Section II.B.6.i above.

**FINDING:** The Board finds that the cumulative noise exposure, both the noise level and the noise exposure duration, could result in significant cumulative construction noise impacts from the Project and the construction of the Child, Teen, and Family Center and Department of Psychiatry Building project (Final EIR at page 4.6-23). Mitigation Measure C-NOI-1, which is the implementation of Mitigation Measure NOI-1, is hereby adopted and incorporated into the Project. For the reasons stated in the Final EIR (Final EIR at pages 4.6-22 to 4.6-23), the Board finds that implementation of Mitigation Measure NOI-1 would reduce the impacts from cumulative project construction by reducing construction noise levels emanating from the site, however, the cumulative construction activities in the area would substantially increase noise levels intermittently at sensitive receptors over a period of approximately two years and the cumulative impact would remain significant and unavoidable. The Board finds this remaining significant impact to be acceptable because the benefits of the Project outweigh this and other significant and unavoidable environmental impacts of Project for the reasons set forth in the “Statement of Overriding Considerations” in Section III, below.

- vi. *Impact C-NOI-2: Temporary vibrations related to the construction of cumulative development, including the proposed project, would not cause a significant cumulative impact. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at page 4.6-23), the Board finds that the Project would result in less-than-significant cumulative vibration impacts during the construction of the Project; therefore, no mitigation is required.

- vii. *Impact C-NOI-3: Vehicular traffic associated with cumulative development would result in an incremental, but imperceptible, long-term increase in ambient noise levels. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.6-23 to 4.6-24), the Board finds that the Project would result in less-than-significant cumulative noise impacts as a result of cumulative conditions; therefore, no mitigation is required.

- viii. *Impact C-NOI-4: The operation of the proposed project, along with other reasonably foreseeable development, would not result in a substantial long-term increase in ambient noise levels. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at page 4.6-25), the Board finds that the Project along with cumulative development would not substantially increase ambient noise levels and would result in less-than-significant impact on ambient noise levels; therefore, no mitigation is required.

**7. Transportation and Traffic**

- i. *Impact TR-1: Development of the proposed project would not conflict with applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system including intersections, streets, highways and freeways nor conflict with an applicable congestion management program under existing conditions. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.7-44 to 4.7-46), the Board finds that the Project would have less than significant impacts at all study intersections under existing conditions; therefore, no mitigation is required.

- ii. *Impact TR-2: Development of the proposed project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of mass transit. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.7-47 to 4.7-52), the Board finds that the Project would not add a significant amount of ridership to screenlines which exceed the utilization standard under existing conditions and would not cause the need for development or expansion of mass transit facilities; therefore, no mitigation is required.

- iii. *Impact TR-3: Development of the proposed project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of bicycle facilities, or otherwise decrease the performance or safety of such facilities. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.7-52 to 4.7-55), the Board finds that the Project would not create substantial conflicts between bicyclists and autos, pedestrians, or transit vehicles, or otherwise interfere with bicycle accessibility to the site and adjoining areas. Thus, the Project's impact to bicycle facilities and circulation would be less than significant; therefore, no mitigation is required.

- iv. *Impact TR-4: Development of the proposed project would not cause a substantial conflict with pedestrian facilities, or otherwise decrease the performance or safety of such facilities. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.7-55 to 4.7-56), the Board finds that while the Project would increase the number of pedestrian trips in the vicinity of the Project area, it would not create a substantial conflict among autos and pedestrians. Thus, the Project's impact in relation to pedestrian circulation would be less than significant; therefore, no mitigation is required.

- v. *Impact TR-5: Development of the proposed project would increase vehicle parking demand at the project site. (No impact)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.7-56 to 4.7-59), the Board finds that because parking impacts are not considered significant, no mitigation measures are required.

- vi. *Impact TR-6: Development of the proposed project would increase loading demand at the project site. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.7-59 to 4.7-61), the Board finds that the Project would not create potentially hazardous conditions or significant delays affecting traffic, transit, bicycles, or pedestrians, or otherwise generate loading demand activities that could not be accommodated within proposed loading facilities, and the Project would have less-than-significant loading impacts; therefore, no mitigation is required.

- vii. *Impact TR-7: Development of the proposed project would not result in inadequate emergency access. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.7-61), the Board finds that the Project would not inhibit emergency access and would have a less-than-significant impact to emergency access; therefore, no mitigation is required.

- viii. *Impact TR-8: Construction of the proposed project would not cause substantial adverse impacts to traffic flow, circulation and access or to transit, pedestrian, and parking conditions during demolition and construction activities. (Less than Significant)*

Mitigation Measure TR-8a: UCSF shall require construction contractors for the Project to prepare a traffic control plan for major phases of project construction, and to coordinate with relevant City agencies feasible measures to reduce traffic congestion, including temporary transit stop relocations, and other measures to reduce potential traffic and transit disruption and pedestrian circulation effects during major phases of construction of the proposed residential buildings. For any work within the public right-of-way, the contractor will be required to comply with the City of San Francisco's Regulations for Working in San Francisco Streets. (Final EIR at pages 4.7-62 to 4.7-63).

Mitigation Measure TR-8b: UCSF and the City shall provide nearby residences and adjacent businesses with regularly-updated information regarding project construction, including construction activities, peak construction vehicle activities (e.g., concrete pours), travel lane closures, and lane closures via e-mail and/or website. (Final EIR at page 4.7-63).

**FINDING:** The Board finds that because construction activities would be phased, temporary, and limited in duration, and because they would comply with City requirements, construction-related transportation impacts would be less than significant. Furthermore, a temporary reduction in parking supply would not be a significant environmental impact (Final EIR at pages 4.7-61 to 4.7-63). Mitigation Measures TR-8a and TR-8b are hereby adopted and incorporated into the Project. For the reasons stated in the Final EIR (Final EIR at pages 4.7-61 to 4.7-63), the Board finds that implementation of Mitigation Measures TR-8a and TR-8b would further reduce the Project's less-than-significant impacts.

- ix. *Impact C-TR-1: Development of the proposed project, in combination with reasonably foreseeable future developments, would conflict with the applicable standards adopted by the local jurisdictions to evaluate the performance of intersections, highways, freeways and CMP facilities under Cumulative (2040) with project conditions. (Potentially Significant; Significant and Unavoidable)*

Mitigation Measure C-TR-1: The City shall install a traffic signal with pedestrian countdown timers at the intersection of Minnesota and 18<sup>th</sup> Streets, which may incorporate pedestrian visibility and circulation improvements into the design of the intersection. This mitigation measure shall include the development of a framework and responsibility for monitoring the traffic conditions at the intersection to determine when installation of the traffic signal is appropriate (e.g., when AM and/or PM peak hour intersection LOS E or F is reached and when Caltrans signal warrants are met, to coincide with other City planned transportation upgrades or improvements, etc.) and for determining UCSF's proportional share contribution (e.g., the percentage of project-generated AM and PM peak hour vehicle traffic contributed to the intersection or as part of a larger agreement between UCSF and the City) towards installation of the traffic signal. (Final EIR at page 4.7-71).

**FINDING:** The Board finds that the Project would contribute significantly to the poor operating conditions at the intersection of Minnesota and 18th Streets; the Project, in combination with past, present and reasonably foreseeable development in San Francisco, would have a significant cumulative impact at this study intersection (Final EIR at pages 4.7-66 to 4.7-68). Mitigation Measure C-TR-1 is hereby adopted and incorporated into the Project. For the reasons stated in the Final EIR (Final EIR at pages 4.7-66 to 4.7-71), the Board finds that implementation of Mitigation Measure C-TR-1, intersection operations would improve to acceptable levels (i.e. from LOS F to LOS B) during the AM and PM peak hours. The Final EIR indicates that UCSF's proportional share of the impact on this intersection is 15 percent, thus UCSF's obligation for mitigation would also be 15 percent

of the cost of the traffic signal. However, the University does not have the authority to implement this improvement without the City's approval and assistance, which is unknown at this time. Given the uncertainty as to whether the traffic signal would be installed and/or its timing, the cumulative traffic impact at the intersection of Minnesota and 18<sup>th</sup> Street is considered significant and unavoidable. The Board finds this remaining significant impact to be acceptable because the benefits of the Project outweigh this and other significant and unavoidable environmental impacts of Project for the reasons set forth in the "Statement of Overriding Considerations" in Section III, below.

- x. *Impact C-TR-2: Development of the proposed project, in combination with reasonably foreseeable future developments, would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of mass transit. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.7-71 to 4.7-73), the Board finds that the Project would not create excess demand for public transit that would require the development or expansion of mass transit facilities and the Project, in combination with past, present and reasonably foreseeable development in San Francisco, would have a less-than-significant impact on cumulative regional transit capacity; therefore, no mitigation is required.

- xi. *Impact C-TR-3: Development of the proposed project, in combination with reasonably foreseeable future developments, would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of bicycle facilities, or otherwise decrease the performance or safety of such facilities. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.7-73 to 4.7-74), the Board finds that the Project would not create substantial conflict between bicyclists, autos, pedestrians or transit vehicles, and the Project, in combination with reasonably foreseeable development in San Francisco, would have a less-than-significant cumulative bicycle impact; therefore, no mitigation is required.

- xii. *Impact C-TR-4: Development of the proposed project, in combination with reasonably foreseeable future developments, would not cause a substantial conflict with pedestrian facilities, or otherwise decrease the performance or safety of such facilities. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.7-74 to 4.7-75), the Board finds that the Project would not create substantial conflict between bicyclists, autos, pedestrians or transit vehicles, and the Project, in combination with reasonably foreseeable development in San Francisco, would have a less-than-significant cumulative pedestrian impact; therefore, no mitigation is required.



- xiii. *Impact C-TR-5: Development of the proposed project, in combination with reasonably foreseeable future developments, would increase parking demand. (No Impact)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at page 4.7-75), the Board finds that because parking impacts are not considered significant, no mitigation measures are required.

- xiv. *Impact C-TR-6: Development of the proposed project, in combination with reasonably foreseeable future developments, would increase loading demand at the project site. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.7-75 to 4.7-76), the Board finds that the Project would not create potentially hazardous conditions or significant delays affecting traffic, transit, bicycles, or pedestrians, or otherwise interfere with loading access to the Project site and adjoining areas, and the Project, in combination with reasonably foreseeable development in San Francisco, would have a less-than-significant cumulative loading impact; therefore, no mitigation is required.

- xv. *Impact C-TR-7: Development of the proposed project, in combination with reasonably foreseeable future developments, would not result in inadequate emergency access. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.7-76 to 4.7-77), the Board finds that the Project would not create potentially hazardous conditions or significant delays affecting traffic, transit, bicycles, or pedestrians, or otherwise interfere with emergency access to the Project site and adjoining areas, and the Project, in combination with reasonably foreseeable development in San Francisco, would have a less-than-significant cumulative impact on emergency access; therefore, no mitigation is required.

## **8. Utilities and Service Systems**

- i. *Impact UTL-1: The proposed project would not exceed applicable wastewater treatment requirements nor require the construction of new wastewater treatment facilities or the expansion of existing facilities, the construction of which could cause significant environmental effects. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.8-10 to 4.8-11), the Board finds that the Project would not contribute to an exceedance of the wastewater treatment requirements of the SWPCP and would have less than significant impacts on wastewater treatment facilities; therefore, no mitigation is required.

- ii. *Impact UTL-2: The proposed project may result in the expansion of existing wastewater conveyance infrastructure, the construction of which could cause significant environmental effects. (Potentially Significant; Less than Significant with Mitigation)*

Mitigation Measure UTL-2: If the SFPUC determines that improvements are required to increase the capacity of the Mariposa Pump Station because of project-specific impacts in the pump station basin, UCSF shall contribute its proportional fair share to the SFPUC for the improvements if requested. (Final EIR at page 4.8-12).

**FINDING: The Board finds that the average dry weather flows to the Mariposa Pump Station presently exceed previous projections and existing capacity for dry weather flows, which in turn requires occasional use of the wet weather pumps to handle the increased dry weather flows. As a result, the pump station may require an upgrade to handle increased dry weather flows (Final EIR at page 4.8-11). Mitigation Measures UTL-2 is hereby adopted and incorporated into the Project. For the reasons stated in the Final EIR (Final EIR at pages 4.8-11 to 4.8-12), the Board finds that implementation of Mitigation Measure UTL-2 would reduce this potentially significant impact to a less-than-significant impact and that the Project will not, therefore, cause a substantial adverse change in the environmental effects caused by the construction of improvements to the Mariposa Pump Station.**

- iii. *Impact UTL-3: The proposed project would not require the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. (Less than Significant)*

**FINDING: For the reasons stated in the Final EIR (Final EIR at page 4.8-12), the Board finds that the Project would result in little or no effect on the total volume of storm water discharged from the project site into the combined sewer system; therefore, no mitigation is required.**

- iv. *Impact UTL-4: The proposed project would increase the amount of water used on the project site, but would be adequately served by existing entitlements and water resources. (Less than Significant)*

**FINDING: For the reasons stated in the Final EIR (Final EIR at pages 4.8-12 to 4.8-13), the Board finds that the Project would be adequately served by existing entitlements and water resources, and that UCSF will continue to implement measures that reduce its potable water use so that increased demand for water due to growth is largely offset; therefore, no mitigation is required.**

- v. *Impact UTL-5: The proposed project would increase the amount of solid waste generated on the project site, but would be adequately served by the regional landfill that serves the City and would comply with federal, state,*

*and local statutes and regulations related to solid waste. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at page 4.8-14), the Board finds that implementation of the Project would not result in a landfill exceeding its permitted capacity or non-compliance with federal, state, and local statutes and regulations related to solid waste; therefore, no mitigation is required.

- vi. *Impact C-UTL-1: The proposed project, in conjunction with other past, present and reasonably foreseeable future development, would not result in a significant cumulative impact on utilities. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.8-15 to 4.8-16), the Board finds that the Project, in conjunction with reasonably foreseeable projects, would result in less-than-significant cumulative impacts with regard to water supply, stormwater and wastewater conveyance and treatment facilities, and solid waste; therefore, no mitigation is required.

## **9. Energy**

- i. *Impact EN-1: Construction and operation of the proposed project would increase the use of energy resources on the project site but would not result in wasteful, inefficient or unnecessary consumption of energy resources. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.9-9 to 4.9-15), the Board finds that the Project, would not involve the inefficient, wasteful, and unnecessary use of energy during construction or during operation, and the construction-phase and operation-phase impacts related to energy consumption would be less than significant; therefore, no mitigation is required.

- ii. *Impact EN-2: The proposed project would not require or result in the construction of new or expanded electrical or natural gas facilities, which would cause significant environmental effects. (Less than Significant)*

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.9-15 to 4.9-16), the Board finds that the Project's usage of electricity would not be so high as to require new or expanded electricity generation or transmission facilities during construction or operation. While the operation of the Project in combination with demand for electricity associated with past, present and reasonably foreseeable future projects in the region could contribute to the need for an expansion of new facilities, they would be subject to environmental review. Therefore, no mitigation is required.

## **C. OTHER CEQA CONSIDERATIONS**

### **1. Significant and Unavoidable Impacts**

CEQA Guidelines Section 15126.2(b) requires consideration and discussion of impacts that are significant and unavoidable, even with the implementation of feasible mitigation measures.

**FINDING:** For the reasons stated in the Final EIR (Final EIR at page 6.0-1 to 6.0-2), the University finds that the Project would result in the following significant and unavoidable impacts:

- **Impact CUL-1:** The proposed project would cause a substantial change in the significance of an historic resource pursuant to Section 15064.5.
- **Cumulative Impact C-CUL-1:** Cumulative development could cause a substantial change in the significance of a historical resource or unique archaeological resource pursuant to Section 15064.5 or disturb any human remains, including those interred outside of formal cemeteries. The proposed project would not contribute substantially to the cumulative impacts on archaeological resources and human remains but would contribute substantially to the cumulative impacts on historical resources.
- **Cumulative Impact C-NOI-1:** Construction of cumulative development projects, including the proposed project, would temporarily elevate noise levels in the northwestern portion of the Dogpatch neighborhood.
- **Cumulative Impact C-TR-1:** Development of the proposed project, in combination with reasonably foreseeable future developments, would conflict with the applicable standards adopted by the local jurisdictions to evaluate the performance of intersections, highways, freeways and CMP facilities under Cumulative (2040) with project conditions.

The Board finds these significant impacts to be acceptable because the benefits of the Project outweigh this and other significant and unavoidable environmental impacts of the Project for the reasons set forth in the “Statement of Overriding Considerations” in Section III, below.

### **2. Cumulative Impacts**

CEQA Guidelines Section 15130 requires consideration and discussion of cumulative impacts of a project when the project’s incremental effect is cumulatively considerable.

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 4.0-2 to 4.0-6, 4.3-30 to 4.3-32, 4.6-22 to 4.6-26, and 4.7-66 to 4.7-71), the University hereby finds that the Project would contribute to cumulative impacts in the areas of cultural resources, noise, and transportation and traffic, which would result in significant impacts. The Board finds these significant impacts to be acceptable because the benefits of the Project outweigh this and other significant and unavoidable environmental impacts of the Project for the reasons set forth in the “Statement of Overriding Considerations” in Section III, below.

**3. Significant Irreversible Environmental Effects**

CEQA Guidelines Section 15126.2(c) requires consideration and discussion of significant irreversible environmental changes caused by a project.

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 6.0-2 to 6.0-3), the University finds that the Project would not cause irreversible environmental changes by committing future generations to similar land uses, would not result in the wasteful or inefficient use of energy or other resources, would not involve a large commitment of nonrenewable resources, and would not pose a risk of irreversible damage from environmental accidents.

**4. Growth Inducement**

CEQA Guidelines Section 15126.2(d) requires consideration of the potential growth inducing impact of proposed projects, including the ways in which “the proposed project could foster economic and population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment...and the characteristic of some projects which may encourage or facilitate other activities that could significantly affect the environment, either individually or cumulatively.” Information regarding growth-inducing impacts is the same as discussed in the Final EIR.

**FINDING:** For the reasons stated in the Final EIR (Final EIR at pages 6.0-3 to 6.0-5), the University finds that the Project is not expected to remove any obstacle to growth in the Central Waterfront Area, as the Project site is already fully served by infrastructure, including utilities, public services, and pedestrian and vehicular access. The Project would increase the City’s overall housing stock, but implementation of the Project would not represent significant growth in the context of the City as a whole, which is projected to have an increase of 55,830 households between 2015 and 2035 (ABAG 2009). The Project would not remove any obstacles to growth or cause a substantial increase in the population of San Francisco or the greater Bay Area.

**D. MITIGATION MONITORING AND REPORTING PROGRAM**

Public Resources Code section 21081.6 requires the lead agency, when making the finding required by Public Resources Code section 21081(1)(a), to adopt a mitigation monitoring

and reporting program that incorporates all of the changes made to the project or any conditions of project approval adopted to mitigate or avoid significant effects on the environment. The University has prepared a Mitigation Monitoring and Reporting Program that requires the University to monitor all of the mitigation measures adopted and made fully enforceable through these Findings and the approval of the Project. The Board finds that the Mitigation Monitoring and Reporting Program has been designed to ensure compliance with the mitigation requirements during project implementation.

The Mitigation Monitoring and Reporting Program designates the responsibility and anticipated timing for implementation of mitigation measures within the University's jurisdiction. The University will ensure the accomplishment of mitigation measures through administrative controls over the Project's implementation, and the University will monitor and enforce the implementation of mitigation measures through verification in periodic mitigation monitoring reports and through periodic inspections by appropriate University personnel.

## **E. PROJECT ALTERNATIVES**

Chapter 5 of the Draft EIR evaluated a range of alternatives to the Project. The EIR's analysis examined the feasibility of each alternative, the environmental impacts of each alternative, and each alternative's ability to meet the Project objectives described in Section 3.3 of the Draft EIR, as revised in the Final EIR. In compliance with CEQA and the CEQA Guidelines, the alternatives analysis included an analysis of a no-project alternative and also identified the environmentally superior alternative.

**FINDING: The Board certifies that it has independently reviewed and considered the information on alternatives provided in the Draft and Final EIR and in the administrative record. For the reasons set forth below, the Board finds that the alternatives either would not meet any of the Project objectives, would only partially meet some of the Project objectives, would not result in fewer significant and unavoidable impacts than the Project itself or are "infeasible" as that term is defined by CEQA and the CEQA Guidelines.**

### **1. Project Objectives**

The Board finds that the objectives for the Project are as described in Section 3.3 of the Draft EIR, as revised in the Final EIR. The overall purpose of the Project is to develop student and trainee housing for UCSF at the Mission Bay campus site.

The specific objectives of the Project are as follows:

- Provide housing for UCSF graduate students and trainees that is affordable and significantly below market rate.
- Develop a UCSF graduate student and trainee housing facility that reduces UCSF's housing shortfall by about one-half, i.e. by about 610 units.
- Locate graduate student and trainee housing close to campus in order to facilitate convenient access to classrooms and other learning environments; clinics and



laboratories; the UCSF shuttle system; and campus amenities such as retail, restaurants and fitness facilities.

- Develop a housing facility that is complementary to the built environment of the surrounding neighborhood.
- Develop housing at the highest level of sustainability that the project can afford, with Leadership in Energy and Environmental Design (LEED) Silver certification at a minimum.
- Develop a housing facility that, to the extent feasible, complies with the San Francisco Planning Code.
- Develop a housing facility that is cost-effective in terms of design, construction cost, operational costs, and maintenance.
- Provide a reasonable amount of on-site parking to meet basic parking needs of the project while minimizing traffic impacts in the neighborhood.
- Implement Transportation Demand Management (TDM) measures that emphasize transportation alternatives to lessen auto traffic in and around the project site, consistent with the UCSF Transportation Demand Management Program and the City's Transit First Policy.
- Allow UCSF to maintain the flexibility to develop its few remaining undeveloped parcels at the Mission Bay campus site with research uses, given the importance of research to the University and the finite supply of land in and around the Mission Bay campus site that could be developed with research uses.
- Develop a project that is financially neutral or beneficial to the University overall.

## **2. Alternatives to the Project**

The Draft EIR evaluated three alternatives to the Project: No Project Alternative, Reduced Density Alternative, and Block 15 Site Alternative.

### **i. No Project Alternative**

Under the No Project Alternative, the proposed Project would not be constructed and the three existing warehouse buildings on the site would remain vacant until such time that the University determined what to do with the existing buildings. Based on the nature and state of the space included in the existing warehouses, it is uncertain whether the space would be suitable for any UCSF programs or uses.

Under the No Project Alternative, the potentially significant impacts in the areas of aesthetics, air quality, cultural resources, noise, utilities and service systems (related to wastewater infrastructure) would not occur, as with the proposed Project. The less-than-significant impacts in the area of greenhouse gas emissions, land use and planning, utilities and service systems (utility) would also not occur. The No Project Alternative would avoid some of the significant and unavoidable cumulative traffic impacts of the proposed Project, and no impacts would occur related to energy.

The No Project Alternative would not meet any of the basic project objectives for the Project.

## **ii. Reduced Density**

Under the Reduced Density Alternative, the Project site would be redeveloped, but the size of each of the proposed buildings would be reduced by one floor, which would result in a reduction of about 20% in the number of residential units compared to the Project. The existing warehouse buildings on the Project site would be demolished and replaced with the construction of a four-story residential building over partial below-grade parking on the northern parcel and a four-story residential building over parking on the southern parcel. Each building would measure approximately 46 feet in height (excluding the portion that encloses the mechanical equipment area on the roof), as measured from the center of each building façade on Minnesota Street. Overall, the Reduced Density Alternative would provide up to 492 residential units consisting of approximately 300 efficiency units, 84 studio units and 108 two-bedroom units, compared to about 595 residential units included in the proposed Project.

Under the Reduced Density Alternative, the proposed Project's impacts related to aesthetics, air quality, greenhouse gas emissions, noise, traffic, utilities and service systems, and energy would be reduced. However, it would not reduce the Project's project-level and cumulative impact related to a historic resource, the Project's significant and unavoidable cumulative noise impact during construction, or the Project's cumulative traffic impact to a less-than-significant level. The Reduced Density Alternative's impacts related to land use and planning would be comparable to or less than those of the proposed Project.

The Reduced Density Alternative would meet some of the objectives for the Project, but would not achieve the University's objective of developing a UCSF graduate student and trainee housing facility that reduces UCSF's housing shortfall by about one-half, i.e. by about 595 units, and may not achieve the objective to provide housing for UCSF graduate students and trainees that is affordable and significantly below market.

## **iii. Block 15 Site Alternative**

Under the Block 15 Site Alternative, the proposed Project would be developed on Block 15 within the UCSF Mission Bay North Campus. The 2014 LRDP envisioned a housing complex of approximately 418,200 gross square feet (gsf) (composed of 398,700 gsf of housing and 19,500 gsf of support) on the Block 15 site with approximately 523 units. Similar to the Project, this alternative would include a housing complex of about 390,000 gsf with about 610 units at the Block 15 site. However, consistent with the 2014 LRDP, these units would be located in five or fewer buildings surrounding a courtyard and would adhere to the height assumptions for the block.

The Block 15 Site Alternative would avoid the proposed Project's project-level and cumulative impacts related to historic resources and the Project's cumulative impact related to

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traffic. However, the Project's significant and unavoidable cumulative noise impacts during construction would not be reduced to a less-than-significant level. The Block 15 Site Alternative's impacts related to aesthetics, air quality, archaeological resources and human remains, greenhouse gas emissions, land use and planning, noise, traffic, utilities and service systems, and energy would be comparable to those of the proposed Project.

The Block 15 Site Alternative would achieve most of the Project's objectives, although it would not allow UCSF to maintain flexibility in developing its few remaining undeveloped parcels at the Mission Bay campus site with research uses, given the importance of research to the University and the finite supply of land in and around the Mission Bay campus site that could be developed with research uses. Block 15 is centrally located and adjacent to blocks planned for instruction, research and open space. UCSF has experienced tremendous demand for research and clinical space due to growing federal and philanthropic support, as well as additional demand for clinical services. If the Block 15 site was used for a housing complex instead of a research building (assuming 170,000 square feet dedicated to research to be completed in 2027), the University may forego future revenues in the amount of approximately \$220 to \$350 million over the next 40 years (*Future Indirect Cost Recovery from Block 15, UCSF Budget Analysis dated April 17, 2017*). Thus, while the Block 15 site remains a possibility for housing in the future, it is not considered the best immediate option as the current value of the Block 15 site for research and clinical space exceeds the cost of the Minnesota Street properties on a per developable square foot basis.

#### **iv. Environmentally Superior Alternative**

While the Board finds that the No-Project Alternative is the environmentally superior alternative because it would avoid many of the significant environmental impacts of the development that would occur under the Project, the Board also finds that the No-Project Alternative is infeasible pursuant to Public Resources Code §21081(a)(3) and CEQA Guidelines §15091(a)(3) because it would not meet any of the basic project objectives of the Project. CEQA Guidelines Section 15126.6(e)(2) requires that if the environmentally superior alternative is the no project alternative, the EIR shall identify an environmentally superior alternative among the other alternatives. Therefore, the Draft EIR identified the Block 15 Site Alternative as the environmentally superior alternative. The Block 15 Site Alternative would avoid all but one of the significant environmental impacts of the development that would occur under the Project. The Block 15 Site Alternative, however, is infeasible because it would not allow UCSF to maintain the flexibility to develop its few remaining undeveloped parcels at the Mission Bay campus site with research uses, given the importance of research to the University and the finite supply of land in and around the Mission Bay campus site that could be developed with research uses. The University has experienced tremendous demand for research and clinical space due to growing federal and philanthropic support, as well as additional demand for clinical services. The Block 15 Site Alternative would also not allow the University to develop a research building at the site, which would be financially beneficial to the University overall because instead of a housing complex, a research building of 170,000 square feet could result in substantial future revenues in the amount of approximately \$220 to \$350 million over the next 40 years (*Future*

*Indirect Cost Recovery from Block 15, UCSF Budget Analysis dated April 17, 2017).* Thus, while the Block 15 site remains a possibility for housing in the future, it is not considered the best immediate option as the current value of the Block 15 site for research and clinical space exceeds the cost of the Minnesota Street properties on a per developable square foot basis. For these reasons, the Board rejects the environmentally superior alternative as infeasible. When compared to these alternatives analyzed in the Draft EIR, the Project provides the best available and feasible balance between maximizing attainment of the Project's objectives and minimizing significant environmental impacts, and the Project is the environmentally superior alternative among those options.

### **III. STATEMENT OF OVERRIDING CONSIDERATIONS**

#### **A. IMPACTS THAT REMAIN SIGNIFICANT AND UNAVOIDABLE**

As discussed above, the Board has found that the following impacts of the Project will remain significant, either in whole or in part, following adoption and implementation of the mitigation measures described in the Final EIR.

- Impact CUL-1: The proposed Project would cause a substantial change in the significance of an historic resource pursuant to Section 15064.5.
- Cumulative Impact C-CUL-1: Cumulative development could cause a substantial change in the significance of a historical resource or unique archaeological resource pursuant to Section 15064.5 or disturb any human remains, including those interred outside of formal cemeteries. The proposed project would not contribute substantially to the cumulative impacts on archaeological resources and human remains but would contribute substantially to the cumulative impacts on historical resources.
- Cumulative Impact C-NOI-1: Construction of cumulative development projects, including the proposed Project, would temporarily elevate noise levels in the northwestern portion of the Dogpatch neighborhood.
- Cumulative Impact C-TR-1: Development of the proposed Project, in combination with reasonably foreseeable future developments, would conflict with the applicable standards adopted by the local jurisdictions to evaluate the performance of intersections, highways, freeways and CMP facilities under Cumulative (2040) with Project conditions.

#### **B. OVERRIDING CONSIDERATIONS**

In accordance with CEQA Guidelines section 15093, the Board has, in determining whether or not to approve the Project, balanced the economic, legal, social, technological and other benefits of the Project against its significant and unavoidable environmental impacts. The Board has found that, for the reasons set forth below, the benefits of the Project outweigh the Project's significant adverse environmental effects that the University cannot mitigate to less-

than-significant levels. This statement of overriding considerations is based on the Board's review of the Final EIR and other information in the administrative record. The benefits of the Project include the following:

- Providing housing for UCSF graduate students and trainees that is affordable and significantly below market rate;
- Developing a UCSF graduate student and trainee housing facility that reduces UCSF's housing shortfall by about one-half (from 1,400 to about 810 units);
- Reducing the competition for UCSF students and trainees who rent in San Francisco, as many UCSF students and trainees have difficulty competing with working professionals for market-rate housing in areas close to campus facilities, especially when burgeoning housing demand for San Francisco housing has resulted in unprecedented high rental rates and low inventory;
- Developing student housing in close proximity to the Mission Bay campus will reduce the need for commuter trips to the Mission Bay campus site as many students and/or trainees will study and work at the Mission Bay campus site or at other campus sites easily accessible by the UCSF shuttle system, thereby having a beneficial impact on traffic and circulation, noise and air quality impacts;
- Developing student housing in close proximity to the Mission Bay campus is beneficial to the well-being of students and trainees, who often have irregular hours due to their study schedule while some may also have to work overnight shifts and sleep most of the day;
- Securing student housing provides benefits to UCSF in recruiting and retaining top-tier graduate and professional students and trainees; and
- Reducing vehicular traffic as tenant lease agreements will not include parking, thereby encouraging students to walk, bike, or use public transit or the UCSF shuttle system to access campus facilities.

Considering all factors and the evidence in the EIR and other relevant documents, the Board finds that specific economic, legal, social, technological, and other benefits of the Project outweigh the significant and unavoidable adverse environmental impacts of the Project. The Board therefore finds that those significant adverse impacts are acceptable in the context of the overall Project benefits.

#### **IV. RECORD OF PROCEEDINGS**

The record of proceedings upon which the Board bases these findings consists of all the documents and evidence relied upon by the University in preparing the Project and the associated EIR. The custodian of the record of proceedings is: Diane Wong, Principal Planner/Environmental Coordinator, UCSF Campus Planning, 654 Minnesota Street, San Francisco, California 94143-0286, (415) 502-5952.

## **V. SUMMARY**

Based on the foregoing Findings and the information contained in the administrative record, the Board has made one or more of the following Findings with respect to the significant environmental effects of the Project as described in the Final EIR:

- Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant effects on the environment.
- Changes or alterations that are wholly or partially within the responsibility and jurisdiction of another public agency have been, or can and should be, adopted by that other public agency.
- Specific economic, legal, social, technological, or other considerations make infeasible certain mitigation measures and alternatives.

Based on the foregoing Findings and the information contained in the administrative record, it is hereby determined that:

- All significant effects on the environment due to approval of the Project have been eliminated or substantially lessened to the extent feasible for the reasons set forth in Section II of these Findings.
- Any remaining significant effects on the environment found to be unavoidable are acceptable due to the factors described in the Statement of Overriding Considerations in Section III, above.

## **VI. APPROVALS**

The Board hereby takes the following actions:

- 1) The Board certifies the Final EIR, as described in Section I, above.
- 2) The Board hereby adopts as conditions of approval of the Project all mitigation measures within the responsibility and jurisdiction of the University set forth in Section II of the Findings, above.
- 3) The Board hereby adopts the Mitigation Monitoring and Reporting Program for the Project accompanying the Final EIR and discussed in Section II.D of the Findings, above.
- 4) The Board hereby adopts the Findings in their entirety as set forth in Sections I - V, above, including the Statement of Overriding Considerations.
- 5) Having certified the Final EIR, independently reviewed and analyzed the Final EIR, incorporated mitigation measures into the Project, and adopted the Mitigation Monitoring and Reporting Program and the foregoing Findings and Statement of Overriding Considerations, the Board hereby approves Amendment #4 to the 2014 LRDP and the design of the Project.



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