



October 31, 2025

**RE: Statutory Exemption for San Francisco Recreation and Parks Department (SFRPD)  
Emergency Project – Embarcadero Fountain by Armand Vaillancourt (Vaillancourt  
Fountain)**

**Project Description**

The San Francisco Recreation and Park Department (SFRPD) proposes to address a significant public safety hazard at Embarcadero Plaza by disassembling and removing the Embarcadero Fountain by Armand Vaillancourt (“Vaillancourt Fountain” or “Fountain”). This action is intended both to eliminate an immediate safety risk and also to facilitate further investigation into the Fountain’s deteriorating structural integrity and carry out any necessary emergency repairs identified during that process.

The Fountain, located within the Embarcadero Plaza (Block/Lot: 0233/035), was designed by Armand Vaillancourt and completed in 1971 as part of Lawrence Halprin’s overall design for the plaza. The Fountain has been inoperable since May 2024, when its last functioning pump failed. The proposed project would be implemented over approximately two months and would include disassembling the Fountain, transporting its components to a secure off-site storage facility for a period of three years, and conducting a thorough inspection of both interior and exterior elements. The process would support a detailed evaluation of potential options for the Fountain’s future rehabilitation, relocation or reinterpretation.

A detailed project description prepared by SFRPD (Attachment A) outlines the urgent need for project implementation to prevent and mitigate a public health and safety risk. As described in the document, the project is necessary to eliminate an immediate public health risk posed by the Fountain’s structural vulnerabilities, which are compounded by the ineffectiveness of existing security measures implemented by SFRPD to restrict public access. This determination is supported by multiple reports and memoranda (the “Conditions Assessment”) prepared by qualified professionals, including a structural observation and evaluation report prepared by DCI Engineers dated May 19, 2025 (Attachment C) and a letter of concurrence with DCI Engineers’ conclusions prepared by the San Francisco Department of Building Inspection (SFDBI) dated October 27, 2025 (Attachments B). In its letter, SFDBI concludes, based on an inspection conducted by staff engineers on October 15, 2025 and review of the Conditions Assessment, that the Fountain “should remain vacated and secured from public access until the hazardous conditions are abated.”

## Determination

Based on the SFRPD's determination that the project is necessary to prevent and mitigate a public health emergency and therefore constitutes an emergency project, as outlined in the project description, the Planning Department has determined that the project is statutorily exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines sections 15269. Specifically, under CEQA Guidelines section 15269(c), the following emergency projects are statutorily exempt from CEQA:

“Specific actions necessary to prevent or mitigate an emergency. This does not include long-term projects undertaken for the purpose of preventing or mitigating a situation that has a low probability of occurrence in the short-term, but this exclusion does not apply (i) if the anticipated period of time to conduct an environmental review of such a long-term project would create a risk to public health, safety or welfare, or (ii) if activities (such as fire or catastrophic risk mitigation or modifications to improve facility integrity) are proposed for existing facilities in response to an emergency at a similar existing facility.”

The Planning Department has determined that the project falls within the scope of the emergency projects described under section 15269(c), as it involves actions necessary to prevent or mitigate a significant public safety hazard. Specifically, the project includes the removal of the Fountain to eliminate immediate safety risks, along with further investigation into its deteriorated structural integrity and the implementation of any necessary emergency repairs identified during this process. As outlined in the project description (Attachment A), failure to timely implement the project would pose an imminent risk to public health and safety, including the potential for serious injury to persons or loss of life. (See also CEQA Guidelines section 15269(b): “Emergency repairs include those that require a reasonable amount of planning to address the anticipated emergency.”)



Lisa Gibson  
Environmental Review Officer

October 31, 2025

Date

## Attachments

- A. Project Description submitted by SFRPD on October 30, 2025
- B. Letter prepared by SFDBI dated October 27, 2025
- C. Vaillancourt Fountain Conditions Assessment prepared by Page & Turnbull dated June 2, 2025, including Structural Observation and Evaluation Vaillancourt Fountain report prepared by DCI Engineers dated May 19, 2025