

File No. 120288

Committee Item No. 2

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date April 2, 2012

Board of Supervisors Meeting Date _____

Cmte Board

- | | | |
|-------------------------------------|--------------------------|--|
| ☐ | ☐ | Motion |
| ☒ | ☐ | Resolution |
| ☐ | ☐ | Ordinance |
| ☐ | ☐ | Legislative Digest |
| ☐ | ☐ | Budget and Legislative Analyst Report |
| ☐ | ☐ | Legislative Analyst Report |
| ☐ | ☐ | Youth Commission Report |
| ☐ | ☐ | Introduction Form (for hearings) |
| ☐ | ☐ | Department/Agency Cover Letter and/or Report |
| ☐ | ☐ | MOU |
| ☐ | ☐ | Grant Information Form |
| ☐ | ☐ | Grant Budget |
| ☐ | ☐ | Subcontract Budget |
| ☐ | ☐ | Contract/Agreement |
| ☐ | ☐ | Form 126 – Ethics Commission |
| ☐ | ☐ | Award Letter |
| ☐ | ☐ | Application |
| ☐ | ☐ | Public Correspondence |

OTHER (Use back side if additional space is needed)

- | | | |
|---------------------------------------|--------------------------|--|
| ☒ | ☐ | Recreation and Park Commission Resolution No. 1203-008 |
| * ☒ | ☐ | Final Mitigated Negative Declaration |
| ☒ | ☐ | Mitigation Monitoring and Reporting Program |
| ☐ | ☐ | _____ |
| ☐ | ☐ | _____ |
| ☐ | ☐ | _____ |
| ☐ | ☐ | _____ |
| ☐ | ☐ | _____ |

Completed by: Alisa Miller Date March 30, 2012

Completed by: _____ Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

1 [Acceptance of Gift of Nursery for Golden Gate Park Botanical Garden]

2
3 **Resolution accepting a gift-in-place to the City and County of San Francisco of the San**
4 **Francisco Botanical Garden Nursery: Center for Sustainable Gardening valued at**
5 **approximately \$14,000,000; and making findings, including environmental findings.**
6

7 WHEREAS, The City maintains and operates real property located in Golden Gate
8 Park known as the "San Francisco Botanical Garden," which features more than 8,000
9 different kinds of plants from around the world on 55 acres; and

10 WHEREAS, The San Francisco Botanical Garden Society (SFBGS) is a non-profit
11 entity that has actively supported the San Francisco Botanical Garden since 1955, operating
12 in partnership with the San Francisco Recreation & Park Department (RDP); and

13 WHEREAS, The fundamental purpose of the Nursery: Center for Sustainable
14 Gardening (Nursery) is to replace the San Francisco Botanical Garden's existing nursery
15 facilities, which were built many years ago and currently provide extremely substandard
16 working conditions for the dedicated Botanical Garden employees, SFBG employees, and
17 volunteers who spend many hours there each week; and

18 WHEREAS, Through a series of community meetings and other opportunities for public
19 input, a conceptual plan for the Nursery, targeted for LEED Platinum certification was
20 developed by SFBGS in collaboration with RPD and subsequently approved by the
21 Recreation and Park Commission on November 20, 2008; and

22 WHEREAS, The Nursery will be located slightly to the west of the existing facilities, at a
23 higher elevation and in an area that is vastly preferable for a nursery due to its improved
24 weather conditions; and
25

1 WHEREAS, SFBGS has offered to donate to the City and County of San Francisco the
2 design and construction of the Nursery as a gift-in place, valued at approximately \$14 million;
3 and

4 WHEREAS, The terms and conditions of SFBGS's gifts are as follows:

5 The Nursery will replace the existing nursery and will become the hub of the Botanical
6 Garden's plant propagation and plant collection management. All uses of the Nursery will be
7 to further the mission and purpose of the Botanical Garden, including cultivating support for
8 the Botanical Garden and the bond between people and plants. The Nursery will be jointly
9 used for SFBGS nursery staff, including curatorial and plant collections management staff,
10 and for RPD gardening staff assigned to the Botanical Garden, as well as restrooms with a
11 shower and emergency eyewash station, storage areas, and space for meetings related to
12 nursery and gardening operations and for horticultural reference materials provided by
13 SFBGS. Before construction of the Nursery begins, SFBGS and RPD will enter into a Lease
14 Agreement that incorporates these understandings; and

15 WHEREAS, On November 29, 2011, the Planning Department issued a Mitigated
16 Negative Declaration for the San Francisco Botanical Gardens Nursery: Center for
17 Sustainable Gardening project, finding that all environmental impacts associated with the
18 proposed project would be mitigated to less than significant levels through the mitigation
19 measures set forth in the Final Mitigated Negative Declaration (FMND). These mitigation
20 measures are additionally set forth in the Mitigation Monitoring and Reporting Program
21 (MMRP), which is hereby incorporated by reference as though fully set forth herein. The
22 Board of Supervisors has reviewed and considered the FMND and the MMRP, as well as the
23 record as a whole including written and oral comments by the public on this matter. Copies of
24 both the FMND and the MMRP are on file with the Clerk of the Board of Supervisors in File
25 No. 120288 and are incorporated herein by reference; and

1 WHEREAS, The Board of Supervisors find that there is substantial evidence that the
2 Nursery project will have significant effect on the environment with the adoption of the
3 mitigation measures contained in the MMRP to avoid potentially significant environmental
4 effects associated with the Project; and

5 WHEREAS, The Planning Department, Linda Avery, is the custodian of records with
6 respect to the FMND, located in the File for Case No. 2008.0845E, at 1650 Mission Street,
7 Fourth Floor, San Francisco, California; and

8 WHEREAS, The Board of Supervisors finds that since the FMND was finalized, there
9 have been no substantial changes to the Nursery project and no substantial changes in the
10 circumstances of the Nursery project that would require major revisions to the FMND due to
11 the involvement of new significant environmental effects or an increase in the severity of
12 previously identified significant impacts, and there is no new information of substantial
13 importance that would change the conclusions set forth in the FMND; and

14 WHEREAS, The Recreation and Park Commission recommended to the Board of
15 Supervisors to accept the gift-in-place at the March 15, 2012 Recreation and Park
16 Commission Meeting, Resolution No. 1203-008, on file with the Clerk of the Board of
17 Supervisors Meeting, in File No. 120288, which is hereby incorporated by reference as
18 though fully set forth herein; now, therefore, be it

19 RESOLVED, The Board of Supervisors adopts the FMND and the MMRP and imposes
20 all the mitigation measures set forth in the MMRP on the Project as conditions of approval;
21 and be it further

22 RESOLVED, The Board of Supervisors accepts the gifts-in-place valued at
23 approximately \$14,000,000 from SFBGS.
24
25

RECREATION AND PARK COMMISSION
City and County of San Francisco
Resolution No. 1203-008

**ADOPTING A FINAL MITIGATED NEGATIVE DECLARATION AND
MITIGATION MONITORING AND REPORTING PROGRAM, APPROVING AN
AGREEMENT FOR DESIGN AND CONSTRUCTION, AND RECOMMENDING
THAT THE BOARD OF SUPERVISORS ACCEPT A GIFT-IN-PLACE TO THE
CITY AND COUNTY OF SAN FRANCISCO OF THE SAN FRANCISCO
BOTANICAL GARDEN NURSERY: CENTER FOR SUSTAINABLE
GARDENING VALUED AT APPROXIMATELY \$14 MILLION.**

WHEREAS, the City maintains and operates real property located in Golden Gate Park known as the "San Francisco Botanical Garden," which features more than 8,000 different kinds of plants from around the world on 55 acres; and,

WHEREAS, San Francisco Botanical Garden Society (SFBGS) is a non-profit entity that has actively supported the San Francisco Botanical Garden since 1955, operating in partnership with the San Francisco Recreation & Park Department (RPD); and

WHEREAS, the fundamental purpose of the Nursery: Center for Sustainable Gardening (Nursery) is to replace the SFBGS's existing nursery facilities, which were built many years ago and currently provide extremely substandard working conditions for the dedicated Recreation and Park Department employees, SFBGS employees, and volunteers who spend many hours there each week; and

WHEREAS, through a series of community meetings and other opportunities for public input, a conceptual plan for the Nursery, targeted for LEED Platinum certification, was developed by SFBGS in collaboration with RPD and subsequently reviewed by the Recreation and Park Commission on November 20, 2008; and

WHEREAS, the Nursery will be located slightly to the west of the existing facilities, at a higher elevation and in an area that is vastly preferable for a nursery due to its improved weather conditions; and

WHEREAS, SFBGS has offered to donate to the City and County of San Francisco the design and construction of the Nursery as a gift-in-place, valued at approximately \$14 million; and

WHEREAS, the terms and conditions of SFBGS's gift are as follows:

The Nursery will replace the existing nursery and will become the hub of the Botanical Garden's plant propagation and plant collection management. All uses of the Nursery will be to further the mission and purpose of the Botanical Garden, including cultivating support for the Botanical Garden and the bond between people and plants. The Nursery will be jointly used by SFBGS and RPD to support activities similar to those conducted in the existing nursery. In order to better support those activities, the Nursery also will include work space for SFBGS nursery staff, including curatorial and plant collections management staff, and for RPD gardening staff assigned to the Botanical Garden, as well as restrooms with a shower and emergency eyewash station, storage areas, and space for meetings related to nursery and gardening operations and for horticultural reference materials provided by SFBGS. Before construction of the Nursery begins, SFBGS and RPD will enter into a Lease Agreement that incorporates these understandings; and,

WHEREAS, On November 29, 2011, the Planning Department issued a Mitigated Negative Declaration for the San Francisco Botanical Gardens Nursery: Center for Sustainable Gardening project, finding that all environmental impacts associated with the proposed project would be mitigated to less than significant levels through implementation of the mitigation measures set forth in the Final Mitigated Negative Declaration (FMND). These mitigation measures are additionally set forth in the Mitigation Monitoring and Reporting Program (MMRP), which is attached hereto as EXHIBIT 1 and which is hereby incorporated by reference as though fully set forth. The Commission has reviewed and considered the FMND and the MMRP, both of which have been made available to the public and the Commission for review and are included in the record for this proceeding; and

WHEREAS, The Commission finds that since the FMND was finalized, there have been no substantial changes to the Nursery project and no substantial changes in the circumstances of the Nursery project that would require major revisions to the FMND due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the FMND;

WHEREAS, The Planning Department, Linda Avery, is the custodian of records with respect to the FMND, located in the File for Case No. 2008.0845E, at 1650 Mission Street, Fourth Floor, San Francisco, California; and

WHEREAS, The Recreation and Park Commission reviewed the gift-in place in conjunction with an Agreement for Design and Construction of the Nursery: Center for Sustainable Gardening, entered into between SFBGS and the City and County of San Francisco, acting by and through RPD; now therefore, be it

RESOLVED, The Commission adopts the FMND and the MMRP and imposes all the mitigation measures set forth in the MMRP (Exhibit 1) on the project as conditions of approval; and be it further

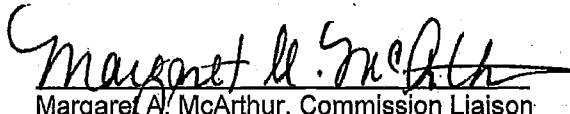
RESOLVED, The Commission approves the Agreement for Design and Construction of the Nursery; and be it further

RESOLVED, The Commission recommends to the Board of Supervisors that it accept the gift-in-place valued at approximately \$14,000,000 from SFBGS.

Adopted by the following vote:

Ayes	7
Noes	0
Absent	0

I hereby certify that the foregoing resolution was adopted at the Special Meeting of the Recreation and Park Commission held on March 15, 2012.


Margaret A. McArthur, Commission Liaison



SAN FRANCISCO PLANNING DEPARTMENT

Final Mitigated Negative Declaration

Date: August 17, 2011, amended November 29, 2011
(Amendments to the PMND are shown as deletions in ~~striketrough~~; additions in double underline.)

Case No.: 2008.0845E

Project Title: San Francisco Botanical Gardens
Nursery: Center for Sustainable Gardening

Zoning: P (Public)
OS (Open Space) Height and Bulk District

Block/Lot: 1700/001

Project Size: 2.5 acres (110,000 square feet)

Project Sponsor: Deborah Kartiganer, representing the San Francisco Botanical Garden Society (415) 627-3530

Staff Contact: Chelsea Fordham – (415) 575-9071
Chelsea.Fordham@sfgov.org

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PROJECT DESCRIPTION

The proposed project, located within the San Francisco Botanical Garden at Strybing Arboretum (Botanical Garden), includes demolition of an existing 4,642 square-foot (sf) greenhouse building and associated pavement and ancillary structures, and construction of a new 9,830 square-foot nursery facility that would range in height from 9 to 28 feet. The proposed nursery facility: Center for Sustainable Gardening (Nursery) would consist of a greenhouse, shadehouse, headhouse, support space, outdoor nursery space, and an outdoor Learning Court. In addition, the headhouse portion of the nursery would be designed so that it could be expanded by up to approximately 1,320 square feet at a later date, as the programmatic needs and funds allow, for a total Nursery size of 11,150 square feet. At full buildout, the proposed project would result in an overall increase of 5,992 sf of building space and 5,897 sf of impervious and pervious surfaces, for a total overall increase of 11,889 sf of developed area within the Botanical Garden. The proposed project also includes creating a vehicular and emergency service access route from Martin Luther King Jr. Drive (MLK Drive) to the Nursery by widening and extending an existing 10 foot wide pathway to a 20 foot wide access route. Additionally, this access route would include the creation of one ADA parking space and an emergency vehicle turn around space adjacent to the proposed Nursery. The proposed Nursery would be accessed by pedestrians via existing paved pathways from within the Botanical Garden and from a separate pedestrian pathway from MLK Drive that would be constructed as part of the proposed project. Additionally, pedestrian walkways that currently traverse the project site would be rerouted to bypass the proposed Nursery location. The project site is located within Golden Gate Park (Assessor's Block 1700, Lot 001) in the western portion of the Botanical Garden in proximity to the intersection of Lincoln Way and 15th Avenue, directly adjacent to the Inner Sunset neighborhood. The project site totals approximately 2.5 acres (approximately 110,000 sf), which includes the total size of the area being proposed for improvements. The project site is located within a Public (P) zoning district with OS (Open Space) height and bulk limits. The project would require a variance from the Planning Code Section 151 for the off-street parking requirements.

EXHIBIT 1: MITIGATION MONITORING AND REPORTING PROGRAM (Includes Text for Adopted Mitigation and Improvement Measures)				
MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Schedule	Monitoring/Report Responsibility	Status/Date Completed
MITIGATION MEASURES FOR THE SAN FRANCISCO BOTANICAL GARDENS NURSERY: CENTER FOR SUSTAINABLE GARDENING				
<i>Cultural Resources Mitigation Measures</i>				
Mitigation Measure M-CP-3 Accidental Discovery. The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in CEQA Guidelines Section 15064.5(a)(c).				
The project sponsor shall distribute the Planning Department archeological resource "ALERT" sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the "ALERT" sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.	San Francisco Botanical Garden Society (Society) and San Francisco Department Recreation and Parks Department (RPD)	Prior to any soils-disturbing activity.	Distribution of "ALERT" sheet among contractors and crew; project sponsor to provide ERO with a signed affidavit.	Prior to any soils-disturbing activity. Considered complete upon ERO approval of affidavit.
Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.	Head Foreman and San Francisco Botanical Garden Society, RPD	During any soils-disturbing activity.	Notification of ERO if any archeological resources encountered.	During any soils-disturbing activity. Considered complete upon notification of ERO.
If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of a qualified archeological consultant. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.	San Francisco Botanical Garden Society, RPD, and archeological consultant	Before resumption of any soils-disturbing activity (if suspended)	Archeological consultant shall advise the ERO and ERO may require additional measures	Prior to resumption of soils-disturbing activity. Considered complete upon ERO approval of archeological consultant's recommendation

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MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Schedule	Monitoring/Report Responsibility	Status/Date Completed
Measures might include preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archaeological monitoring program or archeological testing program is required, it shall be consistent with the Major Environmental Analysis (MEA) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.				s.
The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describing the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.	San Francisco Botanical Garden Society, RPD, and archeological consultant	Following completion of any required archeological field program	Archeological consultant submits draft FARR to ERO for approval	Prior to issuance of final certificate of occupancy. Considered complete upon ERO approval of draft FARR
Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.	San Francisco Botanical Garden Society, RPD, and archeological consultant	Following completion of FARR.	Distribute FARR. Submittal to ERO of affidavit of FARR distribution.	Prior to resumption of soils-disturbing activities. Considered complete upon Planning Department receipt of report.
Mitigation Measure M-CP-4 Paleontological Resources Monitoring Plan. The project sponsor and any other agency that may have jurisdiction shall retain the services of a qualified paleontological consultant having expertise in California paleontology to design and implement a monitoring and mitigation program. The program shall include a description of when and where construction monitoring would be required; emergency discovery procedures; sampling and data recovery procedures; procedures for the preparation, identification, analysis, and curation of fossil specimens and data recovered; preconstruction coordination procedures; and procedures for reporting the results of the monitoring program. If potential paleontological resources	San Francisco Botanical Garden Society, RPD, Paleontological consultant	Prior to issuance of any permit for soil-disturbing activities for submittal of monitoring plan; during construction for monitoring plan implementation.	Paleontologist, ERO.	Considered complete upon Planning Department receipt of report, if required.

EXHIBIT 1: MITIGATION MONITORING AND REPORTING PROGRAM (Includes Text for Adopted Mitigation and Improvement Measures)				
MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Schedule	Monitoring/Report Responsibility	Status/Date Completed
(fossilized invertebrate, vertebrate, plant, or micro-fossil) are encountered during excavation, work shall cease within 25 feet of the feature, the ERO shall be notified, and the paleontologist shall identify and evaluate the significance of the potential resource, documenting the findings in an advisory memorandum to the ERO. If it is determined that avoidance of effect to a significant paleontological resource is not feasible, the paleontologist shall prepare an excavation plan that may include curation of the paleontological resource in a permanent retrieval paleontological research collections facility such as the University of California Museum of Paleontology or California Academy of Sciences. The Environmental Planning division of the Planning Department shall receive two copies of a final paleontological excavation and recovery report.				
Mitigation Measure M-CP-5 Treatment of Human Remains. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the NAHC who shall appoint a Most Likely Descendant (MLD) (Public Resource Code Section 5097.98). The project sponsor shall direct the archaeological consultant, in coordination with the MLD, to make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.	San Francisco Botanical Garden Society, RPD; contractor; archeological consultant	During construction.	Archaeologist, ERO.	Considered complete upon Planning Department receipt of agreement, if required.
Biological Resources Mitigation Measures				
M-BIO-1a: Special Status Species, General. Because there is the potential for special-status species to be present at or near the project site, the following measures would be implemented by the project sponsor: A worker awareness program (environmental education) will be developed and implemented prior to any demolition or construction activities to inform project workers of their	San Francisco Botanical Garden Society, RPD; biologist	Prior to the start of construction and during construction activities	San Francisco Botanical Garden Society, RPD; contractor, and environmental inspector	Considered complete upon completion of worker awareness program and at completion of

EXHIBIT 1: MITIGATION MONITORING AND REPORTING PROGRAM (Includes Text for Adopted Mitigation and Improvement Measures)				
MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Schedule	Monitoring/Report Responsibility	Status/Date Completed
responsibilities in regards to sensitive biological resources. - An environmental inspector will be appointed by the project sponsor or construction/demolition contractor(s) to serve as a contact for issues that may arise concerning implementation of avoidance measures, and to document and report on adherence to these measures during construction and demolition. - Loss of habitat will be minimized through the following measures: (1) the number and size of access routes and staging areas and the total area of the project activity will be limited to the minimum necessary (110,000 square feet); and (2) all areas temporarily disturbed by construction will be revegetated to pre-project or native conditions consistent with the landscape plan developed for the proposed project. - During work activities, all trash that may attract predators will be properly contained, removed from the work site and disposed of regularly. Following construction activities, all trash and construction debris will be removed from work areas.	San Francisco Botanical Garden Society, RPD; biologist, environmental inspector San Francisco Botanical Garden Society, RPD; biologist San Francisco Botanical Garden Society, RPD; biologist	Prior to the start of construction and during construction activities During construction activities During construction activities	Monitor to ensure that contractor implements measures, report noncompliance, and ensure corrective action. San Francisco Botanical Garden Society, RPD; contractor, and environmental inspector San Francisco Botanical Garden Society, RPD; contractor, and environmental inspector	construction Considered complete upon completion of construction activities Considered complete upon completion of construction activities Considered complete upon completion of construction activities

EXHIBIT 1: MITIGATION MONITORING AND REPORTING PROGRAM (Includes Text for Adopted Mitigation and Improvement Measures)				
MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Schedule	Monitoring/Report Responsibility	Status/Date Completed
Mitigation Measure M-BIO-1b – California Red-Legged Frog, Construction-Period Mitigation Measures 1. A mandatory biological-resources awareness training will be provided to all construction personnel prior to any demolition or construction activities as follows: - The training will be developed and provided by a qualified biologist familiar with the sensitive species that may occur in the study area. The training program shall be reviewed and approved by the project sponsor prior to implementation if prepared by a consulting biologist. - Training materials shall be language-appropriate for construction personnel. - The training shall be provided before any work occurs in the work area boundary, including vegetation clearing and grading. - The training shall provide educational information on sensitive habitats and the natural history of the special-status species potentially occurring in the study area, a discussion of the required mitigation measures to avoid impacts on the special-status species, and a discussion of penalties for noncompliance with biological mitigation requirements. - If new construction personnel are added to the project, the contractor shall ensure that new personnel receive training before they start working. The subsequent training of personnel can include videotape of the initial training and/or the use of written materials approved by a qualified biologist rather than in-person training by a biologist.	San Francisco Botanical Garden Society, RPD; biologist	Prior to the start of construction.	San Francisco Botanical Garden Society, RPD; contractor, and biologist	Considered complete upon completion of worker awareness program and at completion of construction
2. The project sponsor shall retain a qualified biologist to install barrier fencing around the project site area of ground disturbance during project construction. The biologist will be required to coordinate with the California Department of Fish and Game (CDFG) and the U.S. Fish and Wildlife Service (USFWS) on the type and location of barrier	San Francisco Botanical Garden Society, RPD; biologist	Prior to the start of construction and during construction.	San Francisco Botanical Garden Society, RPD; contractor, and biologist	Considered complete upon completion of construction activities

EXHIBIT 1: MITIGATION MONITORING AND REPORTING PROGRAM (Includes Text for Adopted Mitigation and Improvement Measures)				
MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Schedule	Monitoring/Report Responsibility	Status/Date Completed
fencing. Per consultation with CDFG, the fence material shall be made of heavy duty plastic sheeting with the posts on the inside of the construction area with no holes or gaps, except for exit doors. The fencing would need to be buried several inches down into a trench. The area would be cleared of any CRLF or other wildlife before any equipment is allowed inside and prior to ground disturbing activities. 3. The project sponsor shall prepare contractor bid specifications that restrict contractor(s) from working outside of the fenced area, and include these specifications in all construction contract(s). 4. The project sponsor shall ensure that a USFWS and CDFG-approved biologist: - Conducts onsite monitoring for the presence of special-status species in the construction area during initial ground disturbance, including demolition activities, grading, excavation, and vegetation removal activities and any dewatering activities that are proposed in Arboretum fountains and waterways. - Inspects exclusion fences to ensure that they do not have any tears or holes, that the bottoms of the fences are still buried, and that no individuals have been trapped in the fences, and closely monitors any special-status species found along and outside exclusion fencing until they move away from the construction area. - Periodically checks all open trenches or holes for the presence of special-status species.	San Francisco Botanical Garden Society, and RPD San Francisco Botanical Garden Society, RPD, and biologist	Prior to the start of construction Prior to the start of construction and during construction.	San Francisco Botanical Garden Society, RPD, contractor, and biologist Obtain and review resume or other documentation of consulting biologist's qualifications. Perform required monitoring activities and document compliance in monitoring logs and require corrective action if noncompliant.	Considered complete upon completion of all construction contracts. During construction and completion of construction

EXHIBIT 1: MITIGATION MONITORING AND REPORTING PROGRAM (Includes Text for Adopted Mitigation and Improvement Measures)				
MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Schedule	Monitoring/Report Responsibility	Status/Date Completed
5. The biological monitor will clear the area of any CRLF or other wildlife prior to subsequent ground-disturbing activities. If a CRLF is found to be at-risk, the monitor will have the authority to halt construction or demolition, in conjunction with the resident engineer or project representative and consult with the USFWS before the project may continue. The monitor will also observe the functioning of barrier fencing and make or cause to be made any necessary repairs. Fencing will remain in place until the end of construction.	San Francisco Botanical Garden Society, RPD, and biologist	During construction.	Monitor to ensure that general construction measures are implemented. Report and notify any harm, injury, or mortality of a special-status species, as appropriate. Report noncompliance and ensure corrective action.	During construction and completion of construction
6. If any special-status species are found by the biological monitor or construction personnel within the work area, construction activities shall cease in the immediate vicinity of the individual until the animal moves of its own volition away from the construction area, or the CDFG and/or USFWS are consulted regarding appropriate actions to take, and/or the species is relocated by a qualified biological monitor.	San Francisco Botanical Garden Society, RPD, and biologist	During construction.	Monitor to ensure that general construction measures are implemented. Report and notify any harm, injury, or mortality of a special-status species, as appropriate. Report noncompliance and ensure corrective action.	During construction and completion of construction
7. Once all initial ground-disturbing activities are completed, the biological monitor shall perform spot checks of the study area at least once a week for the duration of construction to ensure that the perimeter fence is in good order, trenches are being covered if left open overnight (or escape ramps are being provided), project personnel are conducting checks beneath parked vehicles prior to their movement if they have been parked for an extended amount of time, and that all other required biological protection measures are being complied with. The biological monitors do not need to remain on site for the entire day, but shall remain on-call in case any special-status species are discovered and need to be moved.				
Mitigation Measure M-BIO-1c – California Red-Legged Frog, Operational - Period Mitigation Measures. The project sponsor shall install informational signs along the service road for the new Nursery, alerting drivers to the potential presence of CRLF on the road. The sponsor shall also post a speed limit of no more than 15 miles per hour for the service road.	San Francisco Botanical Garden Society and RPD	Prior to the start of construction, during construction activities, and completion of construction.	San Francisco Botanical Garden Society and RPD	Completion of construction

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MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Schedule	Monitoring/Report Responsibility	Status/Date Completed
Mitigation Measure M-BIO-1d –Special-Status Birds (Raptors) A qualified wildlife biologist will conduct preconstruction (including pre-demolition) surveys no more than 5 days prior to tree removal or construction activities during the breeding season for active raptor nests within 300 feet and all active nests within 100 feet of ground-disturbance and demolition activities, where access is available. If active nests (eggs/chicks present) are found during preconstruction surveys, there will be a no-disturbance buffer (acceptable in size to the CDFG) around active raptor nests and nests of other special-status birds during the breeding season, or until it is determined that all young have fledged. Typical buffers include 300 feet for raptors and 100 feet for other nesting birds. The size of these buffer zones and types of ground-disturbing and demolition activities restricted in these areas may be further modified during coordination with the CDFG, and will be based on existing noise and human disturbance levels at the project site. Nests initiated during construction or demolition are presumed to be unaffected, and no buffer would be necessary. However, substantial adverse effect on any individuals will be prohibited. If preconstruction surveys indicate that nests are inactive or potential habitat is unoccupied during construction or ground-disturbing activities, no further measures are required. If trees and shrubs within the proposed project footprint are determined to be unoccupied by special-status birds, or are outside the no-disturbance buffer for active nests, they may be removed. If there is a break of at least 5 days in construction or demolition activities during nesting season, an additional nesting bird survey should be conducted to ensure that no birds have occupied nests during the break in construction or demolition activities.	San Francisco Botanical Garden Society, RPD, and biologist San Francisco Botanical Garden Society, RPD, and biologist San Francisco Botanical Garden Society, RPD, and biologist	Prior to construction during the breeding season. Prior to construction and during construction activities. During construction activities.	San Francisco Botanical Garden Society and RPD San Francisco Botanical Garden Society, RPD, and biologist San Francisco Botanical Garden Society, RPD, and biologist	Completion of preconstruction surveys. Prior to the start of construction and during construction activities. Inspected during nesting season if a break of 5 days occurs while construction is occurring.

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MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Schedule	Monitoring/Report Responsibility	Status/Date Completed
Mitigation Measure M-BIO-1e - California Quail In addition to the above measures for raptors and special-status bird species, the following measures would apply: - Prior to any ground-disturbing activities, the project sponsor shall engage a qualified biologist to identify quail-supporting vegetation at the project site such as low growing shrubs. Construction shall avoid removal of the identified vegetation to the extent feasible. - To the extent that any low-growing shrubs or other quail-supporting vegetation must be removed during construction, such vegetation shall be replaced with suitable vegetation at a 1:1 ratio. Suitable species could include: quail bush (<i>Atriplex breweri</i>), thimbleberry (<i>Rubus parviflorus</i>), or coyote brush (<i>Baccharis pilularis</i>).	San Francisco Botanical Garden Society, RPD, and biologist San Francisco Botanical Garden Society, RPD, and biologist	Prior to the start of construction and during construction activities Completion of construction.	San Francisco Botanical Garden Society, RPD, and biologist San Francisco Botanical Garden Society, RPD, and biologist	Prior to the start of construction and during construction activities. Completion of construction quail-supporting vegetation should be replaced at a 1:1 ratio.

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Mitigation Measure M-BIO-1f - Special-Status Bats Pre-construction surveys are not required for demolition or construction activities scheduled to begin during the non-breeding season (September 1 through February 28). If project-related demolition activities (e.g., demolition of structures or removal of trees) activities are scheduled to commence during the breeding season for bats (March 1 through August 31), no more than two weeks in advance of any such activities, a qualified bat biologist, acceptable to the CDFG, shall conduct pre-demolition surveys of all potential special-status bat breeding habitat in the vicinity of the planned activity. Likewise, if construction activities are scheduled to commence during the breeding season, and surveys have not previously been undertaken or demolition not previously begun outside the breeding season, a qualified bat biologist shall conduct pre-construction surveys of all potential special-status bat breeding habitat in the vicinity of the planned activity, also no more than two weeks in advance of the start of such activity. Depending on the survey findings, the following actions shall be taken to avoid potential adverse effects on breeding special-status bats: 1. If active roosts are identified during pre-construction surveys, a no-disturbance buffer will be created by the qualified bat biologist, in consultation with the CDFG, around active roosts during the breeding season. The size of the buffer will take into account factors such as the following: • Noise and human disturbance levels at the project site and the roost site at the time of the survey and the noise and disturbance expected during the construction activity; • Distance and amount of vegetation or other screening between the project site and the roost; and • Sensitivity of individual nesting species and the behaviors of the bats.	San Francisco Botanical Garden Society, RPD, and qualified bat biologist	Prior to construction and during the breeding season.	San Francisco Botanical Garden Society, RPD, and qualified bat biologist	Considered complete upon completion of demolition and construction activities.

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MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Schedule	Monitoring/Report Responsibility	Status/Date Completed
2. If pre-construction surveys indicate that no roosts of special-status bats are present, or that roosts are inactive or potential habitat is unoccupied, no further mitigation is required. 3. Noisy demolition or construction activities as described above (or activities producing similar substantial increases in noise and activity levels in the vicinity) commencing during the non-breeding season and continuing into the breeding season do not require surveys (as it is assumed that any bats taking up roosts would be acclimated to project-related activities already under way). However, if trees are to be removed during the breeding season, the trees would be surveyed for roosts prior to their removal, according to the survey and protective action guidelines above. 4. Bat roosts initiated during demolition or construction activities are presumed to be unaffected by the activity, and a buffer is not necessary. 5. Destruction of roosts of special-status bats and overt interference with roosting activities of special-status bats shall be prohibited.				
Mitigation Measure M-BIO-1g - Conformity with the Planning Department's Standards for Bird-Safe Buildings The proposed project shall conform with the applicable requirements of San Francisco Planning Department Standards for Bird-Safe Buildings adopted by the San Francisco Planning Commission on July 14, 2011 that would apply to the proposed project. In the event that Standards for Bird Safe Buildings are adopted as ordinance by the San Francisco Board of Supervisors and effective at the time a building permit for the proposed project is sought, the proposed project shall comply with the adopted Standards in addition to any provisions contained in the Department Standards for Bird-Safe Buildings, in the judgment of the ERO, that would provide greater protection for birds.	San Francisco Botanical Garden Society and RPD	Prior to building permit issuance	Planning Department and Department of Building Inspection	Acceptance of conformity with the Bird Safe Guidelines prior to issuance of a building permit.

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MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Schedule	Monitoring/Report Responsibility	Status/Date Completed
Hazards and Hazardous Materials Mitigation Measures				
Mitigation Measure M-HZ-2: Other Hazardous Building Materials The project sponsor would ensure that building surveys for PCB- and mercury-containing equipment (including elevator equipment), hydraulic oils, and fluorescent lights are performed prior to the start of renovation. Any hazardous materials so discovered would be abated according to federal, State, and local laws and regulations.	San Francisco Botanical Garden Society, and RPD	Prior to any demolition activities	Project sponsor or contractor shall submit a Monitoring Report, detailing survey results and compliance with the specified measure, to SFDPH for approval after construction. Copies the report shall be sent to the RPD and Planning Department.	Considered complete upon agency receipt of SFDPH-approved Monitoring Report