CHAPTER V
Other CEQA Considerations

A. Growth Inducement

As described in Section IV.C, Population and Housing, Business Activity, and Employment, implementation of the draft Plan would accommodate an additional 8,000 jobs in downtown San Francisco beyond what could be accommodated under existing zoning (including existing height limits). Analysis of the future demand for office space undertaking for the Planning Department as part of development of the draft Plan concluded that, without an increase in Downtown development potential, the City would lack sufficient capacity to accommodate the anticipated future demand for office space.

In this regard, adoption and implementation of the draft Plan could been seen as removing an impediment to future growth in San Francisco. In fact, as described in Chapter II, Project Description:

> The overarching premise of the Transit Center District Plan is to continue the concentration of additional growth where it is most responsible and productive to do so—in proximity to San Francisco's greatest concentration of public transit service. The increase in development, in turn, will provide additional revenue for the Transit Center project and for the necessary improvements and infrastructure in the District.[460]

Thus, the draft Plan seeks to accommodate future growth, including office growth, in downtown San Francisco in a manner that builds on the *General Plan* Urban Design Element and the Downtown Plan; capitalizes on major transit investment (notably, the new Transit Center currently under construction); provides a supporting network of streets and open spaces, along with public amenities; generates financial support for the new Transit Center; and ensures that the Plan area is environmentally sustainable. The potentially significant impacts of new growth associated with the draft Plan are described in this EIR.

With regard to the proposed Transit Tower, it would accommodate a portion of the anticipated demand for office space in a signature tower that is complementary in design to the new Transit Center, and that would generate substantial funding in support of the Transit Center.

Effects of implementing the draft Plan's objectives and policies, including proposed rezoning, and of developing the proposed Transit Tower, are described in Chapter IV.

[460] November 2009 draft, p. 4

B. Significant Environmental Effects that Cannot Be Avoided if the Proposed Project Is Implemented

In accordance with Section 21067 of the California Environmental Quality Act (CEQA), and with Sections 15040, 15081 and 15082 of the State CEQA Guidelines, potential impacts that could not be eliminated or reduced to an insignificant level are limited to effects related to aesthetics, cultural (historic architectural) resources, transportation, noise, air quality, and shadow. The following significant and unavoidable impacts are identified in this EIR:

Impact AE-3: The draft Plan would alter public views of the Plan area from key long-range vantage points.

Impact C-AE-1: The draft Plan, in combination with the Transit Tower and other foreseeable projects nearby, would alter the visual character of the greater Downtown and would alter public views of and through the greater Downtown, but would not adversely affect scenic resources or substantially increase light and glare.

Impact CP-3: Changes to the zoning controls in the Plan area could result in adverse impacts to historic architectural resources through demolition or substantial alteration.

Impact C-CP: Development pursuant to the draft Plan, along with cumulative development, including the Transit Tower, could adversely affect historical resources.

Impact TR-1: Traffic growth related to the draft Plan, including the street changes, would adversely affect local intersection operation, and therefore would conflict with established measures of effectiveness for the performance of the circulation system.

Impact TR-2: Traffic growth related to the draft Plan, including the street changes, would result in a considerable contribution to congested operations at the Fourth/Harrison Streets and First/Harrison Streets freeway on-ramps, and therefore would conflict with established measures of effectiveness for the performance of the circulation system.

Impact TR-3: Transit ridership related to the draft Plan, including the street changes, would cause a substantial increase in transit demand that could not be accommodated by adjacent transit capacity, resulting in unacceptable levels of transit service; and would cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service levels could result.

Impact TR-4: Pedestrian activity resulting from implementation of the draft Plan would cause the level of service at sidewalks, street corners, and crosswalks to deteriorate.

Impact TR-5: Development of large projects pursuant to the draft Plan would create potentially hazardous conditions for pedestrians and otherwise interfere with pedestrian accessibility.

Impact TR-6: Implementation of the draft Plan would create potentially hazardous conditions for bicyclists or otherwise substantially interfere with bicycle accessibility to the site and adjoining areas.

Impact TR-7: Implementation of the draft Plan would result in a loading demand during the peak hour of loading activities that could not be accommodated within proposed on-site loading facilities or within convenient on-street loading zones, and create potentially hazardous conditions or significant delays affecting traffic, transit, bicycles, and pedestrians.

Impact TR-9: Plan area construction, including construction of individual projects and ongoing construction of the Transit Center, would result in disruption of nearby streets, transit service, and pedestrian and bicycle circulation.

Impact TR-10: Traffic generated by the proposed Transit Tower would increase average vehicle delay and would degrade level of service at local intersections.

Impact TR-12: The proposed Transit Tower would not result in substantial overcrowding on public sidewalks, but would create potentially hazardous conditions for pedestrians or otherwise interfere with pedestrian accessibility to the site and adjoining areas.

Impact TR-14: The proposed project would result in a loading demand during the peak hour of loading activities that could not be accommodated within proposed on-site loading facilities or within convenient on-street loading zones, and could create potentially hazardous conditions or significant delays affecting traffic, transit, bicycles and pedestrians.

Impact TR-16: Project construction, along with construction of the Transit Center and other nearby projects, would result in disruption of nearby streets, transit service, and pedestrian and bicycle circulation.

Impact NO-1: Implementation of the draft Plan would not result in a substantial permanent increase in ambient noise or vibration levels, but Plan implementation could result in exposure of persons to noise levels in excess of standards in the San Francisco General Plan and could introduce new sensitive uses that would be affected by existing noise levels.

Impact NO-3: Construction activities in the Plan area could expose persons to temporary increases in vibration levels substantially in excess of ambient levels.

Impact C-NO: The draft Plan and proposed Transit Tower, in combination with past, present, and reasonably foreseeable future projects, would result in cumulative noise impacts.

Impact AQ-2: The draft Plan would expose sensitive receptors to substantial concentrations of PM2.5 and toxic air contaminants.

Impact AQ-3: The draft Plan would expose sensitive receptors to substantial pollutant concentrations by exposing existing sensitive receptors to potentially elevated levels of PM2.5 and toxic air contaminants from new vehicles and equipment.

Impact AQ-4: Implementation of the draft Plan would result in construction-period emissions of criteria air pollutants, including ozone precursors, that would contribute to an existing or projected air quality violation or result in a cumulatively considerable increase in criteria pollutants, and could expose sensitive receptors to substantial levels of construction dust.

Impact AQ-5: Implementation of the draft Plan could expose sensitive receptors to substantial levels of toxic air contaminants generated by construction equipment.

Impact AQ-7: Construction of the Transit Tower would expose sensitive receptors to substantial levels of toxic air contaminants generated by construction equipment.

Impact C-AQ: The draft Plan and the proposed Transit Tower would contribute considerably to cumulative air quality impacts.

Impact SH-1: The draft Plan would adversely affect the use of various parks under the jurisdiction of the Recreation and Park Department and, potentially, other open spaces.

Impact SH-2: The proposed Transit Tower would adversely affect the use of various parks under the jurisdiction of the Recreation and Park Department and, potentially, other open spaces.

Impact C-SH: The draft Plan, including the proposed Transit Tower, would contribute to cumulative new shadow that would adversely affect the use of various parks under the jurisdiction of the Recreation and Park Department and, potentially, other open spaces.

C. Significant Irreversible Environmental Changes That Would Result if the Proposed Project is Implemented

In accordance with Section 21100(b)(2)(B) of CEQA, and Section 15126.2(c) of the CEQA Guidelines, an EIR must identify any significant irreversible environmental changes that could result from implementation of the proposed project. This may include current or future uses of non-renewable resources, and secondary or growth-inducing impacts that commit future uses of non-renewable resources, and secondary or growth-inducing impacts that commit future generations to similar uses. According to the CEQA Guidelines, irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

In general, such irreversible commitments include resources such as energy consumed and construction materials used in construction of a proposed project, as well as the energy and natural resources (notably water) that would be required to sustain a project and its inhabitants or occupants over the usable life of the project. This latter commitment of resources to project operation essentially assumes that residents or occupants would not require a similar commitment but for the proposed project; that is, in the case of the Transit Center District Plan and the Transit Tower, occupants of Plan area office space would not work in San Francisco, new residents in Plan area dwelling units would not live in San Francisco, and guests in new Plan area hotel rooms would not visit the City, unless new development in the Plan area were undertaken. Such a condition is unlikely (because other office space, residential units, and hotel rooms are, and will continue to be available in the City and because only a portion of employees or residents in any given new building are likely to relocate to the area as a result of their employment or housing), although the assumption is consistent with similar conservative assumptions underlying the rest of the analyses in the EIR (e.g., that trips generated by workers, residents, and guests to and from Plan area buildings would not occur in downtown San Francisco unless new development were constructed).

In this light, it can be said that the proposed project would intensify development in the Plan area and at the Transit Tower project site, although as noted elsewhere in this EIR, the draft Plan and the proposed Transit Tower would be generally consistent with land use and development patterns in the built-out urban environment that characterizes downtown San Francisco. Development pursuant to the draft Plan, including development of the Transit Tower project, would commit future generations to an irreversible commitment of energy, primarily in the form of fossil fuels for heating and cooling of buildings, for automobile and truck fuel, and for energy production for lighting, computers, and other equipment in the Plan area buildings. Implementation of the draft Plan, including the proposed Transit Tower, would also require an ongoing commitment of potable water for building occupants and landscaping, although the draft Plan includes policies intended to reduce potable water consumption, and the Transit Center and proposed Transit Tower would include such features. Additionally, development projects in the Plan area, including the Transit Tower, would use fossil fuel during demolition of existing buildings and parking lots where new buildings would be located, and in construction of the proposed new buildings themselves. Construction would also require the commitment of construction materials, such as steel, aluminum, and other metals, concrete, masonry, lumber, sand and gravel, and other such materials, as

well as water. Because all development in the Plan area would comply with *California Code of Regulations* Title 24 and the City's Green Building Ordinance, this development would be expected to use less energy and water over the lifetime of newly constructed buildings than comparable structures not built to current standards. Therefore, it is not anticipated that development projects in the Plan area, including the Transit Tower, would use energy or water in a wasteful manner.

D. Areas of Known Controversy and Issues to Be Resolved

On the basis of public comments on the NOP, it is believed that areas of controversy with respect to the draft Plan and Transit Tower include the potential for shadow impacts on Recreation and Park Department parks and other open spaces, as well as recreation and park impacts generally; wind effects, including combined effects of wind, shadow, and fog, and shading of sidewalks; aesthetic impacts, including changes in views from entry points to the City and from elevated viewpoints outside downtown; effects on traffic, transit, pedestrians, and bicyclists, along with cumulative impacts associated with potential future high-speed rail service to the new Transit Center; potential contamination of soil and/or groundwater from historical uses and the resulting need for remediation; and seismic impacts, including effects on emergency vehicle access. Each of these issues is analyzed in this EIR.

In addition, comments were received with respect to concerns about the potential for greater development intensity than proposed in the draft Plan, and the use and applicability of the EIR and its analyses in consideration of development projects in the Plan area. With respect to the former, Chapter VI, Alternatives, includes an alternative identified as the Developer Scenario (Alternative D), under which towers at select sites are assumed to be built to greater heights, as proposed by project sponsors with projects on file at the Planning Department. Any development or subsequent project that is not encompassed within the proposed project or the range of alternatives analyzed in this EIR could be subject to future project-specific CEQA analysis. With respect to the use and applicability of this EIR with respect to subsequent development projects, the Planning Department anticipates, consistent with CEQA Guidelines Section 15183, considering whether subsequent projects require further environmental review, or whether they can rely, in general, on this EIR. Section 15183 provides an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. The Planning Department has prepared such "community plan exemptions" for projects in the Eastern Neighborhoods and Market & Octavia plan areas, and may prepare such documents for projects in the proposed Transit Center District Plan area in the future.

CHAPTER VI
Alternatives to the Proposed Project

This chapter identifies alternatives to the proposed project and discusses environmental impacts associated with each alternative. Project decision-makers could adopt any of the following alternatives or an option that is within the range of alternatives analyzed, if feasible, instead of approving the proposed project. Under Section 15126.6 of the state CEQA Guidelines, an EIR is required to consider "…a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project…."

This chapter analyzes the following alternatives to the Transit Center District Plan and the Transit Tower as proposed in November 2009 and March 2011, respectively:

- No Project Alternative (Alternative A);
- Reduced Project Alternative (Alternative B);
- Reduced Shadow Alternative (Alternative C); and
- Developer Scenario (Alternative D).

Alternatives to the Transit Tower are discussed within the description of each Plan alternative, following the discussion of the Plan alternative.

A. Alternative A: No Project

Description

CEQA Guidelines Section 15126.6(e)(3)(A) states that, generally, when a project being analyzed is the revision of an existing land use or regulatory plan—such as the Transit Center District Plan and *Planning Code* and Zoning Map revisions that would implement the plan—the No Project Alternative should be considered to be continuation of the existing plan into the future. "Typically this is a situation where other projects initiated under the existing plan will continue while the new plan is developed. Thus, the projected impacts of the proposed plan or alternative plans would be compared to the impacts that would occur under the existing plan." Consistent with this guidance, the No Project Alternative considered in this EIR, with respect to the draft Plan, is the maintenance of the existing zoning and height and bulk controls in the Plan area, and no adoption of the draft Plan. This alternative assumes that development in Zone 1 of the approved Transbay Redevelopment Plan area—primarily along the north side of Folsom Street east of Essex Street, and also between Beale and Main Streets south of Mission Street—would proceed consistent with the approved redevelopment plan. Approved development in the Rincon Hill Plan area would also proceed

consistent with that plan, and projects proposed west of the Transit Center District Plan area would also be undertaken, although at generally lesser heights than currently presumed.

Development assumptions for the No Project Alternative include the addition, in the Plan area, of approximately 4.2 million square feet of office space (about one-third less than with the project), approximately 500 dwelling units (about 60 percent fewer), and about 180 hotel rooms (less than one-fifth of the project's total). These assumptions reflect allowable development under existing zoning, allocated with respect to use according to historical development patterns in and around the Plan area. Ground-floor retail space would be similar, because the sites where development is anticipated would be essentially the same, although shorter, somewhat less bulky buildings would be developed. Total floor area developed would be about 40 percent less than with implementation of the draft Plan. As stated in Chapter II, Project Description, the Transit Tower site is currently zoned for a height limit of 30 feet, because the height limit was not increased subsequent to adoption of the Transbay Redevelopment Plan in 2005. While it is conceivable that development on the Transit Tower site could be undertaken in the form of a 30-foot-tall building consistent with the existing height limit, this is not considered reasonably foreseeable, given the land cost and development cost in downtown San Francisco. Moreover, such an outcome would be inconsistent with the adopted Redevelopment Plan (as well as with the proposed Transit Center District Plan). Therefore, the No Project Alternative assumes development of a 550-foot tall Transit Tower with approximately 564,000 square feet of office space, consistent with the Transbay Redevelopment Plan, although the No Project Alternative for the Transit Tower itself would involve no development of the site (see below).

There would be no change in the assumptions for nearby development in Zone 1 of the Transbay Redevelopment Plan, in the Rincon Hill Plan area, or with respect to cumulative projects west of the Plan area. Although some of these cumulative projects might necessitate zoning changes (e.g., increased height limits), those actions would be unrelated to adoption of the draft Plan, and those projects are included in the No Project Alternative for purposes of a conservative assessment.

Table 45 sets forth a description of the alternatives and compares them to the draft Plan.

Transit Tower

Normally the no project alternative for an individual development project is "the circumstance under which the project does not proceed" (CEQA Guidelines Section 15126.6(e)(3)(B)). Accordingly, a project-specific No Project – No Build scenario for the proposed Transit Tower would involve no development on that site. A project-specific No Project – Existing Zoning Alternative for the Transit Tower would include development of a 30-foot-tall building, which is the height of the building that could be built on the Transit Tower site if the property were not rezoned.[461]

[461] As stated in Chapter II, Project Description, the Transit Tower site is currently zoned for a height limit of 30 feet, because the height limit has not been increased subsequent to adoption of the Transbay Redevelopment Plan in 2005. While it is conceivable that development on the Transit Tower site could be undertaken in the form of a 30-foot-tall building consistent with the existing height limit, this is not considered reasonably foreseeable, given the land cost and development cost in downtown San Francisco. Moreover, such an outcome would be inconsistent with the adopted Redevelopment Plan (as well as with the proposed Transit Center District Plan).

TABLE 45
ALTERNATIVES TO THE DRAFT PLAN AND THEIR GENERALIZED SHADOW EFFECTS

Site	Draft Transit Center District Plan	A. No Project	B. Reduced Project	C. Reduced Shadow	D. Developer Scenario
	Height (feet)	**Height (feet)**	**Height (feet)**	**Height (feet)**	**Height (feet)[a]**
Projects That Would Vary in Height Under One or More Alternatives					
Transit Tower [b]	1,070	550	550	840	*1,070*
Applications on File					
350 Mission Street [c]	700	350	625	625	375
181 Fremont Street	700	350	640	640	*750*
50 First Street (Twr. A)	850	550	550	675	*915*
50 First Street (Twr. B)	550	300	300	450	*640*
Palace Hotel Tower	600	300	365	500	*727*
41 Tehama Street	360	200	360	360	*342*
201 Second Street [c]	350	350	250	350	350
No Applications					
TJPA Parcel F	750	450	465	450	750
Golden Gate Univ.	700	550	550	700	700
648-60 Howard Street	350	250	250	350	350
Projects That Would Not Vary in Height Under the Alternatives					
Applications on File					
222 Second Street [c]	350	350	350	350	350
No Applications					
524 Howard Street [d]	450	450	450	450	450
661-67 Howard Street	250	250	250	250	250
176 Second Street	150	150	150	150	150
	Development Program	**Development Program**	**Development Program**	**Development Program**	**Development Program**
Office (Square Feet)	6,200,000	4,200,000	3,800,000	5,300,000	6,100,000
Difference from Plan	—	-32%	-39%	-14%	-1%
Hotel (Rooms)	985	180	415	825	665
Difference from Plan	—	-86%	-68%	-36%	-49%
Residential (Units)	1,300	500	960	1,145	1,125
Difference from Plan	—	-62%	-26%	-12%	-13%
	Parks Shaded	**Parks Shaded**	**Parks Shaded**	**Parks Shaded**	**Parks Shaded**
Union Square	Yes	Yes	Yes	Yes	Yes
Portsmouth Square	Yes	Yes	Yes	Yes	Yes
St. Mary's Square	Yes	Yes	Yes	Yes	Yes
Justin Herman Plaza	Yes	No	No	No	Yes
Maritime Plaza	Yes	No	No	No	Yes
Willie Wong Plgrd.	Yes	No	No	Yes	Yes
Chinese Rec. Ctr.	Yes	No	No	No	Yes
Woh Hei Yuen Plgrd.	Yes	No	No	No	Yes
Boeddeker Park	Yes	No	No	No	Yes

[a] For developers' alternative, heights indicated for Transit Tower, 181 Fremont Street, 50 First Street, Palace Hotel tower, and 41 Tehama (indicated in *italics*)are total heights, including proposed rooftop sculptural extensions and parapets.

[b] The height indicated for the Transit Tower in the No Project Alternative is in the context of the draft Plan. As indicated in the text, the No Project Alternative for the Transit Tower is no build (zero feet).

[c] Project Approved. (In the case of 201 Second Street, a project was approved that would likely have to be modified due to the planned Caltrain downtown extension, which would pass partially beneath this site. The approved project is considered in the Reduced Project Alternative.)

[d] A prior approval for a 23-story, 202,000-sq.-ft. office building at 524 Howard Street was revoked by the Planning Commission on June 9, 2011 (Case Nos. 2011.0503B, 84.199BEKRX, 98.843BKX).

NOTE: Table does not itemize building sites of less than 100 feet in height, and does not include ground-floor retail space, which is anticipated to be similar under the Plan and each alternative.

No Project Alternative: Impacts

The analysis in this EIR evaluates impacts in the entire Plan area. The No Project Alternative considers development of the same sites where the EIR's analysis assumed development as set forth at the start of Chapter IV (see p. 72), but assumes that buildings at these sites would be developed to existing height limits, rather than the height limits that are proposed in the draft Plan. The No Project Alternative also assumes that other growth in the Plan area and the City would occur with or without implementation of the draft Plan.

Plan Impacts

Transportation

Effects related to the intensity of development would be reduced, compared to those of the proposed project (the draft Plan) because less office space and fewer residential units and hotel rooms would be developed. Daily and peak-hour vehicle trip generation would be approximately 36 percent less than with implementation of the draft Plan. This would result in incrementally less average vehicle delay at some local intersections, but the reduction in trip generation would result in minimal changes in the level of service at the 62 study intersections, compared to conditions with the proposed plan, and 47 of the 62 intersections would operate at LOS E or F in the p.m. peak hour, compared to 48 at LOS E or F under Plan conditions. In the morning peak hour, five of 12 study intersections would operate at LOS E or F, compared to seven with draft Plan implementation. This alternative would not avoid the draft Plan's **significant and unavoidable impacts** on LOS at the study intersections. Due to the concentration of intersections operating at LOS E or F in the Plan area, it is reasonable to expect vehicle queuing and transit delays to occur under the No Project Alternative, as would occur under the draft Plan. Likewise, as with the draft Plan, three of the five ramps analyzed would operate at LOS F under this alternative, although average vehicle delay attributable to this alternative would be incrementally less than with the draft Plan. Impacts on freeway ramps would be **significant and unavoidable**, as with the draft Plan.

Transit ridership would also be about 36 percent less than with implementation of the draft Plan. Revenue generated under the City's Transit Impact Development Fee (TIDF) program would also be reduced, by an estimated 37 percent. The relative reduction in ridership would avoid the draft Plan's significant impact on Muni capacity utilization on the northwest, southeast, and southwest screenlines in the p.m. peak hour and on the Geary and Haight/Noriega corridors in the a.m. peak hour and the Chestnut/Union corridor in the p.m. peak hour. However, other screenlines and corridors that would experience unacceptable levels of service under the draft Plan would also do so under this alternative and the impact, as under the Plan, would be **significant and unavoidable**. This alternative would avoid significant effects on regional transit (BART East Bay service and Golden Gate Transit buses).

Pedestrian and bicycle operations would not be markedly different under the No Project Alternative from those with implementation of the draft Plan, because this alternative would nevertheless result in substantial increases in pedestrian volume and bicycle ridership (about 60 percent of the Plan's increases). Effects with respect to pedestrian operations would be significant but mitigable, as with the draft Plan,

while bicycle impacts would be less than significant. As with the draft Plan, effects related to off-street freight loading would be **significant and unavoidable**.

The No Project Alternative would not implement public realm improvements proposed as part of the draft Plan, such as widened sidewalks and plantings, addition of mid-block signalized crosswalks, creation of some pedestrian-only alleyways near the Transit Center, and a pedestrian and bicycle path from Howard to Folsom Streets. The No Project Alternative also would not implement the draft Plan's proposed dedicated transit lanes on Mission, Fremont and Beale Streets, thereby potentially resulting in degradation in transit service, compared to conditions with the draft Plan, due to transit vehicles stuck in increasing congestion. Because the Transit Center is a separate project that is currently under construction and would continue even without the draft Plan, pedestrian activity in the area would be expected to increase beyond the level that would be associated solely with development in accordance with existing zoning. Under the No Project Alternative, pedestrian and bicycle amenities would not be provided to the degree that they would with implementation of the draft Plan.

Air Quality, Greenhouse Gas Emissions, and Noise

The relative reduction in vehicle trip generation would incrementally reduce emissions of criteria air pollutants and greenhouse gases (GHGs). These impacts would be less than significant with implementation of mitigation identified in the EIR, where applicable, as with the draft Plan. However, construction-related air quality emissions from development proceeding under current policies would result in a **significant, unavoidable impact**, as with the proposed project because, depending on construction schedules of individual projects, diesel-powered construction equipment that operates with emissions levels low enough to avoid exceeding the Bay Area Air Quality Management District's recommended thresholds of significance may not be available, at least during the early years of Plan implementation. Exposure of sensitive receptors (existing and future residents, along with child-care centers) to toxic air contaminants from existing and future stationary sources (mostly backup generators and on-site co-generation plants, as well as buses at the new Transit Center) would also result in a **significant and unavoidable impact**, as with the draft Plan.

On the other hand, it is noted that, to the extent that development precluded under this alternative from taking place in the Plan area were to occur elsewhere in the Bay Area, employees in and residents of that development could potentially generate substantially greater impacts on transportation systems, air quality, and greenhouse gases than would be the case for development of a similar amount of office space in the more compact and better-served-by-transit Plan area. This would be particularly likely for development in more outlying parts of the region where fewer services and less transit access is provided. Such development might occur in proximity to fewer people due to the lower densities of areas outside downtown San Francisco, thereby exposing fewer individuals to construction-related air pollutants; however, the operational impacts of such development would be relatively greater because lower density reduces transit accessibility, making it likely that equivalent amounts of office space would result in more vehicle trips in other locations.

This alternative would incrementally decrease traffic-generated noise, compared to that under the draft Plan, but noise impacts from traffic and cumulative construction noise, along with construction vibration, would be **significant and unavoidable**, as with the project.

Other Effects Related to the Intensity of Development

Effects related to recreation and public space, utilities and service systems, and public services would be less substantial than those of the draft Plan, given the reduced intensity of development; these effects would be less than significant, as with the proposed project.

Aesthetics

Aesthetic changes would be less noticeable than those of the draft Plan, because fewer buildings are assumed to be developed, and those that are would be considerably shorter. The existing maximum height limits would be retained, except that it is assumed that the Transit Tower site would be rezoned to a height limit of 550 feet, consistent with the tower analyzed for that site in the EIR for the approved Transbay Redevelopment Plan. Under the No Project Alternative, however, no height limits would be increased beyond the current maximum for the Plan area of 550 feet. From mid-range viewpoints (Figures 27B – 30B, pp. 122 - 128) and from Alamo Square (Figure 31B, p. 131) and Telegraph Hill (Figure 38B, p. 148), little change in the skyline, compared to existing conditions, would result from implementation of the No Project Alternative, and the effects would be far less substantial than the draft Plan's significant effects. However, as can be seen in several of the longer-range visual simulations in Section IV.B (Figures 32B through 37B, pp. 138 - 146, and Figures 39B and 40B, pp. 150 – 152), the No Project Alternative would result in changes to the skyline, compared to existing conditions. This is because the No Project Alternative assumes development in including Zone 1 of the approved Transbay Redevelopment Plan area would proceed consistent with that plan. Additionally, other nearby development, such as on Rincon Hill, is also assumed to proceed, as would projects west of the Plan area, albeit at lesser heights. Therefore, as shown in Figures 32B and 33B, for example, cumulative development under the No Project Alternative would result in obscuring the towers of the Bay Bridge and parts of the Bay and the East Bay Hills in certain views. Aesthetic changes in the Plan area, however, would consist of less substantial increases in building heights, compared to the draft Plan, thereby reinforcing the flattened skyline, or benched effect, of many buildings built to similar heights in the South Financial District, including the Plan area. The No Project alternative would not change height limits or otherwise encourage development beyond what is currently permitted; however, development would nevertheless contribute to the overall effects on these views and conservatively would be considered significant and unavoidable under this alternative. Nevertheless, unlike the draft Plan, the No Project Alternative would not emphasize the center Plan area as a major transportation hub, as called for in Policy 3.5 of the *General Plan* Urban Design Element, and would exacerbate the "benched" appearance of the skyline. Therefore, despite the potential for significant impact, the overall aesthetic effects of the draft Plan could be considered preferable to the No Project alternative on a subjective level. However, cumulative impacts would be **significant and unavoidable**, as with the draft Plan.

Shadow

The No Project Alternative would reduce shadow impacts, compared to the proposed project because the maximum height limit in the Plan area would remain at 550 feet, as under existing conditions. However, the No Project Alternative would not avoid the significant, unmitigable effects of the proposed project with respect to shadow, because building heights under existing zoning on certain sites within the northern portion of the Plan area would add new shadow to Union Square, Portsmouth Square, and St. Mary's Square. Unlike the Plan, this alternative would not add new shadow to Willie "Woo Woo" Wong Playground, Chinese Recreation Center, Woh Hei Yuen Park, Justin Herman Plaza, Maritime Plaza, or Boeddeker Park. Although the amount of new shadow would be substantially less than that cast by buildings that could be developed pursuant to the draft Plan, development pursuant to the No Project Alternative would require an increase in the Absolute Cumulative Limit for Union Square, Portsmouth Square and St. Mary's Square, which would be considered a **significant and unavoidable impact**. While sculpting or otherwise modifying individual buildings could be possible and would be likely to occur at the time such projects are considered for approval, at the programmatic level of this EIR, the potential for significant shadow would exist.

Wind

Effects on ground-level wind conditions would not be expected to differ substantially from those identified for the proposed project. Pedestrian-level wind speeds would generally increase incrementally under this alternative, likely to a somewhat lesser degree than with the taller buildings that would be permitted under the draft Plan. Like the project, this alternative would result in less-than-significant wind impacts, with mitigation. Wind effects on the planned City Park, however, would likely be similar to those anticipated with implementation of the draft Plan, because the presence of several very tall (450 to 550 feet) buildings immediately adjacent to the park would be expected to result in comparable effects to those of the Plan's even taller buildings. This is because tall buildings tend to influence ground-level winds to the greatest degree at locations adjacent to and very near those buildings.

Historic Architectural Resources

Because it would involve the same or very similar development sites as the project, albeit at reduced densities, this alternative, like the draft Plan, would result in a significant impacts on historical resources resulting from the demolition or substantial alteration of a number of historical resources, likely including three buildings on the west side of First Street north of Mission Street, one to three buildings on the north side of Howard Street across from Hawthorne Street, and one or two buildings on the south side of Howard Street, west of Hawthorne Street. Also like the draft Plan, this alternative could result in a substantial adverse effect on the Palace Hotel, City Landmark No. 18, and possibly on the New Montgomery-Second Street Conservation District, from construction of a residential tower at the southwest corner of the hotel site. As would be the case for the draft Plan, to the extent that historical resources would be adversely affected by development projects in the Plan area, effects on historical resources would be **significant and unavoidable**. However, it is likely that, in the absence of Plan adoption and rezoning to permit greater heights than currently allowed, some subsequent development

projects envisioned under the draft Plan would not proceed, because there would be less economic incentive without the greater permitted height. Therefore, effects of this alternative on historical resources, though **significant and unavoidable**, would be anticipated to be somewhat less substantial than those of the project.

Biological Resources

Effects on biological resources would be similar to those resulting from implementation of the draft Plan. While the No Project Alternative would not permit buildings as tall as those that would be allowed under the draft Plan, as described in Section IV.N, Biological Resources, the lower stories of highly glazed buildings tend to result in the greatest risk of bird strikes because reflections of attractive ground-level features like vegetation can confuse birds and result in collisions. On the other hand, this alternative would result in fewer new lighting sources in the form of tall buildings that project above existing development, compared with implementation of the draft Plan. Therefore, effects related to bird strikes would be similar to, or somewhat less substantial than, those of the proposed project. This impact, however, would be rendered less than significant by compliance with *Planning Code* Section 139 and the City's *Standards for Bird-Safe Buildings*, and other effects to biological resources could be reduced to a less-than-significant level through implementation of mitigation measures identified in the EIR. Therefore, as with the draft Plan, effects on biological resources would be less than significant with mitigation.

Other Effects Related to the Site-Specific Conditions

Impacts related to site-specific conditions, such as those related subsurface cultural (archeological) resources, geology, hydrology and water quality, and hazardous materials would be similar to those of the draft Plan because the same or very similar development sites would be involved. It is not anticipated that foundation systems (and, therefore, ground-disturbing activities) would be substantially different than with development pursuant to the draft Plan, because the No Project Alternative would construct high-rise buildings on the same sites. With respect to archeological resources, the same mitigation measures as are applicable to the project would reduce these effects to a less-than-significant level.

As with the draft Plan, the No Project Alternative would have less-than-significant impacts related to mineral and energy resources and no impacts on agricultural or forest resources.

Transit Tower Impacts

Under the No Project Alternative for the Transit Tower (No Build scenario), the Transit Tower project would not be undertaken. The project site, immediately north of the Transit Center, would remain vacant for the foreseeable future. The site thus would retain the undeveloped character of the space along Mission Street between First and Fremont Streets. At some indeterminate point in the future, the Transbay Joint Powers Authority (TJPA) would either sell the property to a private developer or would pursue development of the site. Under this scenario, none of the impacts described for the Transit Tower in Chapter IV would occur. Given the site's prominent location, however, and its ownership by the TJPA, which is developing the new Transit Center, it is likely that another project would be conceived for this

site in the near future. To the extent that it were to differ from the Transit Tower as currently proposed, any such project would be subject to its own CEQA review at such time as it were proposed. Because the proposed Mission Square open space at Fremont and Mission Streets would be funded through the development of the proposed Transit Tower, neither the No Build scenario nor the construction of a 30-foot-tall building under the Existing Zoning scenario would result in creation of this open space.

With either the No Build scenario or development of a 30-foot-tall building at the Transit Tower site, trip generation at that location would be substantially less than assumed with the draft Plan. This would incrementally reduce vehicle delays at nearby intersections, although it is not anticipated that any significant intersection degradation would be avoided because of the volume of traffic generated by other Plan area sites and other development outside of the Plan area. Transit ridership would be reduced, but not to a degree that would avoid significant impacts due to Plan area and other growth. Likewise, pedestrian and bicycle congestion and shortfalls of off-street loading and parking related to the Transit Tower site would be reduced; the Transit Tower-specific significant impact related to loading would be eliminated.

Both the No Build scenario and development of a 30-foot-tall building at the Transit Tower site would reduce Tower-specific emissions to a negligible volume. Assuming no subsurface construction, such a building might not result in significant, unavoidable construction-period impacts due to exposure of sensitive receptors to diesel emissions.

A 30-foot-tall building at the Transit Tower site would not be visible from locations outside the immediate neighborhood, and thus would likely have negligible aesthetic impacts. (The No Build scenario would have no effects related to aesthetics.)

A 30-foot-tall building at the Transit Tower site would not shade any open spaces protected by *Planning Code* Section 295, nor would it cast any meaningful shadow on nearby privately owned, publicly accessible open spaces. Moreover, a 30-foot-tall building would not be subject to Section 295. A 30-foot building would not cast new shadow on any streets protected by *Planning Code* Section 146(a), although it would be subject to Sections 146(c) and 147. No adverse effects would be anticipated. (The No Build scenario would have no effects related to shading of open space.)

A 30-foot-tall building at the Transit Tower site would not result in any perceptible wind effects, and would likely reduce wind speeds in areas of City Park closest to the Transit Tower site, compared to conditions with a 550-foot or taller Tower. (The No Build scenario would have no wind impacts.)

Neither the No Build scenario nor development of a 30-foot-tall building at the Transit Tower site would have no effects on historical resources.

A 30-foot-tall building at the Transit Tower site would, as with the proposed Transit Tower, be required to comply with *Planning Code* Section 139 and the City's *Standards for Bird-Safe Buildings.* Biological resources impacts, therefore, would be less than significant. Since the City Park level of the Transit Center will be 70 feet above grade level, any building below that height would largely eliminate the potential for

bird strike impacts at City Park associated with the proposed Transit Tower. (The No Build scenario would have no effects on biological resources.)

Depending on the level of excavation proposed, a 30-foot building at the Transit Tower site would be expected to substantially reduce impacts on archeological resources, compared to those of the draft Plan, because less ground disturbance would be anticipated. (The No Build scenario would avoid any effects on archeological resources.)

Project Objectives

Transit Center District Plan

Because the No Project Alternative would develop approximately 40 percent less total floor area than the draft Plan, this alternative would be less successful than the Plan in "continu[ing] the concentration of additional growth where it is most responsible and productive to do so—in proximity to San Francisco's greatest concentration of public transit service," which is the overarching premise behind the draft Plan. Additionally, the No Project Alternative would not achieve the draft Plan's goal of accommodating projected job growth in San Francisco for the next 25 years, based on a study commissioned by the Planning Department.[462] Without the public realm improvements proposed under the draft Plan, the No Project Alternative would not achieve the draft Plan's goal of creating "a framework for a network of public streets and open spaces that support the transit system, and … a wide variety of public amenities and a world-class pedestrian experience," nor would this alternative generate as much financial support for the new Transit Center that is currently under construction. The No Project Alternative could, however, "support existing city environmental, sustainability and climate change objectives." Under this alternative, the amount of impact fees collected from new development in the Plan area and directed to public improvements would be lower than with implementation of the draft Plan, particularly if the financing mechanisms described in the draft Plan were not established.

Transit Tower

The No Build Alternative (No Project alternative for the Transit Tower) would not result in development of the proposed Transit Tower site; therefore, it would not achieve any of the project objectives.

The No Project – Existing Zoning Alternative (No Project alternative for the TCDP) would result in a 30-foot-tall building on the proposed Transit Tower site, which also would not achieve any of the project objectives. It would not create a visual focal point for downtown San Francisco because the 30-foot building would not be visible from a distance; it would create only a negligible amount of new office or retail space; it would provide little or no land sale and tax increment revenue to support the Transit Center Project, which also means it would not support development of Mission Square. It is possible that a small structure on the site could complement the design of and/or improve access to the Transit Center, but on the whole, this alternative does not achieve the sponsor's objectives for the Transit Tower project.

[462] Seifel Associates, "Downtown San Francisco: Market Demand, Growth Projections, and Capacity Analysis." May 2008; see footnote 9, p. 8.

Alternative B: Reduced Project

Description

Alternative B, Reduced Project, assumes construction on each of the "soft" development sites identified in this EIR, but at lesser heights and intensity than would be permitted under the draft Plan. The heights selected were those at which development would cast no additional shadow on Section 295 parks, compared to that from buildings developed to existing height limits. In other words, where development to existing height limits would newly shade one or more parks, the existing height limit was assumed, and no sites were assumed to be "downzoned" to lower height limits under this alternative. The reason for this assumption is that reducing existing height limits would not only be fundamentally inconsistent with the draft Plan, but would be lesser development than reasonably foreseeable under the No Project Alternative. As stated in Chapter II, Project Description:

> The overarching premise of the Transit Center District Plan is to continue the concentration of additional growth where it is most responsible and productive to do so—in proximity to San Francisco's greatest concentration of public transit service. The increase in development, in turn, will provide additional revenue for the Transit Center project and for the necessary improvements and infrastructure in the District. [463]

As a result of the lesser heights under this alternative, it is assumed that development of Plan area sites containing historical resources would proceed in a different manner than would be allowed under the draft Plan, thereby reducing the Plan's impacts on historic architectural resources. In particular, this alternative assumes that development at five sites in the Plan area that contain identified or potential historic architectural resources would generally be undertaken consistent with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*[464] (or otherwise determined by Planning Department preservation staff to result in less-than-significant impacts under CEQA, to the maximum extent feasible) in order that historical resources on these sites are minimally affected. These sites, which are the same locations discussed in Section IV.C, Cultural Resources (see p. 264), are described below.

1. 50 First Street: As described in Section IV.C, the project on file for this site, at the northwest corner of First and Mission Streets, would demolish four existing structures, three of which are historical resources, and develop three buildings containing office, residential, and hotel use, that would be 184 to 915 feet in maximum height. Under the Reduced Project Alternative, height limits at this site would not be increased above the existing limit of 550 feet, and only two towers would be built, with the smallest of the three proposed being eliminated. Under this alternative, this project would consist of a 550-foot office tower at 38 – 50 First Street and a 300-foot residential/hotel tower at 512 – 526 Mission Street, with separation of the towers as proscribed under existing zoning. It is assumed that the office tower site would be expanded slightly by the addition of the parcel occupied by an existing building at 38 – 40 First Street, not currently under the control of the project sponsor, to facilitate a more rationalized building plan, without a "notch" cut out of the tower's northeast corner. This tower would require demolition of two buildings, at 38 – 40 First Street and 50 First Street, both of which have been altered such that they "no longer retain sufficient integrity" to be

[463] November 2009 draft, p. 4
[464] See footnote 150, p. 238.

eligible for state or local listing as historical resources.[465] However, three historical resources that would be demolished under the draft Plan would be retained. These are the buildings at 62, 76, and 88 First Street. The second tower, on Mission Street, would be developed on vacant parcels and would not require demolition of any buildings. Under this alternative, this project would consist of approximately 615,000 square feet of office space (just over half of that proposed), and just over half the residential and hotel space than proposed (90 units and 180 rooms). This alternative would also include designation of the remaining buildings as historical resources under Article 11 of the *Planning Code*, and they would be afforded protection through the ability to sell development rights ("TDR"). In the case of the Marwedel Building at 76 – 78 First Street, which has been determined eligible for listing on the National Register of Historic Places and, as a result, is listed on the California Register of Historical Resources, it is presumed that this building would be designated Category I, Significant. Demolition of Category I buildings is generally prohibited, absent a determination by the Planning Commission that the building has no substantial market value or reasonable use.

2. Palace Hotel Tower, 2 Montgomery Street: As described in Section IV.C, the construction of a 680-foot residential tower at the rear of the Palace Hotel would result in the demolition of a non-historic addition to the City Landmark Palace Hotel. This project also proposes alterations to the Landmark hotel building, both as part of a structural upgrade to connect the existing hotel to the tower, and potentially as part of other program-related alterations to the hotel. As explained in Section IV.C, the historical resources analysis conservatively assumes that this project could result in a significant adverse impact on the City Landmark. (This project will be the subject of a separate, project-specific EIR that will fully evaluate historical resources impacts, mitigation measures, and alternatives.) Under the Reduced Project Alternative, the tower addition to the Palace Hotel would be 365 feet tall, greater than the existing 300-foot height limit, but a height at which the new tower would not cast new shadow on Union Square during the hours covered by *Planning Code* Section 295. The addition would provide for about 290 dwelling units, some 35 percent fewer than proposed. Under this alternative, alterations might occur to the hotel building independent of the draft Plan, but the proposed tower would be smaller in scale and would have less potential for impact on the Landmark hotel and the New Montgomery-Second Street Conservation District.

3. 201 Second Street: As stated in Section IV.C, while a residential building was approved in 2006 for this site, the development parcel is proposed be acquired by the Transbay Joint Powers Authority (TJPA), along with two parcels to the south on Second Street occupied by existing buildings, as part of the project to extend underground Caltrain tracks to the new Transit Center, assuming funding of the Caltrain extension. Accordingly, the draft Plan calls for the City to consider vacating Malden Alley to facilitate construction of a building on a larger site, with the foundation set back from the underground rails. Demolition of the building at 217 Second Street, a historical resource, was approved as part of the separate Caltrain extension project. However, the enlarged development site would encompass parcels at 583 and 589 Howard Street and 90 Tehama Street, all of which contain historical resources. Under the Reduced Project Alternative, the two buildings on Howard Street, which are contributors to the National Register Second and Howard Streets Historic District, would be substantially retained, and only 90 Tehama Street would be demolished, with a vertical addition constructed on the Tehama Street portion of the site. It is assumed that the project would be a 19-story residential building containing about 55 dwelling units.

[465] Kelley & VerPlanck, "Transit Center District Survey," (footnote 127, p. 207); page 64.

4. 648 – 660 Howard Street. As stated in Section IV.C, this site is assumed to be developed under the draft Plan with a 350-foot building, which could result in the substantial alteration or demolition of three historic resources, at 147 and 161 Natoma Street and 658 Howard Street. Under the Reduced Project Alternative, the existing height limit of 250 feet would not be increased, and a 250-foot office building would be developed on the site's Howard Street frontage, avoiding significant effects on the two Natoma Street buildings, while demolishing only the building at 658 Howard Street. Under this alternative, this building would accommodate about 130,000 square feet of office space, or one-third of the space assumed under the draft Plan.

5. 669 Howard Street. As stated in Section IV.C, a building is assumed to be built on this site at the existing height limit of 250 feet, resulting in the demolition of one historic resource, at 667 Howard Street. Because this potential development site is relatively small (approximately 11,200 square feet), it is not feasible to retain the building at 667 Howard Street. Therefore, the Reduced Project Alternative assumes that the façade of this building would be retained and incorporated into the new building, with the new building set back approximately 20 feet from the historic façade. This would reduce potential development at this site to about 150,000 square feet of office space, about 14 percent less than assumed with the draft Plan.

This alternative would include some of the public realm improvements, subject to funding, that are proposed under the draft Plan. There would be no change under this alternative in the assumptions for nearby development in Zone 1 of the Transbay Redevelopment Plan, in the Rincon Hill Plan area, or with respect to cumulative projects west of the Plan area. However, under this alternative, certain changes to street configurations would not occur. Specifically, the Reduced Project Alternative would not convert Howard Street to two-way operations between New Montgomery and Fremont Streets, nor would it convert Folsom Street to two-way operations between Second and Fremont Streets. This alternative also would not include installation of signalized mid-block crosswalks across First Street at Minna and Natoma Streets, north and south of the new Transit Center. It should be noted that the public realm improvements are related to private development projects primarily on a funding level (i.e., development fees would fund public realm changes), so aspects of the public realm plan could be changed regardless of adopted building height or other land use controls. Therefore, some proposed components could be removed from the public realm plan by decision-makers when considering Plan approval, provided that the public realm plan as adopted is within the range of alternatives analyzed in this EIR.

This alternative would entail development of about 308 million square feet of office space (about 39 percent less than with the project), approximately 960 dwelling units (about 26 percent fewer), and about 415 hotel rooms (32 percent of the project's total). Ground-floor retail space would be similar, because the sites where development is anticipated would be essentially the same, although shorter, somewhat less bulky buildings would be developed. Total floor area developed would be about 35 percent less than with implementation of the draft Plan. **Table 45**, p. 664, sets forth a description of the alternatives and compares them to the draft Plan.

Under the Reduced Project Alternative, the Transit Tower would be 550 feet tall, with the same development program as under the draft Plan's No Project Alternative.

Reduced Project Alternative: Impacts

Plan Impacts

Transportation

The Reduced Project Alternative would result in similar traffic and transit impacts to those of the No Project Alternative, because office employment, the primary activity in the Plan area—would be comparable. Daily and peak-hour vehicle trip generation and transit ridership would be about 35 percent less than with the draft Plan, and would be similar to that with the No Project Alternative. Although there could be some incremental redistribution of vehicle trips and transit riders, effects would be comparable to those of the No Project Alternative. As with the draft Plan, three of the freeway five ramps analyzed would operate at LOS F under this alternative, although average vehicle delay attributable to this alternative would be incrementally less than with the draft Plan. Impacts on intersections and freeway ramps would be **significant and unavoidable**, as with the draft Plan. Without the conversion of portions of Howard and Folsom Street from one-way to two-way operations, however, this alternative would avoid conflicts between left-turning vehicles and oncoming traffic at intersections on Howard and Folsom Streets with Fremont, First, and Second Streets. This would be expected to result in shorter queues at these intersections, and would also potentially improve operations for Golden Gate Transit buses, which would travel on Folsom Street to the new Transit Center (and currently travel on Folsom to the Temporary Transbay Terminal). However, as shown in Section IV.E, Transportation (Table 19, p. p. 289), it is likely that, while certain intersections would operate at improved level of service without the extension of two-way operations on Howard and Folsom Streets, other intersections, particularly on Harrison Street, would operate at worse LOS. Elimination of mid-block signalized crosswalks on First Street could reduce p.m. peak-hour vehicle queues, and possibly transit delays, on First Street, but would not improve LOS, because intersections on First Street would operate at unacceptable LOS under No Project conditions, as well. Overall, intersection operations, and the resulting transit delays, would not be substantially different throughout most of the Plan area.

As with the No Project Alternative, the Reduced Project Alternative would not avoid the draft Plan's **significant, unavoidable impacts** on Muni capacity utilization on the northwest, southeast, and southwest screenlines in the p.m. peak hour and on the Geary corridor in the a.m. peak hour. The Reduced Project Alternative would also result in **significant, unavoidable impacts** on BART East Bay service and Golden Gate Transit buses.

Although pedestrian and bicycle trip generation would be similar to that under the No Project Alternative, the Reduced Project Alternative is assumed to implement at least some of the public realm improvements proposed under the draft Plan, subject to funding, and therefore the less-than-significant effects on pedestrian and bicycle circulation would be incrementally better than under the No Project Alternative. With no signalized crosswalks at First and Minna and First and Natoma Streets, this alternative would require that pedestrians cross First Street at Mission or Howard Streets. Like the draft Plan, this alternative would have a **significant, unavoidable impact** relative to off-street freight loading.

Other Effects Related to the Intensity of Development

Emissions of criteria air pollutants and greenhouse gases would be incrementally reduced, compared to those of the draft Plan; these impacts would be less than significant with implementation of mitigation identified in the EIR, where applicable, as with the draft Plan. As with the Plan, construction-related air quality emissions would result in a **significant, unavoidable impact**. Exposure of sensitive receptors (existing and future residents, along with child-care centers) to toxic air contaminants from existing and future stationary sources (mostly backup generators and on-site co-generation plants, as well as buses at the new Transit Center) would also result in a **significant and unavoidable impact**, as with the draft Plan. Effects related to recreation and public space, utilities and service systems, and public services would be less substantial than those of the draft Plan, given the reduced intensity of development; these effects would be less than significant, as with the proposed project.

This alternative would generate less traffic-related noise, compared to that under the draft Plan, but noise impacts from traffic and cumulative construction noise, along with construction vibration, would be **significant and unavoidable**, as with the project.

On the other hand, similar to the No Project Alternative, to the extent that development precluded under this alternative from taking place in the Plan area were to occur elsewhere in the Bay Area, employees in and residents of that development could potentially generate substantially greater impacts on transportation systems, air quality, and greenhouse gases than would be the case for development of a similar amount of office space in the more compact and better-served-by-transit Plan area. This would be particularly likely for development in more outlying parts of the region where fewer services and less transit access is provided.

Aesthetics

Aesthetic impacts would be less than significant, unlike with the draft Plan. Under the Reduced Project Alternative, effects would be similar to those of the No Project Alternative (depicted in the visual simulations, Figures 27B through 41B, in Section IV.B, Aesthetics). Although buildings on several assumed development sites would be taller than under the No Project Alternative, only two potential sites would be built to more than the existing height limit of 550 feet (maximum of 640 feet at 181 Fremont Street), and thus no buildings would stand out on the skyline as clearly demarking the location of the new Transit Center or the Plan area as a whole. Therefore, in long-range views, the skyline would be seen to have a flattened, benched effect comparable to that of the No Project Alternative and of existing conditions, the result of a concentration of towers at similar heights. As with the No Project Alternative, the Reduced Project Alternative assumes development in Zone 1 of the approved Transbay Redevelopment Plan area would proceed consistent with that plan, and that other nearby development, such as on Rincon Hill, would also proceed, as would projects west of the Plan area, albeit at lesser heights. Therefore, as shown in Figures 33B and 34B, for example, cumulative development under the No Project Alternative would result in obscuring the towers of the Bay Bridge and parts of the Bay and the East Bay Hills in certain views. The Reduced Project alternative would contribute to the overall effects on views, and the contribution to cumulative impacts conservatively would be considered **significant and**

unavoidable under this alternative, as with the draft Plan. Nevertheless, unlike the draft Plan the Reduced Project Alternative would not emphasize the center Plan area as a major transportation hub, as called for in Policy 3.5 of the General Plan Urban Design Element, and, with some exceptions, would exacerbate the "benched" appearance of the skyline – therefore, despite the potential for significant impact, the overall aesthetic effects of the draft Plan could be considered preferable to the Reduced Project alternative on a subjective level.

Shadow

Shadow effects would be reduced under the Reduced Project Alternative, with new shadow affecting three Section 295 parks (Union Square, Portsmouth Square, and St. Mary's Square), compared to nine parks with implementation of the draft Plan. However, impacts would be **significant and unavoidable**, as with the draft Plan.

Alternative B would have essentially the same shadow effects as the No Project Alternative. Under the Reduced Project Alternative, neither the Transit Tower (550 feet) nor the Palace Hotel tower (365 feet) would add new shadow to Union Square; the only new shadow on Union Square would come from a potential development at the existing site of Golden Gate University, on the north side of Mission Street between First and Second Street. Because of its relatively proximity to Union Square, a development on this site at the existing 550-foot height limit would cast a small amount of shadow on Union Square in early May and early August, between about 7:15 and 7:35 a.m. (Such an effect might be small enough to be found to be less than significant in the context of an individual project evaluation, or be able to be avoided through building design.) Effects would occur during far fewer weeks of the year, compared to the draft Plan, which would add new shadow to Union Square from mid-March through mid-September.

Under Alternative B, shadow would be cast on Portsmouth Square by the Transit Tower (550 feet) and a tower at 50 First Street (also 550 feet). New shadow would reach Portsmouth Square in late November and early December, and in early January, for a few minutes per day between about 8:00 and 8:30 a.m. This compares to more than three-and-a-half months of new shadow (late October through early February) with the draft Plan. Because Portsmouth Square is used in the early morning, this could be considered a significant impact. As with the No Project Alternative, it is possible that buildings could be designed to avoid this impact; however, without certainty on this issue it is assumed that the impact would be reduced but would remain **significant and unavoidable** under this alternative.

St. Mary's Square would be affected by new shadow under Alternative B for less than two weeks per year (late October and early March), around 8:30 a.m. Under the draft Plan, new shadow would fall on St. Mary's Square for about 1.5 months per year (late September to early October and early to mid-March).

Effects on St. Mary's Square under the Reduced Project Alternative would be similar to those of the draft Plan, and would be **significant and unavoidable**.

As with the draft Plan, development pursuant to the Reduced Project Alternative could require an increase in the Absolute Cumulative Limit for Union Square, Portsmouth Square, and St. Mary's Square, which would be considered a significant impact. While sculpting or otherwise modifying individual buildings could be possible and would be likely to occur at the time such projects are considered for approval, at the programmatic level of this EIR, the potential for significant shadow would exist.

Wind

Wind effects would be incrementally reduced, compared to those of the proposed project because the lesser building heights would capture less of the upper-level winds that, when channeled to ground level by a structure, are increased in speed. However, the changes at ground level, compared to winds with the draft Plan, would likely be imperceptible at most locations. These effects would likely be less than significant, as with the project.

Historic Architectural Resources

The Reduced Project Alternative would substantially reduce effects on historic architectural resources, compared to those of the draft Plan. As explained above in the description of this alternative, it is assumed that effects on historical resources would be less-than-significant with respect to the projects with applications on file, at 50 First Street and the Palace Hotel, while potential development at 201 Second Street, 648 – 660 Howard Street, and 669 Howard Street would result in lesser impacts than with the draft Plan. While impacts at these projects could be minimized, and while some historic buildings in the Plan area might be retained under this alternative that would otherwise be lost with the incentive for redevelopment that greater height limits would provide, it cannot be stated with certainty that the Reduced Project Alternative would preclude demolition or other substantial alteration of historical resources. Therefore, this effect would remain **significant and unavoidable** with respect to at least some resources, as with implementation of the draft Plan. As stated in the description of this alternative, incentives and protection under Article 11 of the *Planning Code* would be expected to reduce impacts on historical resources on First Street near Mission Street.

Biological Resources

Effects on biological resources would be similar to those of the project, because most of the same buildings would be developed at the same locations, including several near or adjacent to the planned City Park atop the new Transit Center; compliance with *Planning Code* Section 139 and the City's *Standards for Bird-Safe Buildings* would render bird strike impacts less than significant, and the same mitigation measures as would apply to the project would reduce other biological impacts to a less-than-significant level.

Other Effects Related to the Site-Specific Conditions

Impacts related to site-specific conditions, such as those related historical and subsurface cultural (archeological) resources, geology, hydrology and water quality, and hazardous materials would be similar to those of the draft Plan because most of the same development sites would be affected. These

impacts would be less than significant, with the same mitigation measures, where applicable, as with the Plan.

As with the draft Plan, this alternative would have less-than-significant impacts related to mineral and energy resources and no impacts on agricultural or forest resources.

Transit Tower Impacts

Under the Reduced Project Alternative, the Transit Tower would be built to a height of 550 feet, consistent with the approved Transbay Redevelopment Plan. It would contain a similar amount of retail space to the proposed Transit Tower. With approximately 565,000 square feet of office space (44 percent of the office space with the proposed Transit Tower), the tower under this alternative would be less than half the size of the proposed Transit Tower. Effects related to the intensity of development, including trip generation and traffic-generated air pollutant emissions and noise, would be comparably reduced. However, the smaller tower would result in **significant and unavoidable impacts**, albeit reduced in magnitude, on intersection level of service at the same four intersections as with the proposed project. (Potential effects of development of a 30-foot-tall building on the Transit Tower site are discussed in the previous section.) Construction effects related to exposure to emissions from diesel equipment would be **significant and unavoidable**, as with the proposed project, and the Tower would also contribute to **significant and unavoidable** cumulative impacts with respect to exposure to toxic air contaminants from stationary sources and traffic in the Plan area, as with the proposed project. Cumulative construction noise impacts would also be **significant and unavoidable**, as with the proposed project.

In terms of aesthetic effects, the tower under the Reduced Project Alternative would be far less noticeable on the skyline than the proposed project. As is illustrated in the photomontages in Section IV.B, the shorter tower would not be visible in views from some of the closer-in vantage points, while in long-range views (Figures 32B through 37B, pp. 138 - 146, and Figures 39B and 40B, pp. 150 – 152), the shorter tower would essentially blend in with the existing skyline and would have little effect on these views. At the ground level, the reduced-height tower would have similar impacts to the proposed project. As with the proposed project, project-specific aesthetic impacts would be less than significant. At a height of 550 feet, the Transit Tower would not be a noticeable addition to the skyline that would project, in isolation, above the surrounding buildings, even in the event that it is the first new tower in the Plan area to be developed.

The shorter tower would cast shadow on only one Section 295 park—Portsmouth Square—compared to eight such parks with the proposed 1,070-foot-tall Transit Tower. Shadow would fall on Portsmouth Square between late November and early December, and in January, from about 8:00 - 8:20 a.m., and the amount of net new shadow, in square-foot-hours, would be less than 10 percent of that with the project. Because of the need to increase the Absolute Cumulative Limit for Portsmouth Square, shadow impacts would likely be **significant and unavoidable**, as with the proposed Transit Tower. However, it is possible that, with sculpting of the shorter tower under this alternative, and depending on the resulting

location of new shadow, this impact could be found to be less than significant. Given current information, it is assumed that this alternative would result in significant, unavoidable shadow effects.

Wind effects would be incrementally reduced, compared to those of the proposed project because the lesser building height would capture less of the upper-level winds that, when channeled to ground level by a structure, are increased in speed. These effects would likely be less than significant, as with the project.

Other impacts, including those on recreation and public space, utilities and service systems, and public services, would be less substantial than those of the proposed project, given the reduced size of the Tower. These effects would be less than significant, as with the proposed project. Impacts related to site-specific conditions, such as those related historical and subsurface cultural (archeological) resources, geology, hydrology and water quality, and hazardous materials would be similar to those of the proposed project because the same development site would be affected. These impacts would be less than significant, with the same mitigation measures, where applicable, as with the proposed Transit Tower. Effects on biological resources would be similar to those of the project, because the lower tower would be built adjacent to the planned City Park atop the new Transit Center. The same mitigation measures as would apply to the project would reduce impacts to a less-than-significant level, while compliance with *Planning Code* Section 139 and the City's *Standards for Bird-Safe Buildings* would avoid significant effects related to bird strikes.

Project Objectives

Transit Center District Plan

Because the Reduced Project Alternative would develop about one-third less total floor area than the draft Plan, this alternative would be less successful than the Plan in "continu[ing] the concentration of additional growth where it is most responsible and productive to do so—in proximity to San Francisco's greatest concentration of public transit service," which is the overarching premise behind the draft Plan; however, it would be incrementally more successful in achieving this objective than would the No Project Alternative. As with the No Project Alternative, the Reduced Project Alternative would not achieve the draft Plan's goal of accommodating projected job growth in San Francisco for the next 25 years, based on a study commissioned by the Planning Department.[466] Without all of the public realm improvements proposed under the draft Plan due to decreased funding generated, the Reduced Project Alternative would not achieve the draft Plan's goal of creating "a framework for a network of public streets and open spaces that support the transit system, and provides a wide variety of public amenities and a world-class pedestrian experience," nor would this alternative generate as much financial support for the new Transit Center that is currently under construction. The Reduced Project Alternative could, however, "support existing city environmental, sustainability and climate change objectives." Under this alternative, the

[466] Seifel Associates, "Downtown San Francisco: Market Demand, Growth Projections, and Capacity Analysis." May 2008; see footnote 9, p. 8.

amount of impact fees collected from new development in the Plan area and directed to public improvements would be lower than with implementation of the draft Plan.

Transit Tower

With regard to the project objectives for the Transit Tower, a 550-foot building would not create a new visual focus for downtown within the Plan area, because the 550-foot building would be the same size as several other existing downtown buildings and proposed Plan area buildings. This alternative would provide substantially less land sale and tax increment revenue to support the Transit Center project than the 1,070-foot building due to two major factors: (1) the 550-foot building would have about 56 percent less floor area than the proposed Transit Tower, and (2) the higher floors of a 1,070-foot building would command higher rents and would be of much greater value than the rent in a shorter building. This reduction in revenue would also reduce the amount of funding available for the other infrastructure projects, such as Mission Square and the surrounding streetscape, which would reduce the quality of the ground level pedestrian spaces around the building. Hence, this alternative would not achieve three of the four Transit Tower project objectives. Finally, the reduction in height of the proposed Transit Tower under this alternative would account for approximately one-fourth of the overall reduction in Plan area development under this alternative, which would diminish the achievement of the Transit Center District Plan project objectives.

Alternative C: Reduced Shadow

Description

Alternative C, Reduced Shadow, is premised on retaining in large measure the draft Plan's fundamental urban design concept that the Transit Tower, which would identify the location of the new Transit Center, be the City's tallest and most prominent building—the "crown" of the downtown core that rises notably above the dense cluster of downtown buildings, as stated in draft Plan Policy 2.1. In contrast to Alternative B, which is based on site-by-site evaluation of building heights to reduce shadow on Section 295 parks, Alternative C would retain the Transit Tower as the tallest building in the Plan area, at a height of 840 feet. (It is assumed that this would entail about 790 feet of enclosed building space and a 50-foot-tall sculptural element.) At a height of 840 feet, the Transit Tower would be about 60 feet taller than the Bank of America Building, and about 15 feet shorter than the tip of the Transamerica Pyramid. **Table 45** describes this alternative and compares it to the draft Plan.

This alternative would also proportionally adjust the proposed height limits on the other sites in the Plan area in relation to the Transit Tower in order to maintain similar massing/height relationships as contemplated under the draft Plan's urban form concepts. In addition to height, some projects proposed are not fully consistent with the ratio of office to non-office development proposed in the draft Plan.

This alternative would include some of the public realm improvements, subject to funding, that area proposed under the draft Plan. For the purpose of this analysis, the Reduced Project Alternative (Alternative B) includes specific changes to the public realm plan. It should be noted that the public realm

improvements are related to private development projects primarily on a funding level (i.e., development fees would fund public realm changes), so aspects of the public realm plan could be changed regardless of adopted building height or other land use controls. Therefore, changes to the public realm plan could be adopted by decision-makers at the time of project approval, provided they are within the range of alternatives analyzed in this EIR.

There would be no change under this alternative in the assumptions for nearby development in Zone 1 of the Transbay Redevelopment Plan, in the Rincon Hill Plan area, or with respect to cumulative projects west of the Plan area.

This alternative would entail development of about 5.3 million square feet of office space (about 14 percent less than with the project), approximately 1,145 dwelling units (about 12 percent fewer), and about 830 hotel rooms (36 percent less than the project's total). Ground-floor retail space would be similar, because the sites where development is anticipated would be essentially the same, although shorter, somewhat less bulky buildings would be developed. Total floor area developed would be about 13 percent less than with implementation of the draft Plan. As noted, under the Reduced Shadow Alternative, the Transit Tower would be 840 feet tall. It would contain about 1 million square feet of office space (about 20 percent less than under the proposed project), along with approximately the same amount of retail space (16,500 square feet) as under the project.

Reduced Shadow Alternative: Impacts

Plan Impacts

Transportation

The Reduced Shadow Alternative would result in traffic and transit impacts that would be comparable to those of the draft Plan, because the development intensity would be incrementally reduced. Daily and peak-hour vehicle trip generation and transit ridership would be about 13 percent less than with the draft Plan, meaning that effects on intersection level of service and transit capacity utilization would be the same as, or similar to, those of the Plan. Thus, the Reduced Shadow Alternative would, like the draft Plan, result in **significant, unavoidable impact** on LOS at many of the study intersections.

The Reduced Shadow Alternative would have the same **significant, unavoidable** transit effects as the draft Plan, on Muni capacity utilization on the northwest, southeast, and southwest screenlines in the p.m. peak hour and on the Geary corridor in the a.m. peak hour, and on BART East Bay service and Golden Gate Transit buses. Likewise, as with the draft Plan, three of the five freeway ramps analyzed would operate at LOS F under this alternative, although average vehicle delay attributable to this alternative would be incrementally less than with the draft Plan. Impacts on ramps would be **significant and unavoidable**, as with the draft Plan.

Pedestrian and bicycle trip generation would also be similar to that under the draft Plan. Alternative C is assumed to implement many of the public realm improvements proposed under the draft Plan, subject to

funding. Therefore, the less-than-significant effects on pedestrian and bicycle circulation would be comparable to those of the draft Plan. Like the draft Plan, this alternative would have a significant, unmitigable effect relative to off-street freight loading.

Other Effects Related to the Intensity of Development

Emissions of criteria air pollutants and greenhouse gases would be incrementally reduced, compared to those of the draft Plan; these impacts would be less than significant with implementation of mitigation identified in the EIR, where applicable, as with the draft Plan. As with the Plan, construction-related air quality emissions would result in a significant, unavoidable impact. Effects related to recreation and public space, utilities and service systems, and public services would be less substantial than those of the draft Plan, given the reduced intensity of development. Therefore, these effects would be less than significant, as with the proposed project.

On the other hand, to the extent that development precluded under this alternative from taking place in the Plan area were to occur elsewhere in the Bay Area, employees in and residents of that development could potentially generate substantially greater impacts on transportation systems, air quality, and greenhouse gases than would be the case for development of a similar amount of office space in the more compact and better-served-by-transit Plan area. This would be particularly likely for development in more outlying parts of the region where fewer services and less transit access is provided. This effect would be reduced under this alternative, compared to the No Project and Reduced Project alternatives, because this alternative would include more development in the Plan area than would those two alternatives.

Exposure of sensitive receptors (existing and future residents, along with child-care centers) to toxic air contaminants from existing and future stationary sources (mostly backup generators and on-site co-generation plants, as well as buses at the new Transit Center) and from diesel-powered construction equipment would result in a **significant and unavoidable impact**, as with the draft Plan.

This alternative would generate less traffic-related noise, compared to that under the draft Plan, but noise impacts from traffic and cumulative construction noise, along with construction vibration, would be **significant and unavoidable**, as with the project.

Aesthetics

Aesthetic impacts would be less than significant for the Reduced Shadow Alternative, except that building heights could result in similar impacts to those of the draft Plan with respect to changes in views from Twin Peaks and Portola Drive, and would contribute to the **significant and unavoidable** cumulative impact.

Under the Reduced Shadow Alternative, views would be of a skyline that would present some aspects of both the draft Plan and of the No Project Alternative. With the Transit Tower at 840 feet, this alternative would present a relatively clear marker of the location of the new Transit Tower, at least partially

consistent with the intent of the draft Plan and the policies of the *General Plan* Urban Design Element. At approximately 200 feet taller than the tallest existing buildings, and 165 feet taller than the next tallest potential building in the Plan area, the 840-foot Transit Tower would be a distinctive element on the skyline, but would not stand out in importance to the same degree as under the draft Plan. As with the draft Plan, therefore, the Reduced Shadow Alternative would, at least to some degree, emphasize the Plan area as a major transportation hub, as called for in Policy 3.5 of the *General Plan* Urban Design Element. However, the overall skyline form would be somewhat less distinctive than it would under the draft Plan.

Shadow

Shadow effects would be reduced under Alternative C, with new shadow affecting four parks (Union Square, Portsmouth Square, and St. Mary's Square, and Willie "Woo Woo" Wong Playground), compared to nine parks with implementation of the draft Plan. Impacts would be **significant and unavoidable**, as with the draft Plan.

Alternative C, Reduced Shadow, would reduced shadow effects on certain parks, compared to the draft Plan. The Transit Tower (840 feet), the Palace Hotel tower (500 feet), and the 50 First Street project (675 feet) would all add new shadow to Union Square, as would a potential development at the existing site of Golden Gate University, on the north side of Mission Street between First and Second Street (700 feet). Effects would occur at generally the same times of day as with the draft Plan, although the duration of new shadow on most days would be a few minutes less (typically, ending earlier in the morning). Additionally, new shadow would occur over about 2.5 months (late March to late April and mid-August to mid-September), compared to six months with the draft Plan

Portsmouth Square would be newly shaded for about three months of the year, compared to about 3.7 months with the draft Plan; new shadow would occur between approximately 8:00 and 9:10 a.m., as under the Plan.

Effects on St. Mary's Square would be similar to those of the draft Plan, as would effects on Willie "Woo Woo" Wong Playground.

As with the draft Plan, development pursuant to the Reduced Shadow Alternative would require an increase in the Absolute Cumulative Limit for Union Square, Portsmouth Square, St. Mary's Square, and Willie "Woo Woo" Wong Playground, which would be considered a **significant, unavoidable impact**. While sculpting or otherwise modifying individual buildings could be possible and would be likely to occur at the time such projects are considered for approval, at the programmatic level of this EIR, the potential for significant shadow would exist.

Wind

Wind effects would be incrementally reduced, compared to those of the proposed project because the lesser building heights would capture less of the upper-level winds that, when channeled to ground level

by a structure, are increased in speed. However, the changes at ground level, compared to winds with the draft Plan, would likely be imperceptible at most locations. These effects would likely be less than significant, as with the project.

Historic Architectural Resources

Effects on historical resources would be incrementally less substantial than those of the draft Plan, as some historic buildings in the Plan area might be retained that would otherwise be lost, because lesser increases in heights would potentially provide less incentive for redevelopment; however, this effect would remain **significant and unavoidable** with respect to at least some resources, as with implementation of the draft Plan.

Biological Resources

Effects on biological resources would be similar to those of the project, because most of the same buildings would be developed at the same locations, including several near or adjacent to the planned City Park atop the new Transit Center; compliance with *Planning Code* Section 139 and the City's *Standards for Bird-Safe Buildings* would render bird strike impacts less than significant, and the same mitigation measures as would apply to the project would reduce other biological impacts to a less-than-significant level.

Other Effects Related to the Site-Specific Conditions

Impacts related to site-specific conditions, such as those related historical and subsurface cultural (archeological) resources, geology, hydrology and water quality, and hazardous materials would be similar to those of the draft Plan because most of the same development sites would be affected. These impacts would be less than significant, with the same mitigation measures, where applicable, as with the Plan.

As with the draft Plan, this alternative would have less-than-significant impacts related to mineral and energy resources and no impacts on agricultural or forest resources.

Transit Tower Impacts

Under the Reduced Shadow Alternative, the Transit Tower would be built to a height of 840 feet. Effects related to the intensity of development, including trip generation and traffic-generated air pollutant emissions and noise, would be reduced by about 20 percent, compared to those of the 1,070-foot-tall Transit Tower. However, the smaller tower would result in **significant and unavoidable impacts**, albeit reduced in magnitude, on intersection level of service at the same four intersections as with the proposed project. Construction effects related to exposure to emissions from diesel equipment would be **significant and unavoidable**, as with the proposed project, and the Tower would also contribute to **significant and unavoidable** cumulative impacts with respect to exposure to toxic air contaminants from stationary sources and traffic in the Plan area, as with the proposed project. Cumulative construction noise impacts would also be **significant and unavoidable**, as with the proposed project.

In terms of aesthetic effects, the tower under the Reduced Shadow Alternative would be somewhat less noticeable on the skyline than the proposed project, but would still be the tallest building in the Plan area and the tallest in San Francisco other than the sculptural tip of the Transamerica Pyramid. Therefore, aesthetic impacts would be similar to those of the proposed project. As with the proposed project, these impacts would be less than significant. If the Transit Tower were to be constructed in advance of other buildings in the Plan area, without these other buildings to contribute to overall urban form, the Tower—at the reduced height of 840 feet—would be less noticeable than it would appear at 1,070 feet, as is proposed under the project.

The shorter tower would cast shadow on three Section 295 parks—Union Square, Portsmouth Square, and St. Mary's Square—compared to eight such parks with the proposed 1,070-foot-tall Transit Tower. New shadow would fall on Union Square in the first half of August and in late April and early May, from about 7:15 to 7:35 a.m., and the amount of new shadow, in square-foot-hours, would be less than 25 percent that of the proposed project, Shadow would fall on Portsmouth Square between late November and early December, and in January, from about 8:00 - 8:20 a.m., and the amount of net new shadow, in square-foot-hours, would be less than 10 percent of that with the project. On St. Mary's Square, the 840-foot tower would add new shadow for less than one month, in early October and mid-March, at around 8:30 a.m. As with the proposed project, some of the theoretical new shadow—and a greater percentage than with the taller tower because of the lesser overall height—would not actually be visible on the ground, because it is assumed to be cast by the Tower's sculptural element, and this element would have structural features that would not be wide enough to obscure the sun at distant locations. However, because of the potential need to increase the Absolute Cumulative Limit for these three parks, shadow impacts would likely be **significant and unavoidable**, as with the proposed Transit Tower. However, it is possible that, with sculpting of the shorter tower under this alternative, and depending on the resulting location of new shadow, this impact could be found to be less than significant. At a height of 840 feet, the Transit Tower, under this Alternative, would not add new shadow to Justin Herman Plaza, Maritime Plaza, Chinese Recreation Center, or Woh Hei Yuen Park. (The Transit Tower would not cast any new shadow on Willie "Woo Woo" Wong Playground, even at 1,070 feet.) Shadow could still reach Union Square, St. Mary's Square, Portsmouth Square and Boeddeker Park, but the Absolute Cumulative Limit might not be exceeded, depending on existing shadow and how the Tower is sculpted. Given current information, however, this alternative would result in significant, unmitigable shadow effects.

Wind effects would be similar to those of the proposed project because the incrementally lower building height would not make a meaningful difference in ground-level wind speeds; these effects would likely be less than significant, as with the project.

Other impacts, including those on recreation and public space, utilities and service systems, and public services, would be incrementally less substantial than those of the project, given the small relative decrease in the size of the Tower. These effects would be less than significant, as with the proposed project. Impacts related to site-specific conditions, such as those related historical and subsurface cultural (archeological) resources, geology, hydrology and water quality, and hazardous materials would be

similar to those of the proposed project because the same development site would be affected. These impacts would be less than significant, with the same mitigation measures, where applicable, as with the proposed Transit Tower. Effects on biological resources would be similar to those of the project, because the lower tower would be built adjacent to the planned City Park atop the new Transit Center. The same mitigation measures as would apply to the project would reduce impacts to a less-than-significant level, while compliance with *Planning Code* Section 139 and the City's *Standards for Bird-Safe Buildings* would avoid significant effects related to bird strikes.

Project Objectives

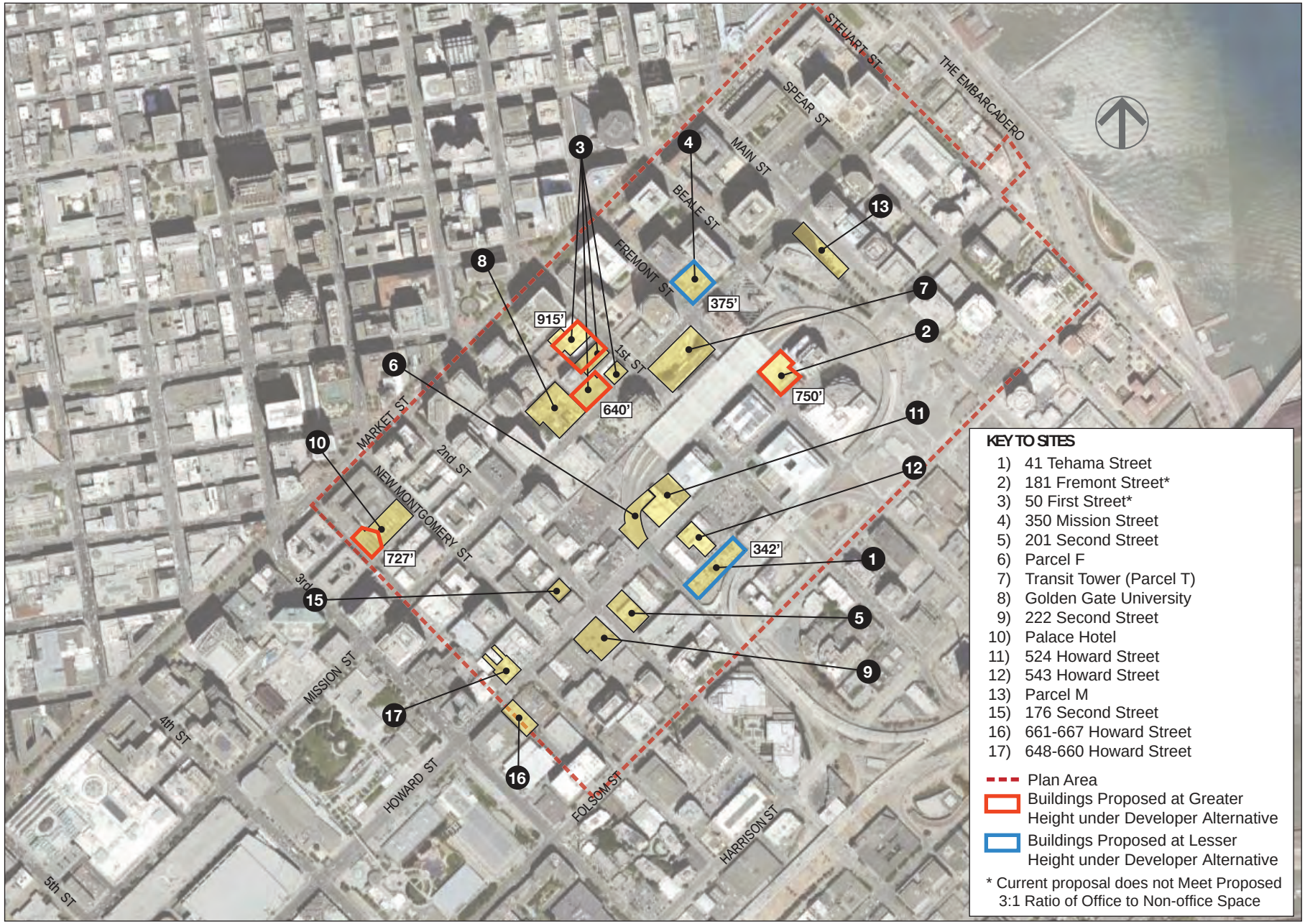
Because the Reduced Shadow Alternative would develop about 13 percent less total floor area than the draft Plan, it is anticipated that this alternative would have comparable, if incrementally reduced, success in attaining the objectives of the draft Plan, as would the Plan itself.

The Reduced Shadow Alternative for the Transit Tower would result in development of an 840-foot building. This alternative would only partially meet the objectives of the Transit Tower Project. An 840-foot building would not be the tallest building in San Francisco (the Transamerica Pyramid is 853 feet); while a building of this height in this location would be visually prominent, it would not be the sole, signature visual focus for Downtown and the Transit Center now under construction. Because the 840-foot building would be approximately 20 percent shorter and provide about 20 percent less floor area than the proposed Transit Tower, it would provide less land sale and tax increment revenue to support the Transit Center project. The land sale and tax increment revenue would be expected to be reduced to a greater degree than the reduction in floor area because the space on the upper floors of the building would be expected to be of greater value than the space on lower floors, and a shorter tower would have less upper-level space. This reduction in revenue would also reduce the amount of funding available for the other infrastructure projects, such as Mission Square and the surrounding streetscape, which would reduce the quality of the ground level pedestrian spaces around the building. Hence, this alternative would not achieve three of the four project Transit Tower objectives, although it would achieve the objectives to a greater degree than the other reduced impact alternatives analyzed in this chapter.

Alternative D: Developer Scenario

Description

This alternative differs from the draft Plan in that development assumptions for certain specific sites would reflect project applications that are on file at the Planning Department. In up to three instances, this alternative would therefore permit taller buildings than the draft Plan proposes, while for two other sites, lesser height is assumed (see Table 45 and **Figure 75**). The major difference in height, compared to the draft Plan, is that the proposed residential tower at the Palace Hotel is proposed at a height of 727 feet, whereas the Plan calls for a 600-foot building. The other two projects for which "additional" height is proposed are 50 First Street and 181 Fremont Street. In both of these cases, the developer-proposed height is the same at the roof line as called for in the Plan; the potential difference is that the



SOURCE: San Francisco Planning Department, AECOM

Case No. 2007.0558E: Transit Center District Plan and Transit Tower . 207439

Figure 75
Developer Alternative

draft Plan would potentially allow additional height on particular building sites if the form above the roof height does not cast significant shadow on protected open spaces. This determination would have to be made based on a detailed, project-specific shadow analysis of each applicable project, which would be undertaken at a greater level of precision than is feasible or appropriate for a programmatic EIR analysis of an area as large as the proposed Transit Center district.

Although this alternative would result in several buildings being taller than proposed with the draft Plan development assumptions for the Developer Scenario Alternative would be similar to those of the Plan with respect to office space, and somewhat less intensive than the Plan with respect to residential units and hotel space. This is because the projects with applications on file at the Planning Department propose a different mix of uses than the Plan forecasts assume for those sites. Additionally, the projects on file that propose residential uses generally include larger units than the Plan assumes, and therefore would create fewer units in the same floor area.[467] Finally, an office project at 350 Mission Street was approved in 2011 as a 375-foot-tall, 356,000-square-foot building, whereas the draft Plan proposes a 700-foot height limit at this site. For the Developer Scenario Alternative, development assumptions include the net addition, in the Plan area, of approximately 6.1 million square feet of office space (about 1 percent less than with the project), approximately 1,125 dwelling units (about 13 percent fewer), and about 665 hotel rooms (50 percent fewer than with the draft Plan). Ground-floor retail space would be similar, because the sites where development is anticipated would be essentially the same, although shorter, somewhat less bulky buildings would be developed. Total floor area developed, assuming the larger residential units proposed, would be about the same as with implementation of the draft Plan.

The Transit Tower would be 1,070 feet tall under this alternative, as under the draft Plan.

The Developer Scenario Alternative is assumed to implement the same public realm improvements as would be undertaken with implementation of the draft Plan. Under this alternative, there would be no change in the assumptions for nearby development in Zone 1 of the Transbay Redevelopment Plan, in the Rincon Hill Plan area, or with respect to cumulative projects west of the Plan area.

Developer Scenario: Impacts

Plan Impacts

Transportation

Because of the somewhat lesser development assumptions for this alternative described above, based on proposed and approved projects, effects related to the intensity of development within the Plan area would be incrementally less under the Developer Scenario Alternative than they would for the proposed project, given the small relative change in total assumed commercial and residential development. Daily and peak-hour vehicle trip generation would decrease slightly (by about 4 percent), compared to that

[467] The development assumptions on which the analysis of the Plan is based incorporate a mix of land uses consistent with Plan objectives and also consider past trends in land uses. They cannot, however, be fully predictive of actual development proposals.

with implementation of the draft Plan because of the relative decrease in residential and hotel space (notably, about 175 fewer dwelling units and 320 fewer hotel rooms). Vehicle delay could increase or decrease slightly at some intersections, but would be not result in any new or substantially more severe impacts than those identified in the EIR.

Other Effects Related to the Intensity of Development

Because of the incremental decrease in building space and traffic, Plan-area-generated air quality impacts and GHG emissions would decrease marginally under the Developer Scenario Alternative, compared to those with implementation of the draft Plan. However, the differences would not result in different conclusions or any new significant effects, compared to those of the draft Plan. Impacts on intersection level of service and freeway ramps would be **significant and unavoidable**, as with the draft Plan.

Exposure of sensitive receptors (existing and future residents, along with child-care centers) to toxic air contaminants from existing and future stationary sources (mostly backup generators and on-site co-generation plants, as well as buses at the new Transit Center) and from diesel-powered construction equipment would result in a **significant and unavoidable impact**, as with the draft Plan.

This alternative would generate less traffic-related noise, compared to that under the draft Plan, but noise impacts from traffic and cumulative construction noise, along with construction vibration, would be **significant and unavoidable**, as with the project.

Effects related to recreation and public space, utilities and service systems, and public services would be essentially the same as those of the draft Plan, given the minor variation in development assumptions; these effects would be less than significant, as with the proposed project.

Aesthetics

Aesthetic impacts would be comparable under the Developer Scenario Alternative to those with implementation of the draft Plan. Because development would occur at the same locations, close-in views and aesthetic impacts would not change from those of the draft Plan. Long-range views would be similar to those under the Plan, because the differences in heights proposed under this alternative are, in most cases, not dramatic. The greatest proposed difference is in the case of the proposed Palace Hotel Tower, which would be approximately 130 feet (21 percent) taller under this alternative than with implementation of the draft Plan. Because this proposed tower would be on a site at the western edge of the Plan area, it would be visually set apart from most other tall buildings in the Plan area, and under this alternative, it could, to some degree, serve as an additional focal point in the Plan area, contrary to the project objectives and the Urban Design Element of the *General Plan*. However, the Transit Tower, at 1,070 feet, would be more than 340 feet taller, and would be the tallest building in the City, as it would under the draft Plan. The taller of two proposed towers at 50 First Street, at 915 feet including sculptural element, would be more than 150 feet shorter than the Transit Tower.

Shadow

The Developer-Proposed Scenario Alternative would result in greater shadow impacts on Union Square, compared to the proposed project because greater height would be permitted at the site of the proposed Palace Hotel tower. As explained in Section IV.J, Shadow, this proposed tower's location relative to Union Square makes it the major contributor to new shadow on this Section 295 park. Under the Developer Scenario Alternative, the net increase in shadow on Union Square, measured in square-foot-hours, would be approximately one-third greater than with the draft Plan.

The Developer Scenario would also increase new shadow, from the 50 First Street project, on Union Square (by about 5 percent) and Justin Herman Plaza (by about 16 percent), but would decrease Plan shadow on St. Mary's Square (by about 14 percent) and Portsmouth Square (by about 6 percent). This is because, while the Developer Scenario would build a taller building, the building would not occupy the entire site. Also, the massing of the tower under this alternative would be irregular. While the Developer Scenario would also involve additional height on the project at 181 Fremont Street, this proposed building would be tapered as it rises, so shading of Union Square by a building on this site would be similar to that for the draft Plan scenario.[468]

As with the draft Plan, development pursuant to the Developer Scenario Alternative would require an increase in the Absolute Cumulative Limit for Union Square, Portsmouth Square, St. Mary's Square, Willie "Woo Woo" Wong Playground, Chinese Recreation Center, Woh Hei Yuen Park, Justin Herman Plaza, Maritime Plaza, and Boeddeker Park. As with the draft Plan, this would be considered a **significant, unavoidable impact**. While sculpting or otherwise modifying individual buildings could be possible and would be likely to occur at the time such projects are considered for approval, at the programmatic level of this EIR, the potential for significant shadow would exist.

Wind

Effects on ground-level wind conditions would be comparable to those of the draft Plan, because the relatively minor differences in height would not substantially affect wind speeds; these effects would likely be less than significant, as with the Plan.

Historic Architectural Resources

Because it would involve the same or very similar development sites as the project, the Developer Scenario Alternative, like the draft Plan and the No Project Alternative, would result in a significant unavoidable impact on historical resources resulting from the demolition or substantial alteration of a number of historical resources, likely including three buildings on the west side of First Street north of Mission Street, one to four buildings at the northeast corner of Second and Howard Streets, one to three

468 This programmatic analysis of both the 50 First Street and 181 Fremont Street projects may overstate shadow impacts at very long distance (i.e., on Union Square and Portsmouth Square), because the analysis is based on generalized massing models, and not specific building designs. As with all high-rise buildings subject to *Planning Code* Section 295, each of these projects would be analyzed in detail, based on actual project plans, as part of project-specific CEQA review and consideration of the project by the Planning Department and Planning Commission.

buildings on the north side of Howard Street across from Hawthorne Street, and one or two buildings on the south side of Howard Street, west of Hawthorne Street. Also like the draft Plan, this alternative could result in a substantial adverse effect on the Palace Hotel, City Landmark No. 18, and possibly on the New Montgomery-Second Street Conservation District, from construction of a residential tower at the southwest corner of the hotel site. As would be the case for the draft Plan, effects on historical resources would be **significant and unavoidable**.

Biological Resources

Effects on biological resources would be similar to those resulting from implementation of the draft Plan, because most of the same buildings would be developed at the same locations, including several near or adjacent to the planned City Park atop the new Transit Center; compliance with *Planning Code* Section 139 and the City's *Standards for Bird-Safe Buildings* would render bird strike impacts less than significant, and the same mitigation measures as would apply to the project would reduce other biological impacts to a less-than-significant level.

Other Effects Related to the Site-Specific Conditions

Impacts related to site-specific conditions, such as those related subsurface cultural (archeological) resources, geology, hydrology and water quality, and hazardous materials would be similar to those of the draft Plan because the same or very similar development sites would be involved. As with the draft Plan, the No Project Alternative, and the Reduced Project and Reduced Shadow Alternatives, these effects would be less than significant (with applicable mitigation in the case of archeological resources.

As with the draft Plan, this alternative would have less-than-significant impacts related to mineral and energy resources and no impacts on agricultural or forest resources.

Transit Tower Impacts

Under the Developer Scenario Alternative, the Transit Tower would be built to a height of 1,070 feet, as with the draft Plan. Therefore, effects related to the Tower would be as described in Chapter IV.

Project Objectives

Given that this alternative's development assumptions are similar to those of the draft Plan, the Developer Scenario Alternative would meet most of the same project objectives as would the draft Plan. However, the greater height proposed for the residential tower addition to the Palace Hotel would be somewhat inconsistent with the draft Plan's urban design objectives.

Conclusion

Because it would substantially reduce shadow impacts on parks subject to Section 295 and effects on historic architectural resources, compared to the proposed project, Alternative B, Reduced Project, is considered the environmentally superior alternative for both the draft Plan and the proposed Transit

Tower. As noted previously in this chapter, however, to the extent that development precluded under the Reduced Project Alternative from taking place in the Plan area were to occur elsewhere in the Bay Area, employees in and residents of that development could potentially generate substantially greater impacts on transportation systems, air quality, and greenhouse gases than would be the case for development of a similar amount of office space in the more compact and better-served-by-transit Plan area. This would be particularly likely for development in more outlying parts of the region where fewer services and less transit access is provided. Therefore, while it would be speculative to attempt to quantify or specify the location of the impacts, it is acknowledged that, while the Reduced Project Alternative would incrementally reduce local impacts, in the Plan area and in San Francisco, it could also increase regional emissions of criteria air pollutants and greenhouse gases, and to increase regional traffic congestion. It could also incrementally increase impacts related to "greenfield" development on previously undeveloped locations in the Bay Area and, possibly, beyond.

Alternative C, Reduced Shadow, would be the most effective alternative at reducing Plan impacts to some extent while meeting or approaching many of the project objectives.

CHAPTER VII
Comments and Responses

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C&R-1 Select Residential Development Projects in the Plan Area C&R-45

Revised Draft EIR Table

Revised Table 41 – Shadow on Section 295 Parks from Development in the Plan Area Following C&R-139

A. Introduction

Purpose of the Comments and Responses Document

This document contains public comments received on the Draft Environmental Impact Report (Draft EIR, or DEIR) prepared for the proposed Transit Center District Plan and Transit Tower project (State Clearinghouse No. 2008072073), and responses to those comments. Also included in this document are text changes initiated by Planning Department staff as well as text changes in response to comments on the Draft EIR.

Environmental Review Process

On September 28, 2011, the San Francisco Planning Department published the Draft EIR on the Transit Center District Plan and Transit Tower office project for public review and comment. The public review and comment period on the document extended from September 28 through November 28, 2011.[1] During the 61-day public review period, the San Francisco Planning Department received written comments sent through the mail or by hand-delivery, fax, or email (see Attachment A). Oral comments were received at the public hearing on the Draft EIR, held before the Planning Commission on November 3, 2011. A court reporter was present at the public hearing, transcribed the oral comments verbatim, and prepared a written transcript (see Attachment B).

This Comments and Responses document has been distributed to the San Francisco Planning Commission, State Clearinghouse, agencies and individuals who commented on the Draft EIR. This document, which responds to comments received on the Draft EIR and includes associated revisions to the Draft EIR, in combination with the Draft EIR, constitutes the Final EIR for the Transit Center District Plan and Transit Tower project. The Final EIR must be certified by the Planning Commission prior to consideration of the proposed project for approval.

Document Organization

Following Section A, Introduction, Section B contains a list of all persons and organizations who submitted written comments on the Draft EIR and who testified at the public hearing on the Draft EIR held on November 3, 2011.

Section C presents a discussion of revisions to the proposed Transit Center District Plan and the Transit Tower introduced since the publication of the Draft EIR. This section also discusses any changes in impacts as a result of the revisions to the project.

Section D contains verbatim transcriptions of substantive comments on the Draft EIR made orally during the public hearing and received in writing during the public comment period, from September 28 through November 28, 2011. Comments are grouped by environmental topic and generally correspond to

[1] Although the DEIR public comment period was intended to run from September 28 through November 14, 2011, the comment period was extended for two weeks by the Planning Commission on November 3, 2011.

the table of contents of the Draft EIR. However, if no comments addressed a particular topic, that topic does not appear in this document. The name of the commenter is indicated following each comment summary. In the text of the comments, an ellipsis (…) standing alone as a separate paragraph indicates that one or more paragraphs in a comment are not included in the quoted text, either because those portion(s) of the comment appear under another topic or because they do not address substantive issues with respect to the EIR.

Section E contains text changes to the Draft EIR made by the EIR preparers subsequent to publication of the Draft EIR to correct or clarify information presented in the DEIR, including changes to the DEIR text made in response to comments. Section E also contains revised DEIR figures.

Some of the responses to comments on the Draft EIR provide clarification regarding the DEIR; where applicable, changes have been made to the text of the DEIR, and are shown in double underline for additions and ~~strikethrough~~ for deletions.

Some comments made both in writing and at the public hearing were directed towards the merits of the proposed Transit Center District Plan and/or Transit Tower. No responses need be provided to these comments, unless they concern the adequacy or accuracy of the EIR. In some instances, however, additional information is given.

The comment letters received and the transcript of the public hearing are reproduced in Attachments 1 and 2, respectively.

These comments and responses will be incorporated into the Final EIR as a new chapter. Text changes resulting from comments and responses will also be incorporated in the Final EIR, as indicated in the responses.

B. List of Persons Commenting

Written Comments

Public Agencies

Gary Arnold, District Branch Chief, Local Government – Intergovernmental Review, California Department of Transportation (Caltrans), letter, November 28, 2011

Ryan Miya, Senior Hazardous Substances Scientist, Northern California – Coastal Cleanup Operations Branch, California Department of Toxic Substances Control, letter, October 28, 2011

Val Joseph Menotti, Planning Department Manager, Bay Area Rapid Transit District (BART), letter, November 23, 2011

Ron Downing, Director of Planning, Golden Gate Bridge, Highway, and Transportation District (GGBHTD); letter, November 14, 2011

Charles Edwin Chase, President, San Francisco Historic Preservation Commission (HPC), letter, November 30, 2011

Irina P. Torrey, AICP, Manager, Bureau of Environmental Management, San Francisco Public Utilities Commission, memorandum, November 10, 2011

Karen Mauney-Brodek, Deputy Director for Park Planning, Planning and Capital Division, San Francisco Recreation and Park Department, letter, December 12, 2011

Others

Sue C. Hestor, Attorney at Law, on behalf of San Franciscans for Reasonable Growth (SFRG); letter, November 28, 2011

Thomas S. Bain, Managing Director, BlackRock, letter, November 25, 2011

Ken Cleaveland, Director of Government and Public Affairs, Building Owners and Managers Association (BOMA) of San Francisco, letter, November 3, 2011

Deland Chan, Interim Community Planning Manager, Chinatown Community Development Center, letter, November 18, 2011

Tan Chow, Organizer, Committee for Better Parks and Recreation in Chinatown, letter, November 28, 2011

Caroline A. Guibert, Coblentz, Patch, Duffy & Bass LLP, on behalf of Golden Gate University, letter, November 14, 2011

Jim Lazarus, Senior Vice President, San Francisco Chamber of Commerce, letter, November 1, 2011

Sarah Karlinsky, Deputy Director, San Francisco Planning and Urban Research, letter, November 1, 2011

Linda Mjellem, Executive Director, Union Square Business Improvement District, letter, November 11, 2011

Eileen Boken, letter, received November 2, 2011

Issa Kawas, letter, October 15, 2011

Ruben Santiago, letter, November 3, 2011

Lloyd W. Schloegel, letter, November 3, 2011

Persons Commenting at the Public Hearing, November 3, 2011

Ruben Santiago

Sarah Karlinsky, San Francisco Planning and Urban Research

Robert Beck, Transbay Joint Powers Authority

Jamie Whitaker

Sue Hestor

Commissioner Michael Antonini

Commissioner Ron Miguel

Commissioner Hisashi Sugaya

Commissioner Kathrin Moore

C. Revisions to the Proposed Project

Since publication of the Draft EIR, the Planning Department has published a revision to the proposed Transit Center District Plan, dated April 2012, and has drafted a series of proposed modifications to the *Planning Code, Zoning Maps,* and *General Plan* that will implement the draft Plan.

Additionally, on March 9, 2012, Hines Transbay Tower LLC filed planning applications for the proposed Transit Tower with the Planning Department, which provide additional detail with respect to the proposed Transit Tower.

Each of these developments is discussed in this section, with the focus on changes to the project as described in the Draft EIR. None of the proposed changes would result in new significant impacts or substantially more severe impacts, or change any conclusions stated in the Draft EIR, as described below.

Transit Center District Plan

Transit Center District Plan: Proposal for Adoption (April 2012)

The Draft EIR analyzed effects related to implementation of the draft Transit Center District Plan that was published in November 2009. The April 2012 Transit Center District Plan: Proposal for Adoption is largely the same as the November 2009 draft, with the following revisions proposed in a Final Supplement to the Transit Center District Plan:[2]

Land Use: Creation of a Commercial District. As stated on DEIR p. 15, one of the major goals of the draft Plan is to ensure that there is sufficient growth opportunity for high-density, largely office-based jobs in the downtown core immediately proximate to the region's best transit service. To implement this goal, the November 2009 draft Plan proposed to eliminate the existing 18:1 cap on floor area ratio (FAR) and to limit the amount of non-office space in the heart of the Plan area by requiring larger projects to provide at least three square feet of commercial space for every one square foot of residential, hotel, or cultural space. The April 2012 Supplement to the draft Plan has reduced this proposed office to non-office ratio from 3:1 to 2:1. No change has been made to the boundaries of the area in which this ratio would apply (bounded generally by Market Street on the north, Main Street on the east, Zone 1 of the Transbay Redevelopment Plan and Tehama Street on the south, and midway between Second and New Montgomery Streets on the west, shown in EIR Figure 2, p. 13), nor has there been any change in the proposal to eliminate the existing maximum 18:1 FAR.

Urban Form. The April 2012 Plan Supplement revised the proposed height limit for one parcel at 41 Tehama Street, which is proposed for a height limit of 360 feet, 40 feet less than the 400-foot height limit in the 2009 draft Plan. Additionally, the height limit of the site of the new Transbay Transit Center, currently under construction, is proposed to be increased to 100 feet (from 80 feet at present, except at the

[2] The *Final Supplement to the Transit Center District Plan* is available on the internet at: http://www.sf-planning.org/ftp/CDG/docs/transit_center/TCDP_Initiation_I_PlanAddendum.pdf.

western end of the Transit Center site, where the existing height limit is 450 to 550 feet), to accommodate the new Transit Center building.

The April 2012 Plan Supplement also includes new proposals to limit shadow effects from buildings taller than the existing maximum height limit of 550 feet. The April 2012 Supplement states:

> The typical height limit rules that apply to buildings in the S bulk districts which allow tower extensions and that govern architectural elements at the tops of buildings should not apply to buildings taller than 550 feet. Instead, a new bulk district, S-2, with specific rules should be crafted to apply to such tall buildings to reflect their central and iconic positions on the skyline in order to enhance their appearance while minimizing potential visual and shadow impacts.

Under existing zoning, *Planning Code* Section 263.9 allows a building to have additional height up to 10 percent above the height limit if the bulk of the building's "upper tower" (approximately the upper one-third) is reduced by a specified percentage (defined in Section 271), compared to the bulk that would result from a vertical extension of the lower tower. As a condition of the additional height, the Planning Commission must find, pursuant to the Section 309 approval process, that "the upper tower volume is distributed in a way that will add significantly to the sense of slenderness of the building and to the visual interest to the termination of the building, and that the added height will improve the appearance of the sky-line when viewed from a distance, will not adversely affect light and air to adjacent properties, and will not add significant shadows to public open spaces."

The draft Plan, as amended, proposes that, in the proposed new S-2 bulk district, buildings greater than 550 feet in height may gain approval for additional height only to accommodate unoccupied building features, including mechanical/elevator penthouses, enclosed and unenclosed rooftop screening, and "unenclosed architectural features." The Planning Commission would have to review and approve such additional height pursuant to *Planning Code* Section 309, and would have to determine that three specific criteria are met: 1) the additional building elements would "not add more than insignificant amounts of additional shadow compared to the same building without such additional elements on any public open space"; 2) other than a spire limited to 50 feet in height and 18 feet in maximum plan dimension, the additional height would be limited to 7.5 percent of the roof height of the highest occupied floor (except that no limit would apply to a building in the 1,000-foot height district—which is to say that the proposed Transit Tower would not be limited in the height of its rooftop sculptural feature); and 3) the additional rooftop building elements "are designed as integral components of the building design, enhance both the overall silhouette of the building and the City skyline as viewed from distant public vantage points by producing an elegant and unique building top, and achieve overall design excellence" (April 2012 Supplement, p. 6)

Historic Preservation. On February 2, 2012, subsequent to publication of the DEIR, the Historic Preservation Commission (HPC) adopted a revision to the Transit Center District Survey that was previously adopted by the Landmarks Preservation Advisory Board, predecessor to the Historic Preservation Commission, in 2009. As a result, the Planning Department now proposes to slightly increase the size of the proposed expansion of the existing New Montgomery–Second Street Conservation District, compared to that depicted in the Draft EIR, and to identify approximately five additional

buildings as contributors to what would be renamed the New Montgomery–Mission–Second Street Conservation District. The HPC also adopted revised historic survey forms and California Historical Resource status codes for a number of properties in the Plan area, both inside and outside the proposed expansion of the conservation district. The revised conservation district boundary, along with other changes following from the HPC's adoption of the revised survey materials, are depicted in revised EIR Figure 7, Existing and Proposed Conservation and National Register Districts, which appears at the end of Section E of this Comments and Responses document, following p. C&R-139.

The HPC took further action on May 2, 2012, by initiating a boundary change to the existing New Montgomery-Second Street Conservation District and initiating the designation, under Article 11 of the *Planning Code*, of 43 of buildings as Category 1 (Significant), Category III (Contributing), or Category IV (Contributing) buildings and a change of designation for one (1) property from Category III (Contributing) to Category IV (Contributing), in connection with the proposed expanded an renamed New Montgomery–Mission–Second Street Conservation District. The HPC also added four properties identified in the draft Plan for potential future designation as City Landmarks to the Landmark Designation Work Program. These are the properties shown in revised Figure 7, following p. C&R-139.

In addition to the HPC action, the April 2012 Plan Supplement makes some modifications to the proposed use of Transferrable Development Rights (TDR) and replaces a proposed Historic Preservation and Rehabilitation Fund with a more flexible approach to ensuring an adequate supply of TDR, calling for the City to "investigate opportunities to expand the potential supply of TDR through designation of eligible buildings," both inside and outside the C-3 (Downtown) Use Districts—including publicly owned buildings that require substantial rehabilitation. A historic preservation fund is maintained as a secondary approach, for use in addition to the designation of additional buildings.

Transportation: The April 2012 Plan Supplement makes minor revisions made to the proposed Public Realm Plan (street and sidewalk configurations) depicted in Figures 5 and 6 and in Appendix C of the DEIR. These changes involve the addition of bicycle lanes to Fremont, Beale, and Main Streets, between Market and Folsom Streets (but with no change in lane configuration, because the bicycle lanes are added within what had been proposed as wider-than-typical travel lanes), and modification of the configuration of Mission Street to slightly decrease the amount of widening of sidewalks proposed in the draft Plan in order to provide wider travel lanes to accommodate bus traffic. The revised treatment of bicycle lanes is depicted in revised EIR Figures 5 and 6 and in a revised bicycle network figure from EIR Appendix C, all of which are included in Section E of this Comments and Responses document, following p. C&R-139.

District Sustainability: The April 2012 Plan Supplement deletes one policy from the November 2009 draft Plan that would have required major new development to exceed the LEED® (Leadership in Energy and Environmental Design) requirements contained in the City's Green Building Ordinance. Revisions are also made to four other policies (see Section E, Revisions to the Draft EIR, p. C&R-121 of this Comments and Responses document).

Revisions to the *Planning Code*

As stated in the Draft EIR under "Approvals Required," p. 49, among the approval actions required to implement the Transit Center District Plan would be a series of amendments to the *Planning Code* to, among other things, create new height and bulk districts; eliminate the 18:1 limit on floor area ratio; modify controls on building setback, separation of towers, bulk, massing, and façade articulation; alter controls for the use of transferrable development rights and establish a downtown preservation fund; and increase bicycle parking and car-share parking requirements. In general, the proposed amendments to the *Planning Code* that have been drafted are consistent with those described in the DEIR. The following summarizes the changes in proposed *Code* revisions, compared to provisions described in the DEIR.[3]

Section 152.1, Required Off-Street Freight Loading and Service Vehicle Spaces in C-3, Eastern Neighborhoods Mixed Use Districts, and South Of Market Mixed Use Districts, would be modified to include a maximum requirement of six off-street freight loading or service vehicle spaces per building in the C-3-O(SD) use district, which would encompass the Plan area.

A new Transit Center C-3-O(SD) Commercial Special Use District would be created within Planning Code Section 249. As noted above in the discussion of revisions to the draft Plan, this special use district would require that new development on lots larger than 15,000 square feet include not less than two square feet of commercial (office, retail, and other non-residential, non-lodging) use for every one square foot of residential or hotel use. The draft Plan had originally proposed a 3:1 ratio of commercial to residential/hotel space.

Section 260(a)(2) would be revised to change the point at which height is measured for very tall buildings (those taller than 650 feet) in the C-3-O(SD) District, so that building height would be based on the actual highest point of the building, rather than the building roof, as is normally the case.

A new section 260(b)(1)(M) would exempt from the height limit, for buildings taller than 650 feet in the C-3-O(SD) District, "unoccupied building features including mechanical and elevator penthouses, enclosed and unenclosed rooftop screening, and unenclosed architectural features not containing occupiable space that extend above the height limit," providing that those elements do not cast more than "de minimis" amounts of shadow on open spaces subject to Planning Code Section 295, are limited to 7.5 percent of the building height, and are integral components of the building design. In the 1,000-foot height zone (location of the proposed Transit Tower), there would be no limit on the height of such sculptural elements. Such rooftop features would require the Planning Commission to grant an exception, pursuant to Section 309.

Section 309, Permit Review in C-3 Districts, would be amended to include cross-reference to two new categories of exceptions that may be granted by the Planning Commission from provisions newly proposed for the *Planning Code.* These would be (i) an exception to the use requirement (ratio of office to non-office space) in the Transit Center C-3-O(SD) Commercial Special Use District; and (ii) an exception for unoccupied rooftop elements exceeding the height limit, as described above under Section 260(b)(1)(M).

[3] The proposed *Planning Code* revisions, including *Code* section numbers, are accurate as of the date of publication of this Comments and Responses document.

Effects of the Revisions

The revisions to the draft Plan analyzed in the DEIR and the proposed amendments to the *Planning Code* do not alter the development assumptions upon which the analyses were based. That is, the projected growth by land use remains the same because, although the currently proposed changes to the *Planning Code* would alter the required ratio of office to non-office space within the central portion of the Plan area compared to that proposed in the November 2009 draft Plan, this change would not substantially alter the areawide long-term growth forecasts on which the EIR's quantified analysis was based. This is because the Planning Department's growth forecasts are based on a number of factors, including regional growth forecasts, the current uses of sites in the Plan area as well as citywide, and anticipated demand for various uses, in addition to existing and proposed zoning. Therefore, quantifiable effects related to the intensity of development, such as transportation, air quality, noise, greenhouse gas emissions, and demand for services and utilities, would not change. Also, there are no revisions in the assumptions concerning the urban form (height and bulk), meaning that qualitatively assessed impacts, such as those with respect to land use, aesthetics, shadow, and wind, would likewise not change. (The proposed controls with respect to building elements in excess of the height limit are intended to require careful consideration of such features, and so would not result in greater impacts than identified in the EIR's shadow analysis, which was based on simple massing models of all potential development except the proposed Transit Tower, for which the proposed 150-foot-tall sculptural element was included in the analysis.)

Similarly, there would be no alteration in location-specific effects, such as those on cultural (historical and archeological) resources, biological resources, geology, hydrology, or hazardous materials.

The proposed maximum requirement of six off-street freight loading spaces is likely to have little practical effect beyond the proposed Transit Tower, because a limited number of other buildings are anticipated to be built that would otherwise have a freight loading requirement of more than six spaces. Such a requirement would be triggered by, for example, an office building of 650,000 square feet or more. Only three other sites in the Plan area could likely accommodate a building that size: a site on the northwest corner of First and Mission Streets (50 First Street), where a mixed-use project of three towers is currently proposed; the Golden Gate University site just to the west; and the Transbay Joint Powers Authority "Parcel F" site, on Howard Street between First and Second Streets. The difference between the current *Planning Code* requirement and the proposed requirement with a six-space maximum would amount to approximately 20 loading spaces. The Draft EIR found that an areawide shortfall of off-street freight loading spaces would result in a significant unavoidable impact, and additional shortfall of 20 off-street loading spaces would not substantially alter the conclusions of the EIR.

Concerning the revisions in the approach to TDR, the programmatic nature of the EIR's analysis of Plan impacts precludes analysis of specific properties, and as a result the EIR finds that the potential demolition or substantial alteration of historical resource(s) would be a significant, unmitigable effect of the draft Plan (Impact CP-3). This would remain true with the April 2012 revisions. However, it is noted that the proposed expansion and renaming of the New Montgomery, Second, and Mission Streets Conservation District and the designation under *Planning Code* Article 11 of additional contributory

buildings in the Plan area would potentially reduce adverse impacts to historical resources, although not to a less-than-significant level.

With respect to the changes in the Plan's public realm improvements, as noted above, bicycle lanes are currently proposed to be striped on Fremont, Beale, and Main Streets, as follows:

- Fremont Street: Northbound between Folsom and Market Streets, along the east side of the street;
- Beale Street: Southbound between Market and Folsom Streets. This lane would be striped along the east side of the street between Market and Howard Streets and along the west side of the street between Howard and Folsom Streets, with a "bike box" crossover provided just north of Howard Street; and
- Main Street: Northbound between Folsom and Market Streets, along the east side of the street.

The public realm improvements assumed in the DEIR included a wider curb lane along each of the three above streets (approximately 15 feet or larger in width), which could be used by bicyclists. Under the revision, the blocks noted would instead be striped as a regular travel lane of standard width (9.5 to 11 feet) plus a Class II bicycle-only lane (typically 5 feet wide).

With the bicycle lanes, there would be no substantial change to impacts identified in the DEIR, as the bike lanes would use street space originally proposed as part of wider curbside travel lanes. Increased delay for southbound vehicles on Beale Street as a result of the bike lane, if any, is expected to negligible, because bicycles would have their own lane and would not need to share a lane with motor vehicles; therefore, motor vehicles would be able to overtake bicycles and the flow of both motor vehicle and bicycle traffic would be maintained.

In addition, because the wider vehicle lanes could be used by bicyclists under the previous roadway plan, the addition of bike lanes on the aforementioned street segments is not expected to result in significant traffic, transit, pedestrian, loading, or parking impacts. While the bike lanes would likely attract some increase in bicyclists to these streets, this increase is not expected to be large enough that there would be a material effect to the operations of other modes, such as Golden Gate Transit buses attempting to approach or pull out of the curb along the east side of Fremont Street between Market Street and Mission Street during the weekday p.m. peak period. This is because Beale and Main Streets are relatively lightly trafficked at present, compared to other north-south streets in the Plan area, meaning that they offer an existing opportunity for cycling with minimal potential conflicts with motor vehicles, and because, as noted, the draft Plan already proposed wider-than-normal curb lanes on all three streets, in part to accommodate cyclists. Moreover, because the draft Plan calls for bicycle lanes on three adjacent, parallel streets, the increase in bicycle traffic on any one of these streets would be expected to be relatively limited, given the multiple options from which cyclists could choose.

There could also be some incremental increase in conflicts between cyclists and motor vehicles making left and right turns, but because the increase in bicyclists due to the new bicycle lanes would not be expected to be substantial, the change compared to conditions analyzed in the EIR would not be anticipated to result in new significant impacts.

Concerning the Mission Street sidewalks, they are currently 15 feet wide in the Plan area. Under the original proposal, these sidewalks would have been widened to approximately 21 feet on each side, except immediately east and west of Second Street, where the Mission Street sidewalks would be 17 feet wide. Under the current, revised proposal, the sidewalks along each side of Mission Street in the Plan area would be widened to 19 feet, except east and west of Second Street, where they would remain 15 feet wide, and on the north side of Mission Street between First and Fremont Streets, where the sidewalk would be 18 feet in width. The Transportation Impact Study assessed potential project-related impacts both with and without the draft Plan's public realm improvements, including widening of Mission Street sidewalks, and identified significant impacts related to pedestrian congestion at some crosswalks and corners. However, the study identified no significant effect with respect to sidewalk capacity either with or without the proposed sidewalk widening, the current revised scheme—which is within the range analyzed in the Transportation Impact Study—would likewise result in no significant impact. Regarding pedestrian congestion at corners, the EIR likewise identified a significant impact at one Mission Street corners under conditions without the draft Plan's public realm improvements, including widening of Mission Street sidewalks: at the southwest corner of First and Mission Streets, in the p.m. peak hour. However, widening of the Mission Street as currently proposed, from 15 feet to 19 feet, would be expected to provide sufficient additional pedestrian circulation space, compared to existing conditions, to avoid the significant impact that would occur with no widening (i.e., the draft Plan without the public realm improvements). Moreover, pedestrian circulation space at this corner is effectively much greater than is calculated based on sidewalk width, because the existing building at 100 First Street includes a colonnaded setback that provides more than 5 feet of effective additional width to the Mission Street sidewalk, as well as a corner setback of approximately 100 square feet. While the Planning Department does not consider setback areas as part of the overall sidewalk width, it is reasonable to expect that pedestrians would use the 100 First Street corner setback as a path of travel in congested conditions. Therefore, as with sidewalks, the lesser widening would not result in any new significant impacts with respect to pedestrian crowding at street corners.

Changes to the policies in the District Sustainability chapter of the draft Plan would not affect the analysis in the EIR, because these policies were incorporated into the EIR's broad, programmatic analysis and were not incorporated into the quantification of air quality or greenhouse gas emissions, as such quantification at a Plan level would be speculative.

Transit Tower

As noted above, on March 9, 2012, Hines Transbay Tower LLC filed a series of planning applications with the Planning Department that provide additional detail with respect to the proposed Transit Tower. Hines Transbay Tower LLC (Hines) is the entity that was selected by the Transbay Joint Powers Authority (TJPA) to design and build the tower following a design competition in 2007. At the time the Draft EIR was published, the TJPA and Hines had not entered into a formal agreement with respect to development of the Transit Tower. With the two entities having entered into an Exclusive Negotiations Agreement, Hines will serve as the project sponsor for the Transit Tower for the consideration of project approvals.

The project described in the March 2012 applications submitted by Hines is essentially the same as the project analyzed in the Draft EIR. That is, as stated on EIR p. 38, the Transit Tower would be a a 61-story, approximately 1,070-foot-tall office building on approximately the northern third of the block bounded by First, Mission, Fremont, and Howard Streets. The roof of the building would be at a height of 920 feet, as analyzed in the DEIR, and the building would be topped by a lattice-like steel sculptural element 150 feet tall, which would continue the building's tapering shape up to a total height of about 1,070 feet. A two-level mechanical penthouse, set back from the building walls on all four sides, would be enclosed within the sculptural element. These dimensions remain the same as described in the DEIR.

The footprint of the March 2012 design would vary slightly from that of the Transit Tower analyzed in the DEIR, in that the DEIR design included notches about 6 feet deep at each corner of the building, while the current design features rounded corners without notches. Otherwise, the massing of the building would be the same as that analyzed in the DEIR. Hines has also provided additional design detail, including the fact that that each floor would have a horizontal sun shade projecting approximately 3.5 feet from the building wall.

The building program remains similar to that described in the DEIR, with the March 2012 proposal including 1.35 million square feet of office space, compared to 1.288 million square feet of office in the DEIR project, and 20,000 square feet of retail space, compared to 16,500 square feet of retail in the DEIR project.

Effects of the Revisions

The incrementally larger building program proposed under the March 2012 applications would result in about 62,000 square feet (about 5 percent) more office space and about 3,500 square feet (21 percent) more retail space than analyzed in the Draft EIR. Based on the trip generation rates used in the Transportation Impact Study, this increase would result in about 30 additional p.m. peak-hour vehicle trips and about 55 additional p.m. peak-hour transit trips, which would not make a meaningful difference to the analysis of transportation impacts, nor would it measurably affect noise, air quality, or greenhouse gas emissions calculations. The associated increase of about 235 workers (based on standard Planning Department assumptions of employees per square foot for the different uses) would not substantially affect the estimated demand for public services or utilities.

Because the building massing would be the same as that analyzed in the DEIR, effects reported in the DEIR with respect to land use, aesthetics, shadow, and wind, likewise would not substantially change. Because the Transit Tower would be developed at the same site as previously analyzed, there would be no alteration in reported location-specific effects, such as those on cultural (historical and archeological) resources, biological resources, geology, hydrology, or hazardous materials.

D. Summary of Comments and Responses

General Comments

Comment G-1: The EIR does not adequately evaluate the effects of high-rise development on the street level pedestrian experience; the analysis of aesthetic impacts should focus more on street-level conditions.

"The most appropriate of the DEIR is POLLYANNAish. If that is a word.

"This DEIR - as well as the planning staff working on/promoting this 'plan' - would be well served to have an impartial group evaluate the street level quality/experience of the high-rise buildings that have been built since the Urban Design Plan, the Downtown Plan and even the various Rincon Hill plans were approved. There is an AWFUL lot of reliance on the LANGUAGE in various policies - the Urban Design Plan, the Downtown Plan and the Rincon Hill Plan. The language of those 'plans' is lovingly set out as though the nice words actually resulted in changes at street level. There is little 'evaluation' or recognition that high-flown policies don't actually result in implementation in real world San Francisco. This analysis could also be extended to the Code language that was adopted that turned around and allowed 'exceptions' which became the norm when a building was actually reviewed and approved.

"The Aesthetics evaluation should mostly focus at the STREET LEVEL, since that is where most people will experience these buildings. While we also care about how these buildings affect the skyline and important public views - see later comments here - much of what has been built in the last 35-40 years didn't quite result in the wonderful ground-level perspectives (the ideals) set out in those plans. Development in the past 35-40 years was theoretically guided by the policies of the Urban Design Plan, the Downtown Plan or the Rincon Hill Plan. How did it REALLY work out? What is the level of POSITIVE ground level pedestrian activity around the NEW TALL buildings. What about their 'plazas' or other softening aspects? How much do they welcome people, both those who work in their building or those in the area? How much of the ground level space is ACTIVE retail or services? Are the NEW buildings providing those spaces, or is it in the OLDER buildings? How 'friendly' is the pedestrian experience. How ACTIVE are these spaces in the REAL world?

"Our sense is that there are an awful lot of 'policies' that look terrific on paper, but aren't really implemented all the way through in construction details, in ground level active uses and in creating a strong public realm in/around NEW high-rise buildings.

"Which BUILDINGS worked they way the "plans" intended? Vs. which created inactive, under-used spaces? Which 'outdoor' access spaces REALLY work? What population do they serve?

"The Planning Department itself may not be the best judge of its own efforts. Perhaps one of the Architecture/Design schools that regularly put students into SF planning issues - UC Berkeley, Cal Poly - could be asked to do a human level evaluation of the NEW downtown buildings and how they function at the ground level. The students are guided by professionals in their Department, but may come to this with a fresh view. Architecture students don't have a stake in justifying Planning Department policies." *(Sue Hestor, on behalf of SFRG)*

"My concern is not with such things as the towers at their top and the separation, I am still, as I voiced before, concerned with what happens down on the ground. We have, and they are commented upon in the document, the Downtown Streetscape Plan of '95, the Transbay Streetscape Plan of 2006, and certainly the Better Streets Plan from 2010. There are comments regarding sidewalk improvements, mid-block crossings, that's where I think everything is important. That's where the public is going to thrive and that's where the district is going to thrive.

"The manner of the built form at the sidewalk is much, much more important to me than tower separation or some flagpole on top of a tower somewhere in order to achieve an extra 50-feet in height. Those things at the top are easy to work with. The personal impact on the ground level is extremely difficult to deal with because it comes in the public realm and we often deal with the actual individual buildings without having a good idea of how the mass of them, because many will be built, are going to affect the street level." *(Commissioner Ron Miguel)*

Response

The EIR analyzes potential direct adverse physical effects on pedestrian conditions with respect to pedestrian circulation (Section IV.E, Transportation), Wind (Section IV.I), and Shadow (Section IV.K). Additionally, the analysis of historic architectural resources in Section IV.D, Cultural and Paleontological Resources, implicates the pedestrian experience in that it discusses potential changes to or loss of historic buildings, and the analysis of traffic noise in Section IV.F, Noise, is also relevant to the pedestrian experience.

Concerning aesthetic impacts and pedestrians, it should be noted that the draft Plan does not propose to fundamentally alter the land use controls in the Plan area. Rather, as stated in Chapter II, Project Description, the draft Plan would designate most of the Plan area within the C-3-O (SD) (Downtown Office—Special Development) use district, which currently applies to much of the Plan area south of Natoma Street. The area north of Natoma Street is currently zoned C-3-O (Downtown Office), and the controls in the two districts are similar, with office use permitted as a principal use and controls that generally encourage concentrated, high density office development. As stated on EIR p. 12, the C-3-O (SD) district allows a lesser intensity of development, measured in terms of floor area ratio, as of right than does the C-3-O district, but the C-3-O (SD) district also permits unused development potential on lots containing historic resources from other C-3 districts to be directed to sites in the C-3-O (SD) district through the transferrable development rights (TDR) process.

The draft Plan seeks to increase the density of development, primarily office development, in the area around the new Transbay Transit Center, by retaining existing controls promoting office use, increasing permitted heights on a select number of sites and allowable floor area ratio and residential density, and adding a policy framework that addresses issues such as urban form and the public realm—largely, the pedestrian realm—and transportation, with a focus on pedestrian travel and other non-auto modes. Because the draft Plan would increase height limits on certain sites to permit buildings taller than currently exist in San Francisco, and because proposals for very tall buildings have historically generated great interest in the City, the EIR Aesthetics

analysis (EIR Section IV.B) focuses on the effects of these taller buildings. The EIR notes that taller buildings would have effects not only on the skyline and on views, but also at the pedestrian level. "At the ground level, there would be a perceptible change in both pedestrian and vehicular activity, owing to the introduction of greater density development and some lessening of sunlight at certain times of day, depending on location relative to new tower(s)" (EIR p. 114). Along with allowing increased height, the EIR notes on p. 115:

> The draft Plan also proposes substantial improvements to the public realm that would complement the proposed transportation infrastructure. These include widening of selected sidewalks, establishing new mid-block crossings at key locations, and enhancing alleys as pedestrian spaces. In addition, as under current conditions, new publicly accessible open spaces would be a required component of new development, and would create pedestrian-friendly spaces throughout the Plan area. Area-wide landscaping improvements would also be undertaken along the public rights-of-ways, adding rows of street trees and other greenery to areas where there is currently little vegetation. The proposed public realm improvements would follow the Urban Design Element's direction to use landscaping and other treatments to help define and "emphasize the special nature of each district" and to "make centers of activity more prominent."

The EIR Project Description also describes the draft Plan's proposals for ground-floor building treatments, including "guidelines regarding bulk and building form that build upon the standards established in the Downtown Plan, and proposes ground-floor design standards that are meant to encourage active and spacious ground floors, promote continuous street-level facades, and allow for the widening of sidewalks in areas where the redevelopment of contiguous parcels is anticipated to occur" (EIR p. 19). Among the specific proposals in the draft Plan, as stated on EIR p. 20, are the use of setbacks, projections, and other building features to clearly differentiate a building's base from its tower. Also, the draft Plan proposes that building lobbies be no wider than 40 feet or 25 percent of the building's street frontage, with the remaining frontage required to be lined with uses such as commercial storefronts and public space (November 2009 Draft Plan, Policy 2.19). This policy is part of a section on the "pedestrian zone" of buildings, in the draft Plan's Urban Form chapter (Chapter 2). This section begins with the statement that buildings in the Plan area should have ground levels designed "in such a way that reinforces the human scale … [and] contribute[s] to conditions ideal for attracting pedestrian activity" (November 2009 Draft Plan, p. 38). Objectives in this section call for pedestrian-oriented development, active ground floor spaces that are tall and spacious, façade articulation, and minimizing blank walls at ground level. The proposed *Planning Code* revisions that would implement the draft Plan include Section 132.1(c), which would establish requirements for a "street wall" height related to the width of the adjacent street; a "pedestrian zone" that incorporates architectural features, awnings, marquees, or canopies that project from the building wall; and building setbacks along portions of Mission, First, and Howard Streets that would provide for additional public circulation space.

In terms of the attractiveness of ground-floor building space such as retail stores and cafes, it is true that some spaces function more effectively than others. Some building owners are also more successful than others in leasing their ground-floor space, whether for purely economic reasons or because the location or layout of one space is more suitable than another. At any rate, as explained on p. 21 of the EIR, "the draft Plan would build on the Downtown Streetscape Plan of 1995, as well as the 2006 Streetscape and Open Space Plan for the Transbay Redevelopment Area and the citywide Better Streets Plan, adopted in 2010, to create a 'high quality public realm' covering the 'shared space' of the Plan area, including its streets, alleys, sidewalks, parks, and plazas."

Comment G-2: The EIR does not adequately address effects on the 400 Howard Street building of potential vibration from pile-driving, damage to utilities, and potential effects on soil stability.

"The EIR addresses certain potential impacts to our operations at 400 Howard Street that could occur in connection with construction in the Transit Center District Plan ('Plan') area. These include impacts related to vibrations from pile driving, damage to utilities that service 400 Howard Street, and reduction of ground and soil stability underneath and surrounding 400 Howard Street. In our view, the analyses in the Draft EIR in these areas would benefit from supplementation in order to better demonstrate that project construction will not result in adverse impact to BlackRock, and that the project complies with CEQA. *(Thomas L. Bain, BlackRock)*

Response

The comment regarding construction vibration is addressed in the response to Comment NO-1, p. C&R-75, the comment regarding disruption to utilities is addressed in the response to Comment UT-2, p. C&R-103, and the comment regarding soil stability is addressed in the response to Comment GE-2, p. C&R-106.

Comment G-3: The EIR is technically satisfactory.

"I think the analysis of the various factors, be they shadow, wind, and all the other ones that are brought in here, traffic impacts, and historical, are quite well done." *(Commissioner Michael Antonini)*

"As to the EIR, I think it adequately covers such things as the FEIR and the tower separation. It obviously, as an EIR should, considers the maximum build-out. I do not truthfully expect that maximum build-out ever to be achieved; I think it's going to be a lot less, but then I'm no economic guru. In any case, it's going to totally change the Downtown skyline and I think the photo simulations give us a good idea of that." *(Commissioner Ron Miguel)*

Response

The comments are noted.

Comment G-4: Connections between Plan area buildings and City Park atop the new Transit Center are important, as are other Plan area open spaces.

"Open space connections to the five-acre Sky Park, I'll call it, on top of the Transit Center itself, are very, very important requirements on street widening, the taller you go, the wider the sidewalks should be, in general, to make it comfortable for these hopefully masses of people that will inhabit the area. There is a plan for a Second and Howard Open Space, individual open spaces that will complement the park on top of the Transit Center itself, are extremely important." *(Commissioner Ron Miguel)*

Response

Concerning the proposed City Park atop the new Transit Center currently under construction and the proposed Second and Howard Street open space, these are discussed in the EIR Project Description, p. 24. In terms of pedestrian connections to the City Park and the potential to create larger open spaces in the Plan area, p. 24 states:

> With regard to the residential and non-residential open space requirements currently mandated by the *Planning Code*, the draft Plan includes a number of objectives and policies that would encourage flexibility in meeting these requirements within the Plan area, particularly in the vicinity of, and to enhance connections to, the Transit Center's City Park (November 2009 Draft Plan, Objective 3.13). One approach included in the Plan is for future projects adjacent to the City Park to meet *Code*-mandated open space requirements by providing direct pedestrian connections to the City Park rather than incorporating privately owned, publicly accessible open spaces into project designs, as is typically the case with downtown buildings, in fulfillment of the requirements of *Planning Code* Section 138 (November 2009 Draft Plan, Policies 3.17 and 3.20). A payment of in-lieu fees is another measure proposed in the Plan to allow for greater flexibility in meeting open space requirements for individual projects within the Plan area (November 2009 Draft Plan, Policy 3.19). The draft Plan proposes these different approaches for projects to meet open space requirements in recognition of the fact that project-site-specific open spaces that are privately owned but publicly accessible are difficult to provide on constrained sites; could, over time, "erode the urban fabric"[footnote omitted] by creating a series of gaps in otherwise solid street walls; and, depending on access and design, do not always feel "public."

The proposed *Planning Code* revisions that would implement the draft Plan include Section 138(j), which provides that connections to the City Park that meet certain standards are counted towards required publicly accessible open space, as would publicly accessible observation decks and sky lobbies above a height of 600 feet and certain mid-block public pedestrian pathways within large lot developments. Additionally, proposed *Planning Code* Section 427(b) would establish an in-lieu fee that could be paid as an alternative to creating on-site publicly accessible open space. This fee and the resulting revenue would be administered in connection with a Transit Center District Open Space Impact Fee and Fund that is also proposed to be added to the *Code*.

Comment G-5: Privately Owned Public Open Spaces should be larger and complementary to one another.

"POPOS, the Privately Owned Public Open Spaces, that will accompany the office towers to be built, in my estimation, the Downtown Plan did a very good job and we heard that recently when we were discussing the one percent art situation, it's possible in this area if we are concentrating so many large buildings that those spaces should be expanded. They should be required to be larger and they should be able to complement each other." *(Commissioner Ron Miguel)*

Response

All office towers built since the adoption of the Downtown Plan have been required to include publicly accessible open space. While some of these spaces are more successful or more welcoming than others, it seems clear that among the most heavily used and, therefore, most successful, are those at several newer buildings, such as the outdoor plazas at 555 Mission Street and 560 Mission Street, the outdoor "poetry garden" at 199 Fremont Street, and the five-story indoor "greenhouse" at 101 Second Street. A number of pre-Downtown Plan office towers also provide publicly accessible open space that is well used, such as Marathon Plaza at 303 Second Street and the plazas at 50 Fremont Street, 525 Market Street, and 101 California Street, which is outside the Plan area. More importantly, it is noted that such publicly accessible open spaces have nearly all been created in connection with new development; that is, whether pre- or post-Downtown Plan, it is as a result of the development review process that these open spaces exist. However, as stated in the preceding response, the draft Plan proposes alternative approaches to the development of individual, building-by-building publicly accessible open spaces, such as creation of connections to City Park and payment of in-lieu fees.

Comment G-6: The Transbay Joint Powers Authority Cannot Proceed with Property Sales Until the EIR is Certified.

"Because the Draft EIR analyzes new height limits for these parcels, the TJPA cannot sell these properties until the EIR has been certified. To this end, we urge the Commission to close the comment period on November 28th as scheduled and the Department will respond to comments and present the Commission with the EIR for certification at the earliest possible date. Consistent with the vision that stimulated the plan, it is appropriate and important that impact fee revenues from the Transit Center District Plan, including fees from the Tower and Parcel F be directed towards the Transbay Program. We thank you for consideration of this important EIR, and we urge you to adopt the heights as recommended in Transit Tower and Parcel F, and maintain the current schedule for certification of the EIR." *(Robert Beck, Transbay Joint Powers Authority)*

Response

The comment urging a rapid certification of the EIR is noted and will be considered by the decision-makers.

Summary

Comment Sum-1: There is a word missing in the second sentence of the third paragraph on p. S-5.

"Pg. S-5: Amount (number of units) missing from the second sentence of the third paragraph: 'The building would have about (?) retail space ... '." *(Ron Downing, GGBHTD)*

Response

The amount of retail space proposed in the Transit Tower, 16,500 square feet, is given in the first sentence of the paragraph in question. The sentence noted by the commenter incorrectly included the word "about," which is hereby deleted (see Section E of this Comments and Responses document, Revisions to the Draft EIR, p. C&R-121). The same change is also made to EIR p. 39.

Comment Sum-2: There is an error in the title of the section heading on p. S-67.

"Pg. S-67: In the title of the section, the text should read '…*if* the Project is Implemented.'" *(Ron Downing, GGBHTD)*

Response

The correction noted by the commenter is hereby made (see Section E of this Comments and Responses document, Revisions to the Draft EIR, p. C&R-121).

Project Description

Comment PD-1: The EIR does not include a proposed project at 75 Howard Street

"Page 6 - I can't read the street names on those maps. Please redo these maps. That protruberant area on Howard Street is strange. There actually is a proposed high-rise - with associated height increase - for Howard on the south side between Spear and Steuart, aka 75 Howard Street. Is there yet another proposal RIGHT UP TO THE EMBARCADERO?

…

"[Page 47] 75 Howard has recently filed with the intention of increasing heights at THAT site near The Embarcadero. Please explain.

…

"**Page 113** - statement that 'no change (in heights) would occur east of Main Street, leaving the blocks closest to The Embarcadero, already densely built out with an earlier generation of high-rises, most less than 300 feet tall, essentially undisturbed' - is INCORRECT given the pendency of an application to increase the height limit for 75 Howard Street." *(Sue Hestor, on behalf of SFRG)*

Response

As requested by the commenter, Figure 1 on EIR p. 6 has been reprinted with street names enlarged (see the revised figure at the end of Section E of this Comments and Responses document, Revisions to the Draft EIR, following p. C&R-139). Concerning the "protruberant area on Howard Street" east of Steuart Street, this area—and a smaller area on the south side of Howard Street between Hawthorne and Third Streets—is included in the Plan area so that the Plan area encompasses all of the parcels currently within the C-3-O (SD) use district.

The site at 75 Howard Street is on the south side of Howard Street, west of Steuart Street, which is within the Plan area (but not within the "protruberant area" identified by the commenter). An application for a Preliminary Project Assessment was filed with the Planning Department for this site on September 28, 2011 (the day the Draft EIR was published); an Environmental Evaluation Application was filed on January 13, 2012, while this Comments and Responses document was in preparation. The proposed project (Case No. 2011.1122E) would demolish an existing eight-story, 550-space parking garage on the site and construct a new 175-unit residential building with below-grade parking for the dwelling units and approximately 100 public parking spaces to replace a portion of the spaces lost to demolition of the existing garage. The proposed project at 75 Howard Street would require a change to the *Planning Code* height and bulk map (rezoning) because the project sponsor is proposing a 284-foot-tall building in a 200-S height and bulk district, where the height limit is 200 feet. This change in height limit is *not* proposed in the draft Transit Center District Plan. Therefore, this project would be subject to project-specific environmental review as part of its application process and would require site-specific legislative action separate from the draft Plan. The statement in the Aesthetics analysis, p. 113, that no change in heights is proposed east of Main Street is correct, with respect to the draft Plan, which is what is analyzed in the EIR. Please see the response to Comment AE-7, p. C&R-42, for discussion of cumulative aesthetic impacts in connection with the proposed 75 Howard Street project.

Concerning cumulative growth-related effects of the proposed 75 Howard Street project, as stated on EIR p. 282, the transportation analysis includes increased travel demand (i.e., vehicle trips, transit trips, pedestrian trips, and other forms of travel) generated both by potential individual project sites within the Plan area and additional background growth as forecast by the San Francisco County Transportation Authority model through the year 2030. The background growth in this analysis assumes more than enough housing units to accommodate the proposed 75 Howard Street project, which is therefore subsumed within the cumulative growth assumptions relied upon in the EIR.

Comment PD-2: Specific projects discussed in the EIR are confusing.

"**Page 7 fn7** - do these addresses match the sites analyzed for such things as the shadow impacts of various buildings? It is hard to track lists of buildings throughout the DEIR." *(Sue Hestor, on behalf of SFRG)*

Response

The EIR analyzes development that could occur on 17 identified underutilized, or "soft," sites in the Plan area under the draft Plan. These sites include the locations of the five projects listed in footnote 7 on EIR p. 7. In some cases, the development proposed (or, in the case of 350 Mission Street, approved) on the site differs in certain characteristics from what could be developed under the draft Plan's land use controls. Since the EIR is required to analyze the physical changes that could result from the modified policies and land use controls proposed under the draft Plan, the EIR assumes development on these five sites that is consistent with the development potential under the draft Plan, rather than the specific projects on file for these five sites. Individual projects in the Plan area will be required to undergo project-specific environmental review to consider the impacts of development of each project as proposed.

The five proposed/approved projects are each included in the analysis of Alternative D, the Developer Scenario, in Chapter VI of the EIR (p. 687). These five projects are also further described in the EIR Project Description on pp. 47 – 49. As described in the discussion of Alternative D, this alternative would permit taller buildings than the draft Plan proposes at up to three locations. These sites are the Palace Hotel residential tower (727 feet proposed; 600 feet in draft Plan) and, potentially, projects at 50 First Street and 181 Fremont Street. On these latter two sites, the developer-proposed rooftop height is the same as that in the draft Plan, but the Plan would allow a greater total height of additional, unoccupied building elements as long as they do not cast significant shadow on protected open spaces, which is a determination that would be made based on more detailed analysis of each project. For two other locations, lesser height is assumed in Alternative D than under the draft Plan. These sites are 350 Mission Street, where a 375-foot-tall building was approved in 2011 (compared to 700 feet proposed under the draft Plan) and 41 Tehama Street, where a 342-foot-tall building is proposed, compared to the draft Plan's proposal for 360 feet. As further described in the analysis of Alternative D, EIR p. 687, overall impacts of this alternative would be similar to those of the draft Plan, with a small (approximately 4 percent) diminution, compared to the draft Plan, in peak-hour vehicle trip generation and comparable lessening of effects related to air quality, greenhouse gas emissions, and noise. The difference in building heights in the Developer Scenario, compared to the draft Plan, would alter shadow impacts. Shadow impacts would be greater on Union Square and Justin Herman Plaza, but lesser on St. Mary's Square and Portsmouth Square. Wind and other impacts would be similar to those of the draft Plan. There would be no new significant impacts, compared to the draft Plan, nor would any of the Plan's significant impacts be reduced under this alternative to a less-than-significant level.

Comment PD-3: The EIR does not discuss the Rincon Point/South Beach Redevelopment Plan.

"I don't remember seeing the Rincon Point/South Beach Redevelopment Plan/Area mentioned as one of the underlying controls. It clearly governed development of several parcels in the east part of the plan area." *(Sue Hestor, on behalf of SFRG)*

Response

The Rincon Point/South Beach Redevelopment Plan was adopted in 1981. The Redevelopment Plan area overlaps the proposed Transit Center District Plan area on the block bounded by Mission, Steuart, Howard, and Spear Streets (the location of Rincon Center and the Rincon Towers Apartments), the southern part of the block to the south, bounded by Howard, Steuart, Folsom, and Spear Streets (the location of the Gap Inc. building at 2 Folsom Street), and a small area of the block to the east—the "protruberant area" discussed above in Comment PD-1 and its response (which is occupied by a seven-story office building at 188 The Embarcadero). The Redevelopment Plan does not include the site of the newly proposed 75 Howard Street project (see Comment PD-1 above), which is on the northern portion of the block bounded by Howard, Steuart, Folsom, and Spear Streets. These overlapping areas constitute the entirety of the Rincon Point sub-area of the Redevelopment Plan, with the exception of Rincon Park, across the Embarcadero. (The South Beach sub-area of the Redevelopment Plan is several blocks south, on the south side of the Bay Bridge approach.)

The Redevelopment Plan area has been largely built out, including construction of approximately 2,800 dwelling units and 1.2 million square feet of office and retail space, along with Rincon Park, South Beach Park, a marina at South Beach, and AT&T Park, home of the San Francisco Giants baseball club. Several historic buildings in the Redevelopment Plan area were rehabilitated as part of plan implementation. The Rincon Point-South Beach Redevelopment Plan will remain in effect until January 2021. (Existing redevelopment plans remain intact, despite the State Supreme Court's December 2011 decision upholding the statewide dissolution of redevelopment agencies.) The Plan was most recently amended in 2007. As noted, the portions of the Redevelopment Plan that overlap with the proposed Transit Center District Plan area are substantially built out (Rincon Center and Rincon Towers apartments, the Gap building, and another office building). Therefore, no change is foreseen in this portion of the proposed Transit Center District Plan area. (See the response to Comment PD-1, p. C&R-18, concerning the proposed project at 75 Howard Street.)

Comment PD-4: The assumptions underlying the Plan are questionable due to economic conditions.

"**Page 8** - 2008 study by Seifel was clearly started before 2008. The economy has had a great shaking out in the intervening years. How valid are the projections, and what ASSUMPTIONS underlie those projections? What other similar projections has Seifel done for San Francisco? How did THOSE projections bear out.

"We have been in a significant **recession** (to use the most generous term) since 2008. It is very difficult to get construction financing. Even though SF continues to be in something of a housing bubble because of demand generated by Silicon Valley, SF has a huge backlog of housing approvals. Mostly for high end condo towers. The downtown office market has tanked and projections of office demand have been WAY OFF. Please refer to the 25 year report on the Downtown Plan to determine just how far off the estimates have been. Has the economy moved on?

"So please go back to the beginning and look at the most BASIC assumptions regarding NEED and FEASIBILITY.

"The project objectives in the DEIR do not set any for housing. Are there such? Is the goal of generating substantial funding from development rights (via an extraordinarily tall building) realistic in 2012?

"Also page 15 fn 17 (which has a typo - fn 9 is on page 8).

…

"**Page 69 - Downtown Plan growth projections.** See above re questions about how reliable the current projection of demand is in the context of prior projections.

"I have in my files an op-ed from at least one local architect written after the Prop M limit was adopted that 'the sky is falling' because the amount of DEMAND so exceeded the amount Prop M allowed. As can be seen in the 25-year report, the amount of office space that Prop M allowed WHICH WAS THE EXACT AMOUNT THE DEPARTMENT'S CONSULTANT PROJECTED WOULD BE NEEDED allowed for much more space than was actually needed.

…

"**Page 178 -** what is the market demand for tower (premium tower) office space? Please consult the 25-year report on the Downtown Plan re the significant drop off in demand for space in TOWERS vs. more low-rise flexible space where people can function as a community.

…

"**Page 187** - note the statement re the declining office market in SF and the shift in location AND type to the technology sector. WHY does the City still want to pump up the amount of off-the-charts EXPENSIVE downtown office space. WHO WILL BE LEASING IT? This appears heading for a disaster. The amount of demand is not even equal to that projected in the Downtown Plan." *(Sue Hestor, on behalf of SFRG)*

"Two weeks ago, you had a report on this document here, Downtown Plan. You had a report two weeks ago that talked about the assumptions that were made by the City when this was drafted around 1980. The assumptions were made about how people were going to work, about the amount of office space, the way people wanted to work in buildings. The report you had two weeks ago was that people do not want to work in tower office buildings, that we have had a shrinkage in the financial district, that people want to work in different types of spaces like the last agenda item, and that the assumptions that were made on 20 or 25 years of growth in 1980 have not come to pass, and that we needed to think differently. This is going back to those assumptions.

"If you look at the EIR, and it's too heavy to lift, but I'll tell you what page it's on, it's on page 6, well, wait a minute, I'll show you because it can do it on the TV. The map of the area, this is the map of this planning area, C-3-O, and this is the planning area that you're looking at now…. So here we have this area that was planned in the Downtown Plan and here is what we have here. And the assumption in the Downtown Plan was that this area here, this green area where we're re-planning all over again, would have enormous growth of office buildings because that's where everyone wanted to go, and it hasn't

happened. So you have to think about whether a report that's given 25 years later, based on assumptions here—and I'm going to write this in comments—what were the assumptions that were made in the Downtown Plan? What were the assumptions made in Rincon Hill Plan in terms of how buildings would be built and occupied, and what the demand was, and where they are now. … [T]he main thing is, you forget what you hear about your assumptions and the Planning Department doesn't really know how people want to work." *(Sue Hestor)*

"In this environmental impact report, the population of San Francisco County is projected to increase by twenty percent to about 934,000 people from the year 2005 to 2030. The population of San Francisco is currently estimated to be less than 250,000. The Sponsor for this plan is the San Francisco Planning Department.

"Total employment in San Francisco is projected to increase by fifty percent between 2005 and 2030 to a total of 793,000 jobs, an increase of 241,000 jobs. Page 188.

"The environmental impact report is incompetent. Population and job growth statistics are grossly unrealistic. And the proposed buildings are not necessary. The rationale that is offered by the EIR for this building project is to accommodate projected job growth for the next twenty-five years." *(Lloyd Schloegel)*

"[I]n terms of general demand, again, this is an Environmental Impact Report and we're commenting on the accuracy and the adequacy and the completeness of the plan; however, there were some comments about the direction of the plan and I think the plan is entirely on target as far as future growth. I think there are a lot of reasons why people are going to want to be here, both to live in and to work because of the $3.75 gas cost, time concerns, you know, maintenance of suburban space is really inefficient and counterproductive, and I think you've seen this happening. And I think if you build it, they'll come.

"And I think there will be a huge part of the business community that will still want space in towers, as they do today. There will be some that need the broader floor plates; it just sort of depends on what the particular function is. But I think you see towers built at other cities throughout the United States and other parts of the world and there is a demand for them, so I don't think it's going to be any different here.

"And I think this is also to some degree a throwback to the past and hopefully we'll reach a point, as we were in the first half of the 20th Century, where almost all business commercial activity took place in San Francisco and almost everyone who was employed here lived here because we were essentially an island. But also, almost everyone rode public transportation, too, because it made a lot of sense; if you didn't have to leave the city, it was just as easy to hop on a trolley car in those days, and so I think that we're moving in the right direction with this analysis." *(Commissioner Michael Antonini)*

"I think that although the Downtown Plan as it was presented to us before didn't completely fulfill, you might say, the sort of office and what we were thinking of in terms of office development at that time, I mean, there have been a number of buildings, office buildings built along especially Mission Street, South of Market, just before the recession started. And I think there will be, unless Occupy Wall Street is extremely successful, I would think there would be a continual need for the type of office space that is characterized by high-rise towers.

"And I think that the kind of development that we're seeing relative to high-tech will continue to be, I think, addressed, for example, in the Corridor Plan we just saw and perhaps in other areas of San Francisco." *(Commissioner Hisashi Sugaya)*

Response

The comment referring to the "2008 study by Seifel" refers to the report cited in EIR footnote 9 (p. 8), Seifel Consulting Inc., "Downtown San Francisco: Market Demand, Growth Projections, and Capacity Analysis," published in May 2008 and available on the Transit Center District Plan webpage at: http://www.sfplanning.org/ftp/CDG/docs/transit_center/R_TransitCenter_051308_Final.pdf. The comment does not address the adequacy or accuracy of the EIR, but rather speaks to the assumptions underlying the draft Transit Center District Plan itself. Therefore, no response is required. For clarification, the following is provided.

As stated on EIR p. 8, "A fundamental premise underlying the Transit Center District Plan is that, to accommodate projected office-related job growth in San Francisco, particularly under a so-called 'Smart Growth' scenario[footnote omitted] in which job growth is maximized in transit-accessible locations, additional office development capacity must be provided in downtown San Francisco." The omitted footnote 9 in the quoted text explains that the "Smart Growth" scenario was included in the Seifel Consulting report.

It should be noted that the Seifel report did not develop a new growth forecast. Rather, Seifel Consulting reviewed three different sets of employment projections and then compared the amount of office space that would be required to accommodate the projected growth in the year 2035. The three sets of projections were those prepared by the Association of Bay Area Governments (ABAG), whose regional growth forecasts, issued every three years, form the basis for much of the Bay region's long-term planning, and projections by two private firms, Moody's Analytics of Pennsylvania and Regional Economic Models Inc. (REMI) of Massachusetts. The Seifel report notes that while all three models simulate economic growth, the ABAG model expressly distributes regional growth on the basis of "smart growth" principles that encourage development of jobs near transit, whereas the other two models do not. Accordingly, ABAG forecasts greater office employment growth in downtown San Francisco than do the other two models. The Seifel report found that both the Moody's and REMI forecasts for employment growth generally align with historical job growth in San Francisco between 1969 and 2004. Therefore, these growth forecasts were use to develop a "Baseline" growth scenario, while the more aggressive ABAG forecasts were used for the "Smart Growth" scenario. The Seifel report compared growth under these two scenarios to three capacity (growth) scenarios for downtown, under existing zoning controls—"maximum office," "mixed development," and "maximum residential." The conclusion, as stated in the November 2009 Draft Plan and quoted on p. 15 of the EIR, was that "'there is about half of the necessary development capacity under current zoning to accommodate downtown projected job growth for the next 25 years.'" On the other hand, the Seifel report found adequate space available downtown for residential development. These findings are illustrated in **Figure C&R-1**, which reprints charts from p. 15 of the draft Plan,

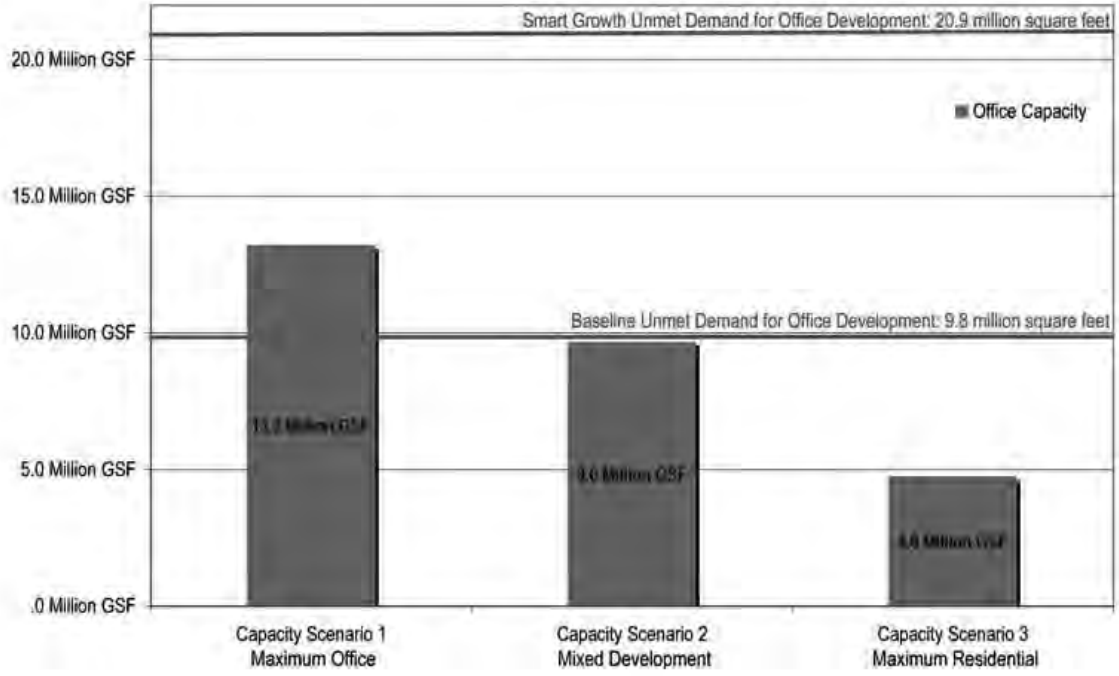
taken, in turn, from the Seifel report. Accordingly, as stated on EIR p. 8, "the draft Plan seeks to 'maintain Downtown San Francisco as the region's premier location for transit-oriented job growth within the Bay Area's (November 2009 Draft Plan, Objective 1.1) and to 'reinforce the role of downtown within the City as its major job center by protecting and enhancing the central district's remaining capacity, principally for employment growth' (November 2009 Draft Plan, Objective 1.2)."

By definition, all projections are necessarily speculative to some degree. As recognized in the state CEQA Guidelines, preparation of an EIR requires some degree of forecasting (CEQA Guidelines Section 15144). But as indicated in Figure C&R-1, even the more conservative "baseline" forecast of office demand would require all of the office capacity provided by the "mixed development" scenario, and even the "maximum office" scenario would fail to provide enough office space under the ABAG-based "smart growth" forecast, which incorporates both regional and local planning priorities that seek to focus employment growth in dense, transit-accessible locations such as downtown San Francisco.

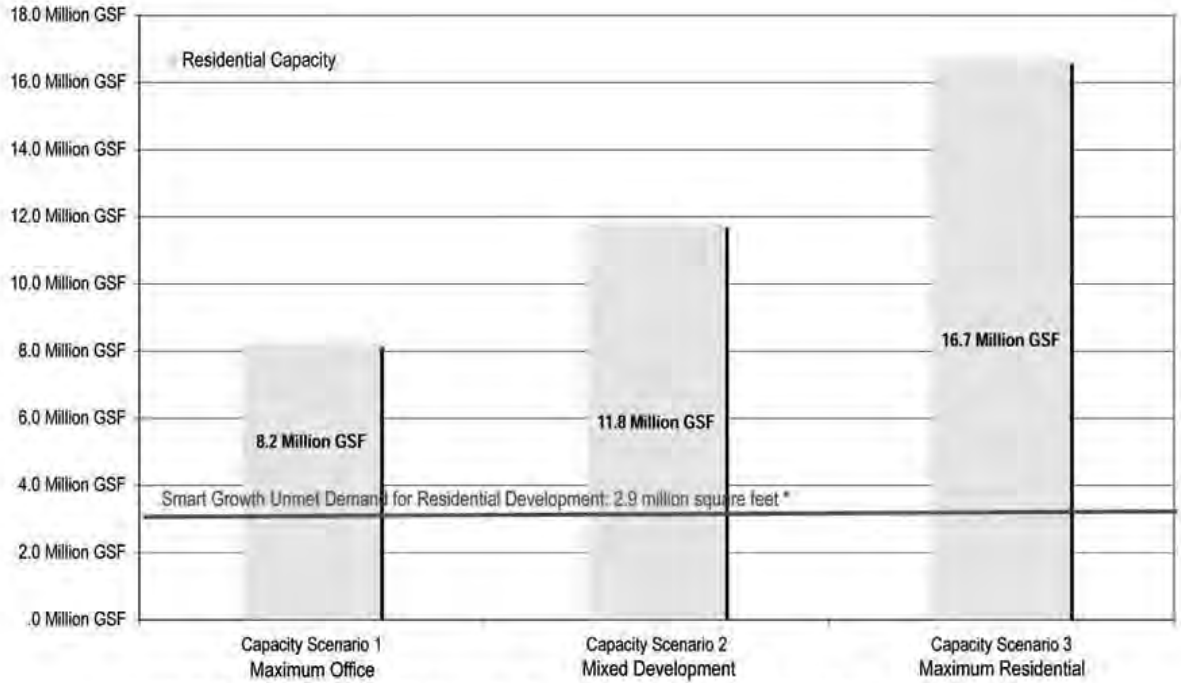
Regarding housing, as reiterated earlier in this response, the draft Plan is fundamentally a strategy to ensure that downtown San Francisco can provide sufficient space for anticipated office jobs in the future. In fact, as noted on p. 16 and illustrated in Figure 2, p. 13 of the EIR, the draft Plan proposes to limit the amount of non-commercial (e.g. residential, hotel, cultural) uses, relative to commercial development (e.g., office, retail, and other non-lodging, non-institutional uses), within a sub-district bounded generally by Market Street on the north, Main Street on the east, Zone 1 of the existing Transbay Redevelopment Area and Tehama Street on the south, and midway between Second and New Montgomery Streets on the west. However, as noted on EIR p. 5, the draft Plan does not propose any changes in use districts or height and bulk in Zone 1 of the Transbay Redevelopment Area, which extends generally along the north side of Folsom Street between Essex and Spear Streets and calls for development of some 2,700 residential units with ground-floor retail uses and open space. (As stated previously, existing redevelopment plans survive the December 2011 State Supreme Court decision upholding the statewide dissolution of redevelopment agencies. Therefore, it is assumed that residential development in Zone 1 of the Transbay Redevelopment Area will be constructed as anticipated in that Plan. It is noted, however, that the City will need to identify alternate funding sources for the planned public improvements in Zone 1 that were to have been funded by redevelopment's tax increment financing, such as Transbay Park, which is proposed for the center of the block bounded by Howard, Beale, Folsom, and Main Streets, where the Temporary Transbay Terminal is currently located. Under the Transbay Redevelopment Plan, funding for the park and other streetscape improvements was to come from tax increment monies that will no longer be available due to the dissolution of the San Francisco Redevelopment Agency on February 1, 2012.)

The financial feasibility of, and demand for, new high-rise office development, along with its accompanying fees, is not directly relevant to the draft Plan, which is intended to provide a long-term vision for the Plan area. However, it is noted that the office vacancy rate in San Francisco

Office Development: Comparison of Unmet Office Demand by Capacity Scenario, 2007-2035 Downtown San Francisco



Residential Development: Comparison of Unmet Residential Demand by Capacity Scenario, 2007-2035 Downtown San Francisco



*Under the Baseline growth scenario, there is no unmet demand for residential development within the Downtown.

Case Nos. 2007.0558E and 2008.0789E: Transit Center District Plan and Transit Tower . 207439

SOURCE: Seifel Consulting Inc.

Figure C&R-1
Office and Residential Development:
Demand Versus Capacity, 2007 - 2035

has been trending downward since mid-2010 and, in January 2012, Salesforce.com announced a lease of 400,000 square feet of office space at 50 Fremont Street, the largest office lease in the City in more than 10 years.[4] As the commenter has noted (see Comment PD-5), while the draft Plan proposes to accommodate anticipated future demand for office space, the Plan cannot actually "create" office space or any other development, but merely allows for more or less demand—which must arise due to economic conditions—to be met. Moreover, nothing in the draft Plan would alter the City's existing annual limit on the amount of office space that can be developed, as established in Section 321 of the *Planning Code*.

The incorrect page reference to footnote 9 noted by the commenter is corrected in the Final EIR.

The comment stating that the "population of San Francisco is currently estimated to be less than 250,000" is in error. According to the most recent Census, the City's 2010 population is approximately 805,000.

Concerning the growth forecasts presented in the EIR, as stated on EIR p. 75, these forecasts are prepared by the Planning Department. The forecasts are based on growth projections set forth every three years by the Association of Bay Area Governments (ABAG). Planning staff refines the ABAG forecasts and allocates the anticipated growth throughout San Francisco.

Comments indicating that the Plan reasonably anticipated future employment growth are noted.

Comment PD-5: There is no certainty that the draft Plan will be implemented as proposed.

"**Page 10** - there have been three versions of a Rincon Hill Plan. The original one that came on the heels of the Downtown Plan. The 2-block plan that includes the area east of Fremont and is partially constructed. The current plan that provides for extremely tall towers and resulted in construction of One Rincon Hill. They all have elaborate policies to densely house residents, with neighborhood amenities, good design, parks, sunlight, etc etc. The REAL WORLD is not so glowing and should be analyzed in the same context as the Downtown Plan, Urban Design Element. It is stated that it will CREATE housing for as much as 20,000 new residents. That is bad terminology. It will accommodate.' Plans don't create anything because so few of them are fully implemented.

"Which leads to the next point. The Downtown Plan created a new zoning category - C-3-O(SD) which includes much of THIS Plan area. It was intended to be the most dense office space in the City. With sculpted buildings (YOUR term again), gracious spaces, active ground levels. It was IN THE PLAN. But it just didn't happen. Explain why THIS PLAN is going to be able to deliver all those things - and more? Go back to the Downtown Plan and explain what assumptions IT MADE for the amount of development that would occur in the C-3-O(SD).

…

[4] CBRE, "Market View: San Francisco Office, 4th Quarter 2011"; and San Francisco Business Times, "Salesforce lease could prompt new downtown tower," January 6, 2012. Available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2007.0558E.

"The term 'sculpted' is thrown around in this document. Isn't that just a relative term that has no real meaning? Look at all the buildings built pursuant to the Downtown Plan. How 'sculpted' are they?" *(Sue Hestor, on behalf of SFRG)*

Response

The comment regarding terminology ("create" versus "accommodate") is noted and is acknowledged in the preceding response; however, no change to the text of the EIR is required. Regarding the Downtown Plan, the comment addresses the merits of the draft Transit Center District Plan, and not the adequacy or accuracy of the EIR. Therefore, no response is required. The following discussion is provided for informational purposes, however. The Planning Department's Downtown Plan 25-Year Monitoring Report documents that most of the office development since adoption of the Plan in 1985 has been in the C-3-O (SD) use district, all of which is within the Plan area.[5] Most of these new buildings provide for ground-floor retail and/or restaurant space to "activate" the ground floor and enhance the pedestrian experience. (The fact that some of these ground-floor spaces are not immediately leased upon construction is due to market conditions.) Additionally, more than two dozen publicly accessible open spaces have been created since adoption of the Downtown Plan—again, mostly in the C-3-O (SD) use district. As stated on EIR p. 70, many projects approved in the Downtown Plan area have requested and received exceptions to the Plan's bulk requirements, as is permitted under the *Planning Code* provisions that implement the Downtown Plan, resulting in less "sculpting" of upper floors, as described on EIR p. 89.

The term "sculpted" or "sculpturing" is initially used in the EIR in direct quotations taken from the Downtown Plan (EIR p. 55; Downtown Plan Policy 13.2) and the *General Plan* Urban Design Element (EIR pp. 60 and 113; Urban Design Element Policy 3.5). In particular, the Downtown Plan used these two terms in the context of its call in Policy 13.2 to "create less overpowering buildings and more interesting building tops, particularly the tops of towers." That policy referred to the Downtown Plan's proposed controls on building bulk for each component of a high-rise building—the base, the lower tower, and the upper tower, and also to the Plan's proposal to require that the overall volume enclosed by the upper tower be reduced by a percentage—based on the building height—of what the volume would be if the floor plate size of lower tower was continued to the top of the building. These controls were incorporated into the *Planning Code* in what is now Chart B accompanying Sections 270(d)(2)(A) and 270(d)(3)(A), and Chart C accompanying Section 271, but referred to in Section 270(d)(3)(B). The text accompanying Downtown Plan Policy 13.2 states, "As buildings increase in height, they should be sculptured or shaped to appear increasingly slender and delicate. Modifying the silhouette of a building, making the more visible upper portion slender, offsets the building's bulkiness." Additionally, the text accompanying Objective 13 ("Create an urban form for downtown that enhances San Francisco's stature as one of the world's most visually attractive cities.") states, "The bulkiness and repetitive boxiness of many recent structures have obscured the fine-scale

[5] San Francisco Planning Department, *25 Years: Downtown Plan Monitoring Report, 1985 – 2009.* June 2011. Available on the internet at: http://www.sf-planning.org/index.aspx?page=1663#downtown_report; p. 10.

sculptured skyline of pre-World War II San Francisco. To create a new sculptured skyline, new buildings must have generally thinner and more complex shapes." Therefore, in the context of Downtown high-rise buildings, a "sculpted" tower is one that incorporates setbacks, particularly at the upper tower, as well as visual interest for pedestrians at ground level. Accordingly, the EIR, on p. 66, describes the draft Plan's proposed *Planning Code* amendments as including, among other things, "a requirement for sculpting of tall building forms through upper-story setbacks and horizontal modulation of street walls."

The terms "sculpted" or "sculpting" are used several times in Section IV.B, Aesthetics (pp. 109, 111, 113, 119, 139, and 153), in the same context, to describe the draft Plan's proposed tower controls, in quoting the Downtown Plan and the Urban Design Element, and in describing the expected appearance of a building compliant with the draft Plan's tower controls and the Plan's proposal that "the proposed Transit Tower and a limited number of other buildings taller than existing development to be separated by sufficient distance and to incorporate setbacks and sculpted massing such that they would not adversely affect important views." The word "sculpted" is also used in Section IV.I, Wind, pp. 461 – 462 and 465, to describe the potential that new buildings could result in lesser wind speeds than reported because the wind-tunnel test was based on rectilinear building massing models without the façade articulation or setbacks called for in the draft Plan, and in Chapter VI, Alternatives, to describe the potential that such façade articulation and setbacks could reduce both shadow and wind effects, compared to those of the massing models evaluated.

As stated on p. 19 of the EIR, the draft Plan would maintain the Downtown Plan's controls on separation between towers and would extend these controls to buildings greater than the current maximum 550-foot height limit, so that the top of a 1,000-foot-tall building would have to be set back 70 feet from the center of a typical major street in the Plan area. The draft Plan would maintain the existing maximum setback of 35 feet from an interior lot line (i.e., a lot line not facing a street) and would expand this requirement to multiple towers developed on the same property, so that separation of up to 70 feet would apply to these towers (35 feet from each tower to an imaginary interior lot line). The draft Plan would require that the average upper tower floor plate of a building taller than 650 feet be 25 percent smaller than the average floor plate of the lower tower. As stated on EIR pp. 19 – 20, "This requirement is similar to, although less restrictive than, the volume reduction requirement currently contained in *Planning Code* Section 270(d)(3)(B), which requires that the upper tower contain floor plates up to 40 percent smaller than those of the lower tower"; the maximum of 40 percent reduction is required for buildings with a lower tower average floor plate of 20,000 square feet or greater, while buildings with a lower tower average floor plate less than 16,000 square feet currently require an upper tower reduction of 25 percent or less.

The draft Plan and its implementing zoning would not eliminate the Planning Commission's discretion, under *Planning Code* Section 309, to grant exceptions to the *Code's* bulk requirements. Therefore, it would be speculative in the context of the EIR to presume the degree to which

individual project sponsors might request and receive exemptions to the bulk requirements. As stated on EIR p. 119, the visual simulations prepared to illustrate aesthetic impacts depict "the height and general massing of proposed and potential allowable development," but do not attempt to represent actual future projects that would comply with the draft Plan. Therefore, as also stated on p. 119, the analysis in Section IV.B, Aesthetics, is appropriate in its representation of what can be expected to occur given the provisions of the draft Plan and *Planning Code* revisions. The same holds true for the EIR's analysis of shadow and wind impacts, which are also based on generalized massing models.

Comment PD-6: The draft Plan proposes height increases at locations distant from transit.

"**Page 14** - The map of heights in the [Downtown] Plan was driven by locating the tallest buildings right next to the best transit access - the MUNI/BART stations because they would handle the greatest number of people coming into the downtown. The increased heights south of Mission contradict that policy of being close to MUNI/BART stations. Those facilities/transit lines are REAL. Please explain why large chunks of land are proposed for such a dramatic height increase when they are more remote from MUNI/BART stations/service?" *(Sue Hestor, on behalf of SFRG)*

Response

The comment addresses the merits of the draft Transit Center District Plan, and not the adequacy or accuracy of the EIR. Therefore, no response is required. The following discussion is provided for informational purposes, however. Of the six sites proposed in the draft Plan for a height limit of 600 feet or more (i.e., greater than the existing maximum 550-foot height limit), four (including the proposed Transit Tower site) are within one block of Market Street. The other two are two blocks south of Market Street and immediately adjacent to the site of the new Transit Center, which is currently under construction and which will be served directly by Muni, AC Transit, Golden Gate Transit, and SamTrans, and would be the terminus for Caltrain service, assuming eventual construction of the approved Caltrain Downtown Extension.

Comment PD-7: How will the draft Plan's proposed minimum floor area ratio be enforced?

"**Page 16** - inversion of FAR <u>limit</u> to be a FAR <u>base</u>. This really turns the Downtown Plan analysis of how to get appropriately designed buildings inside out. How do you FORCE that kind of density? And get 'sculpted' buildings. The new FAR FORCES extreme heights." *(Sue Hestor, on behalf of SFRG)*

Response

The comment is directed at the draft Plan, and does not address the adequacy or accuracy of the EIR. Therefore, no response is required. The following discussion is provided for informational purposes, however. The proposed minimum floor area ratio (FAR) would, if included in the *Planning Code*, be enforced in much the same way as any other *Code* provision; that is, a project would have to comply with the requirement in order to gain approval. It is noted that the draft Plan proposes a minimum FAR on sites larger than 15,000 square feet. Thus, for example, a

building on a 16,000-square-foot site would have to be at least nine stories if it covers the entire site, or 18 stories if its footprint and average floor plate were limited to 8,000 square feet. Or the same project could have a 12,000-square-foot base seven stories tall, along with 4,000 square feet of ground-floor open space, and eight additional stories of decreasing size, averaging 7,500 square feet per floor. The second and third of these options would qualify as "sculpted."

Characterizing building height as "extreme" is subjective. Given that most recent high-rise buildings have been built to the maximum permitted FAR of 18:1, a FAR of 9:1 is not high in the context of the Plan area or the remainder of Downtown San Francisco.

Comment PD-8: Older buildings may be better suited than newer buildings to active ground-floor uses.

"**Page 17** - active retail assumption/goal. Casual observation of 'new' buildings vs. 'old' buildings may show that the older buildings are more likely to have active retail on the ground floor. The Downtown Plan really wanted active retail, but it doesn't always happen that way. How do you intend to FORCE the owners to rent to the businesses the Department wants to be there?" *(Sue Hestor, on behalf of SFRG)*

Response

The comment addresses the merits of the draft Transit Center District Plan, and not the adequacy or accuracy of the EIR. Therefore, no response is required. The following discussion is provided for informational purposes, however. As stated in the response to Comment G-1, some ground-floor retail/restaurant spaces function more effectively than others, either for economic reasons or because the location or layout of one space is more suitable than another. The draft Plan and the *Planning Code* can require that ground-floor space be set aside for retail, restaurant, or other "active" uses, and can encourage that the space be developed with certain features that characterize successful ground-floor retail space (such as increased ceiling heights) but, as the commenter notes, the Planning Department cannot force a landlord to lease space to a particular tenant, nor can the Department force a tenant to lease space. Anecdotal evidence indicates that retail space in newer buildings in newly re-developing neighborhoods sometimes is not leased for a period of time, which can be as long as several years. This does not necessarily mean that a newer structure in itself is a detriment to active ground-floor use.

Comment PD-9: The term "elegant skyline" is overused.

"[Page 17] The term 'elegant skyline' is overused by the Department. In the real world what is actually building, vice the Downtown Plan, doesn't come out that way. If you wish REALLY hard…." *(Sue Hestor, on behalf of SFRG)*

Response

The comment does not address the adequacy or accuracy of the EIR, but rather speaks to the assumptions underlying the draft Transit Center District Plan. Therefore, no response is required. The following discussion is provided for informational purposes, however. The word "elegant"

appears five times in the 154-page draft Transit Center District Plan published in November 2009—in the introductory Vision on p. III: in Objective 2.2, "Create an elegant Downtown skyline, building on existing policy to craft a distinct Downtown 'hill' form, with its apex at the Transit Center, and tapering in all directions"; in text accompanying Policy 2.2, discussing the "elegant and unique sculptural termination to the top of the Transit Tower"; in Objective 2.6, discussing the need for buildings taller than 600 feet to "maintain elegant and slender proportions and profile"; and in text accompanying Policy 2.25, discussing the fact that most buildings in San Francisco "are light in tone and harmonize to form an elegant and unified cityscape." The EIR quotes the text of Objective 2.2 at two locations, on p. 17 in the Project Description and on p. 114 in the Aesthetics section, as well as in the Summary, on p. S-2. The term is not used in the EIR in a manner that qualifies or characterizes either the existing Downtown skyline or potential development pursuant to the draft Plan.

Comment PD-10: The EIR discussion of proposed height increases and development assumptions is confusing.

"**Page 19** - table listing various sites. It would be more helpful to give the name of the existing building or street address and not wait until page 74.

…

"**Page 47** - list of projects with applications on file. Make it clear that this is NOT the same thing as projects that will use the increased heights." *(Sue Hestor, on behalf of SFRG)*

Response

The lists of sites in Table 1 on EIR p. 19 and Table 3 on EIR p. 74 are not identical. Table 1 lists proposed increases in height limits under the draft Plan. While the draft Plan assumes development on a number of sites proposed for increased height limits, other sites listed in Table 3 are assumed to be developed at existing height limits, such as 201 and 222 Second Street, 524 and 543 Howard Street, and 661 – 667 Howard Street. Also, as noted in the EIR, a 375-foot-tall building was approved in 2011 at 350 Mission Street, which is less than the existing height limit of 550 feet for that site.

Comment PD-11: Exceptions to proposed Planning Code *controls would continue to be granted.*

"[Page 19] All those things that would 'remain in force' from the Downtown Plan need a clear explanation - that the DEPARTMENT/COMMISSION ROUTINELY GRANTS 'EXCEPTIONS' TO ALL THE RULES. The Downtown Plan sometimes appears to be Swiss cheese to outsiders. DO YOU HAVE A LIST OF EACH TYPE OF EXCEPTION AND WHICH PROJECTS WERE GRANTED IT?.

"Going to **page 20** et seq - what provisions are designed to be ABSOLUTES, with NO exceptions allowed?" *(Sue Hestor, on behalf of SFRG)*

Response

The comment addresses the merits of the draft Transit Center District Plan, and not the adequacy or accuracy of the EIR. The commenter is correct that, as stated above in the response to Comment PD-5, the draft Plan and its implementing zoning would not eliminate the Planning Commission's discretion, under *Planning Code* Section 309, to grant exceptions to the *Code's* bulk requirements. Although the draft Plan proposes certain explicit changes to the *Planning Code* (noted in *italics* in the EIR Project Description on pp. 22, 27, and 35), a complete package of *Planning Code* revisions will be brought before the Planning Commission and Board of Supervisors as part of the materials to be considered for project approval, as stated on EIR p. 49.

The EIR discusses some of the common *Planning Code* exceptions that have been granted on p. 70, in Chapter III, Compatibility with Existing Zoning and Plans. Please see Section C of this Comments and Responses document, p. C&R-4, for additional information on proposed *Planning Code* revisions. In terms of the EIR analysis, it is speculative to assume how exceptions might be granted in the future for individual projects in the Plan area.

Comment PD-12: What is the justification for a "mound" on Rincon Hill that blocks views?

"[Page 113] WHY is it necessary/desirable to 'create a secondary mound' on Rincon Hill if that 'mound' will block off views of the Bay Bridge and Bay from the middle of the City?" *(Sue Hestor, on behalf of SFRG)*

Response

The comment does not address the adequacy or accuracy of the EIR, nor does the comment address the merits of the draft Transit Center District Plan. Instead, the comment addresses the Rincon Hill Plan, approved most recently in 2005. Therefore, no response is required. The following discussion is provided for informational purposes, however. Objective 3.2 of the adopted Rincon Hill Plan, an area plan within the *San Francisco General Plan*, states "Develop a distinctive skyline form for Rincon Hill that compliments the larger form of downtown, the natural landform, and the waterfront and the Bay, and responds to existing policies in the Urban Design Element." Objective 3.3 states, "Respect the natural topography of the hill and follow the policies already established in the Urban Design Element that restrict height near the water and allow increased height on the top of hills." And Objective 3.5 states, "Maintain view corridors through the area by means of height and bulk controls that insure carefully spaced slender towers rather than bulky, massive buildings." Nevertheless, the text accompanying these objectives notes, "Rincon Hill serves as a gateway to the city from the Bay Bridge and will have a prominent place on the skyline as viewed from many public vantages. Development on the hill will affect views from the bridge and the freeways, and views of the bridge."

Comment PD-13: The EIR does not analyze the potential for steam heat.

"[A]bout page 6, … it talks about cogeneration facilities and it doesn't specifically deal with steam heat, which is done in New York, and I'm not sure if that's part of the cogeneration plan because this is a perfect area for that kind of thing to happen because it's very efficient and there's one generating plant and it's piped to the different buildings and they don't have their own heating systems individually. So that's something that certainly should be looked at and perhaps analyzed if it isn't." *(Commissioner Michael Antonini)*

Response

The commenter correctly notes that the EIR discusses the potential of cogeneration (combined heat and power) facilities operating in the Plan area in the future (see EIR p. 36). The draft Plan contemplates an area-wide system of the kind that typically "involves the collection of what would otherwise be exhaust heat that is given off during the electricity generation process. This exhaust can be used to heat the air in an office building, provide hot water or steam, power a dehumidifier, or even drive an absorption chiller to provide refrigeration and cooling." However, as stated on p. 37, the EIR does not analyze a district-wide heat and power system in detail because no physical improvements have been proposed to implement such a system. Therefore, system(s) proposed in the future, including the requirement that buildings be connected to such a system, would be subject to subsequent environmental review.

SOURCE: NRG Thermal

Figure C&R-2
Downtown San Francisco Steam Loop

It is noted that Downtown San Francisco is currently served by an underground steam loop system, operated by NRG Thermal LLC, that provides steam to approximately 170 buildings for space heating, hot water, air conditioning and industrial process use. The system is powered by two natural-gas-fired power plants, one on lower Nob Hill and one just south of Market Street near Sixth Street (see **Figure C&R-2**).[6]

As stated on EIR p. 37, no specific cogeneration facilities are proposed at this time: "Because no physical improvements have been proposed to implement a district-wide heat and power system in the Plan area, this EIR analyzes this aspect of the draft Plan at a very general, programmatic

6 NRG Thermal LLC, "NRG Energy Center, San Francisco" website; reviewed February 2, 2012. http://www.nrgthermal.com/Centers/Sanfran/index.htm.

level. Any district-wide energy or heating and cooling system(s) proposed in the future, including the requirement that buildings be connected to such a system, would be subject to subsequent environmental review. Individual building cogeneration plants are typically subject to review by the Bay Area Air Quality Management District, in much the same manner as are individual boilers and generators."

Comment PD-14:

"Pages 37 and 400. General comment regarding Transit District Policy Goals 6.14 —6.19:

"The SFPUC is developing a program to address the onsite treatment of alternate water sources for non-potable applications in commercial structures. The SFPUC has been collaborating with San Francisco Department of Public Health and San Francisco Department of Building Inspection to provide a foundation for this program. SFPUC looks forward to the implementation of Transit District Policy Goals 6.14 - 6.19 regarding the use of non-potable water. SFPUC has been in contact with the Transbay Joint Powers Authority regarding their plans at the Transit Center for gray water and rainwater harvesting.

"Earlier this year the SFPUC completed a Sump Study looking at the water quality from dewatering operations for a small number of buildings in the eastern portion of San Francisco . One of the sites, Moscone Center, is near the Transit District, and provides preliminary insights on this topic. Please let SFPUC know a copy of this report is needed." *(Irina Torrey, San Francisco Public Utilities Commission)*

Response

The comment does not address the adequacy or accuracy of the EIR, but concerns goals and policies in the draft Plan that would encourage the use of recycled water. As stated on EIR p. 37, "The draft Plan calls for investigation of various potential sources of non-potable water, and the identification of potential site(s) in the Plan area for a treatment facility to supply non-potable water (November 2009 Draft Plan, Policies 6.15 and 6.18), along with a priority list of means by which buildings can reduce potable water use, including 'low-impact design.' However, no specific system is identified for consideration at this time (except at the proposed Transit Tower, as discussed below)." As stated on EIR p. 46, "The TJPA is developing plans to substantially decrease the use of potable water for non-potable use at both the Transit Center and the proposed Transit Tower. Methods could include collection and reuse, following treatment, of greywater from non-retail restroom sinks and stormwater runoff and reuse of greywater for toilet flushing. Additionally, the adjacent City Park—to be built atop the Transit Center—and Mission Square open spaces would provide opportunities for stormwater retention."

Aesthetics

Comment AE-1: The EIR should acknowledge the design effects of Urban Design Plan and Downtown Plan.

Page 93 - Downtown Plan assumptions on design - how well did they work out in the real world?

…

"**Page 110** - the **1971 Urban Design Plan** - this has been a mostly ignored plan for decades. It is still on the books, but a LOT more attention has been paid to the Downtown Plan because THAT was the document done by the more recent Planning Director. To the extent planning staff was 'grounded' in any plan, they were grounded in the Downtown Plan. We say that as those who have repeatedly cited Urban Design Plan policies which are disregarded as not quite up-to-date by the Department. It is nice to see it set out in THIS document, but it has been a long time since has been the focus of attention.

"The call for 'high-quality design' for prominent buildings - it would be nice if it had occurred.

…

"UDP policy on landscaping and lighting - are there several/many instances where this was done successfully?" *(Sue Hestor, on behalf of SFRG)*

Response

The comments speak to the City's past implementation of *General Plan* objectives and policies, and do not address the adequacy or accuracy of the EIR. Therefore, no response is required. However, for informational purposes, please see the response to Comment G-1 in regard to street-level design issues and the Downtown Plan, and the response to Comment PD-5 concerning bulk requirements in the Downtown Plan.

The commenter's opinion regarding the relative merits of the Urban Design Element and the Downtown Plan and the City's implementation thereof is noted.

Comment AE-2: Acknowledge the effects of the Plan area's transportation infrastructure and industrial past on aesthetics.

"[Page 93] The 'highly urbanized feel' given by those east/west streets - isn't that mostly FOR CARS? For pedestrians the feel is not very pleasant - unless this is what is meant by 'highly urbanized.'

"**Page 95** - 'ramps emphasize transportation-related attributes' - huh?

"Please note that the description of the mixed nature of the area - with lower human-scale buildings providing a variety of services and a high level of street activity - is a reflection of the INDUSTRIAL ZONING for most of THIS south of Market Street right up until the Downtown Plan changed the zoning." *(Sue Hestor, on behalf of SFRG)*

Response

The "highly urbanized feel" noted on p. 93 is in reference to the "generally regular sidewalks and intersections, overhead utility wires, and often heavy flows of traffic" on Plan area streets. No judgment as to the attractiveness of the area to pedestrians is implied.

Concerning the quoted phrase from EIR p. 95, in context, the statement refers to the Plan area containing several "off- and on-ramps, which connect the Plan area to the nearby freeways and the Bay Bridge."

Regarding the former industrial nature of much of the Plan area, this legacy is noted at several places in the EIR Aesthetics section (e.g., pp. 91, 99 [in the context of the New Montgomery-Second Conservation District and the Second and Howard National Register District], and 113).

Comment AE-3: Clarify the locations from which photographs were taken.

"[Page 95] It would be helpful if the photos were labeled to indicate which of them show 'Downtown Plan' buildings.

"Which are the C-3-O (SD) buildings on photos 101- 103?

"**Page 102** - Visual Resources - **Folsom Street** approaching the Bay IS a visual resource, giving people a sight of Yerba Buena Island AND the Bay itself several blocks west of The Embarcadero. It is the only eastbound unobstructed corridor. It is not clear where the pictures on p 105 were taken." *(Sue Hestor, on behalf of SFRG)*

Response

Buildings depicted in the photos in EIR Figures 16 – 24 (pp. 94 – 104) that were built in the Plan area since approval of the Downtown Plan in 1985 include Foundry Square, three 10-story office buildings at First and Howard Streets with a fourth approved but unbuilt (shown in the lower left photo of Figure 16, in the upper left and lower right photos of Figure 20, and in the lower left photo of Figure 22); the Millennium Tower residential building (upper right photo of Figure 20); 560 Mission Street (lower left photo of Figure 20); and 101 Second Street and 555 Mission Street (in the background of the upper right and lower left photos of Figure 21). In addition, the top right photo in Figure 24 shows, from left to right in the distance, 555 Mission Street, 301 Howard Street, 199 Fremont Street (approved as 300 Howard Street), and the Millennium Tower. Finally, Figure 19 depicts privately owned, publicly accessible open spaces at the GAP building at 2 Folsom Street (upper right), 560 Mission Street (lower left), and 199 Fremont Street (lower right), all of which were approved and built after 1985. (The upper left image in Figure 19 is at the Mission Street side of One Market Plaza, the two towers of which pre-date the Downtown Plan.) However, the fact that these buildings were constructed pursuant to land use controls enacted to implement the Downtown Plan does not affect the environmental analysis of the proposed Transit Center District Plan. As stated on EIR p. 119, and reiterated in the response to Comment PD-5, the visual simulations prepared to illustrate aesthetic impacts depict the height and generalized massing of potential development in the Plan area, but do not represent actual future projects that would comply with the draft Plan. Therefore, the analysis in Section IV.B, Aesthetics, is conservative, as is the EIR's analysis of shadow and wind impacts, which are also based on generalized massing models.

Regarding Folsom Street, the discussion on p. 102 summarizes the information from the *General Plan* Urban Design Element with respect to the quality of views along various streets, including Folsom Street. With regard to the Bay Bridge views in Figure 23, most photos were taken from locations on the Embarcadero; the lower right photo is from Folsom Street at Spear Street. As

stated on EIR p. 120, development in the Plan area pursuant to the draft Plan would not be anticipated to adversely affect the quality of views along Folsom Street , including from these locations.

Comment AE-4: Provide information on relative heights of tall buildings.

Page 112 - relative heights. Can you provide relative 'sky-line' heights for each building, i.e. the elevation at base PLUS the 'building height' to give context for buildings cited *(Sue Hestor, on behalf of SFRG)*

Response

The four towers mentioned on p. 112—the 853-foot-tall Transamerica Pyramid, the Bank of America Building (779 feet), the Millennium Tower (645 feet), and One Rincon Hill (605 feet)—comprise, along with the 693-foot 345 California Street building, the tallest buildings in San Francisco. Of these five buildings, One Rincon Hill is built at an elevation of approximately 107 feet, San Francisco Datum (SFD),[7] meaning it has an "effective" elevation at its roof of approximately 712 feet. The Bank of America Building is at an elevation of about 35 feet, SFD, so its roof is some 814 feet in elevation. The other three towers are built at elevations of between 2 and 6 feet, SFD; therefore the building height is very close to the elevation of the roof.

As for future development in the Plan area, each of the sites identified for a potential building of 600 feet or greater is at an elevation of less than 15 feet, SFD, with the exception of the proposed Palace Hotel tower, which would be built at an elevation of about 20 feet, SFD.

Comment AE-5: The EIR improperly characterizes aesthetic impacts.

"**Page 119** - last sentence - limiting some views of the sky **AND THE BAY BRIDGE AND THE BAY**.

"**Page 118** - mid-City view perspectives - there should be something more to the north of the Twin Peaks and Portola Drive perspective. Coming over the crest of the hill at 17th Street and all the area to the north and south of Market there is an unobstructed view to the northeast to the Bay and the Bay Bridge. In the text of THIS DEIR there are many comments about how various Plan sites will have VIEWS. In that area of the City housing costs are adjusted upwards by MANY thousands of dollars for those views of the Bay Bridge. Views that will be cut off if the already approved Rincon Hill projects area actually built. This proposal is to extend that area of obstruction several blocks to the north.

"**Impact AE-1 (page 109-120)** is NOT less than significant for the EXISTING residents in the middle of the City east of Twin Peaks. The 'scenic resources' are public streets (and secondarily the homes near them) in that area - Market, 17th Street, Portola, Clipper.

…

[7] San Francisco City Datum establishes the City's zero point for surveying purposes at approximately 8.6 feet above the mean sea level established by 1929 U.S. Geological Survey datum, and approximately 11.3 feet above the current 1988 North American Vertical Datum. Because tides are measured from mean lower low water, which is about 3.1 feet below mean sea level (MSL), an elevation of 0, SFD, is approximately 8.2 feet above MSL.

"**Page 153** - these buildings would '**provide an additional focal point**' - that is ONE way of saying that they would be visible because they are blocking out/interfering with views of the Bay or Bay Bridge." *(Sue Hestor, on behalf of SFRG)*

Response

The statement on EIR p. 119 refers to all of the visual simulations presented in the EIR. In context, the full statement is:

> As analyzed in the following discussion, the most obvious changes to Plan area views from almost all directions would be the general amplification of the southern portion of the existing downtown "mound" that characterizes the cluster of high-rises on either side of Market Street and the increase in the number and height of high-rise forms on the skyline, reducing the gaps that exist between the buildings and limiting some views of the sky.

The commenter's suggestion that the statement should make reference to changes in views of the Bay Bridge and San Francisco Bay is only true from a limited number of viewpoints depicted, principally those from the west. This change is discussed in detail under Impact AE-3, EIR pp. 129 – 139, and the impact is determined to be significant and unavoidable.

The commenter's statement that the EIR discusses views from new residential units that could be developed in the Plan area is incorrect. The impacts discussed are on views from publicly accessible locations, such as streets and sidewalks. The EIR does not discuss, nor does CEQA generally require, analysis of changes in views from private locations such as residences. Effects on views from elsewhere in San Francisco are discussed under Impacts AE-2 and AE-3.

Regarding the suggestion for an additional viewpoint to the north of Twin Peaks and Portola Drive, the view from 17th Street descending towards Market Street from Clayton Street is eastward towards the Mission Bay area, and would not be affected by development in the Plan area. Views from elsewhere on Market Street descending from Portola Drive, from Twin Peaks Boulevard, and from the Randall Museum off of Roosevelt Way would not be changed in a manner substantially different than those from Twin Peaks and Portola Drive, both of which are depicted in the EIR (Figures 33 and 34, pp. 135 – 138).

Concerning Impact AE-1, the analysis refers to the potential alteration to the visual character, and scenic resources within, the Plan area and its surroundings. The EIR concludes that this impact would be less than significant because "while the draft Plan would result in aesthetic changes within the Transit Center District Plan area due to the construction of new buildings, the adaptive reuse of historically significant buildings, and an overall intensification of urban uses, such changes would not necessarily be considered adverse" (EIR p. 116). The analysis notes that future development would be undertaken pursuant to the City's *General Plan* and the urban design controls and guidelines proposed by the draft Transit Center District Plan. With respect to visual and scenic resources, as also stated on p. 116, "the draft Plan does not envision substantial

disruption of the existing built environment. No natural scenic resources would be affected. Accordingly, the draft Plan would result in less-than-significant impacts on scenic resources."

Implementation of the draft Plan would not affect visual character or scenic resources of other neighborhoods in San Francisco. To the extent that the draft Plan would change views of and from those areas, these impacts are discussed under Impact AE-2 and AE-3, as stated above.

Comment AE-6: In the aesthetics section, the photographs and photomontages are of poor quality and some of the text is confusing.

"The photos on pp 130-148 are muddy. It is impossible to really tell the buildings in this area. Where the bay or the bay bridge is supposedly present, it disappears into foggy graphics. For visual analyzes, renderings that can actually be understood are IMPORTANT. We can't see the Bridge.

"**Page 139** - it is impossible to understand the paragraph that merges discussion of the TWO fairly separated sites on Hwy 101. Could not figure it out. Noted that text indicates the Palace Hotel tower is visible, but no such is labeled on the photo. Is it the green building to the left on p. 141?

"In general, could not distinguish any new building colored 'gray' - just the blue and green ones.

"Pictures from the Bay Bridge are pretty terrible in quality.

…

"**Page 151 - Bay Bridge view -** aesthetics of SF as seen from crossing the Bay Bridge are how one sees the form of the City (Urban Design Plan). These renderings totally obliterate ANY sense of the mountains in the middle of the City. Please correct." *(Sue Hestor, on behalf of SFRG)*

Response

There is a limit to the visual resolution that can be attained in the laser printing process. To improve the overall clarity of the images and the visibility of the Bay Bridge, the Bay Bridge west span towers have been labeled in Figure 34, which are the visual simulations from Twin Peaks. The revised figures are included at the end of Section E, Revisions to the DEIR, following p. C&R-139. It is noted that, from this viewpoint, the obstruction of at least two of the towers of the Bay Bridge west span would occur as a result of cumulative development outside the Plan area, including approved towers on Rincon Hill, depicted in gray, and the potential expansion of Moscone Convention Center, depicted in green (see top image in Figure 34B). In particular, the so-called Moscone East project assumed development of three mixed-use towers at heights of 600 to 675 feet at the northeast corner of Third and Folsom Streets. Subsequent to publication of the Draft EIR, a project was announced to renovate and add two stories to an existing vacant 10-story office building at 680 Folsom Street, which occupies about one-third of the Moscone East site assumed in the EIR. Therefore, while expansion of Moscone Convention Center could still occur, it would be in a form that differs from that depicted in the top image of Figure 34B. Pending a revised proposal for the Moscone East project, the renovated and expanded 12-story building at 680 Folsom Street would appear more like the green building farthest to the right in the bottom

image of Figure 34B, meaning that at least one additional tower of the Bay Bridge west span would remain visible from Twin Peaks.

As stated on EIR p. 132, in views from Twin Peaks and Portola Drive, "While buildings in the Plan area would be 'adequately spaced and slender to ensure that they are set apart from the overall physical form of the downtown and allow some views of the city, hills, the Bay Bridge, and other elements to permeate through the district,'[footnote omitted, citing Urban Design Element] it appears that full buildout under the Plan would at least partially obscure and/or overwhelm views of the Bay Bridge, Yerba Buena Island, and the East Bay hills." For this reason, the EIR concludes, on p. 139, "due to the reduced prominence of important visual features in a manner that could be considered inconsistent with the direction of the Urban Design Element, this impact is conservatively considered to be **significant and unavoidable**." The cumulative impact was likewise found to be significant and unavoidable. As stated on p. 173, "From the Twin Peaks and Portola Drive viewpoints, full buildout of these plans would result in substantial obscuring of the existing views of the Bay, Bay Bridge, and Yerba Buena Island. The *General Plan* Urban Design Element establishes that impacts to such major, orienting views would be adverse, as discussed above under Impact AE-3. Accordingly, this cumulative impact would be **significant and unavoidable**."

Concerning p. 139, the text does not discuss two separate viewpoints on U.S. Highway 101. Rather, as stated, the viewpoint depicted in Figure 35 is on U.S. 101 northbound at the UPS Building, approximately 16th Street, while the viewpoint in Figure 36 is on Interstate 280 at Sixth Street. As stated on EIR p. 119, in the visual simulations, "the blue color represents development sites within the Plan area, including the proposed Transit Tower, other sites for which applications have been filed, and opportunity sites with no application filed. Green indicates anticipated cumulative development on sites that are outside the Plan area. Gray represents projects that have been approved at either a programmatic or project level, both on Rincon Hill and in the Transbay Redevelopment Area, along Folsom Street." The Palace Hotel tower being a site within the Plan area for which an application has been filed, this project is depicted in blue, as the farthest left (west) of the blue massing models in the bottom ("Plan") image in Figures 35A and 36A. The green massing model at left in the upper ("Cumulative") image of Figure 35B represents the proposed project at 706 Mission Street, which is outside the Plan area. The gray buildings of Rincon Hill and the approved Transbay Redevelopment Plan Zone 1 can be seen at the right of the images in Figure 36B, between the Plan area and the One Rincon Hill building.

Regarding Figure 40, the visual simulations from the Bay Bridge, the intent was to capture the Plan area, Rincon Hill and the approved Transbay Redevelopment Plan Zone 1, and the existing downtown in a single image that a driver would see while traveling on the bridge. This necessitated the selection of a viewpoint at approximately the midpoint of the West Span, just west of the center anchorage. Twin Peaks and the City's other western hills become most apparent much farther west, around the westernmost tower of the bridge, by which time the center of downtown is to the northwest at approximately a 45 degree angle. At this point, the One

Rincon Hill building and the other approved development on Rincon Hill would be most apparent to a driver on the bridge, but Plan area development and the existing downtown would be far less visible.

Comment AE-7: Is the proposed project at 8 Washington Street included in the cumulative scenario photomontage from Treasure Island?

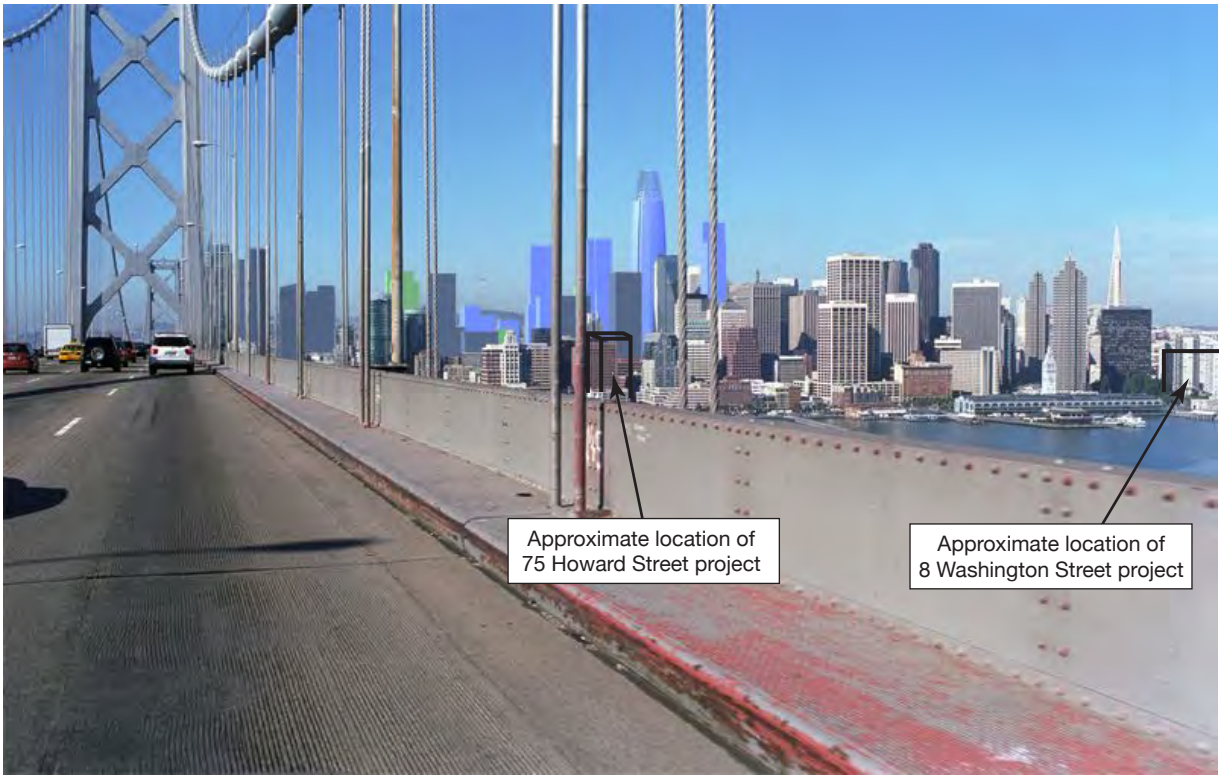
"Does cumulative development one from T.I. include the proposed 8 Washington project?" *(Sue Hestor, on behalf of SFRG)*

Response

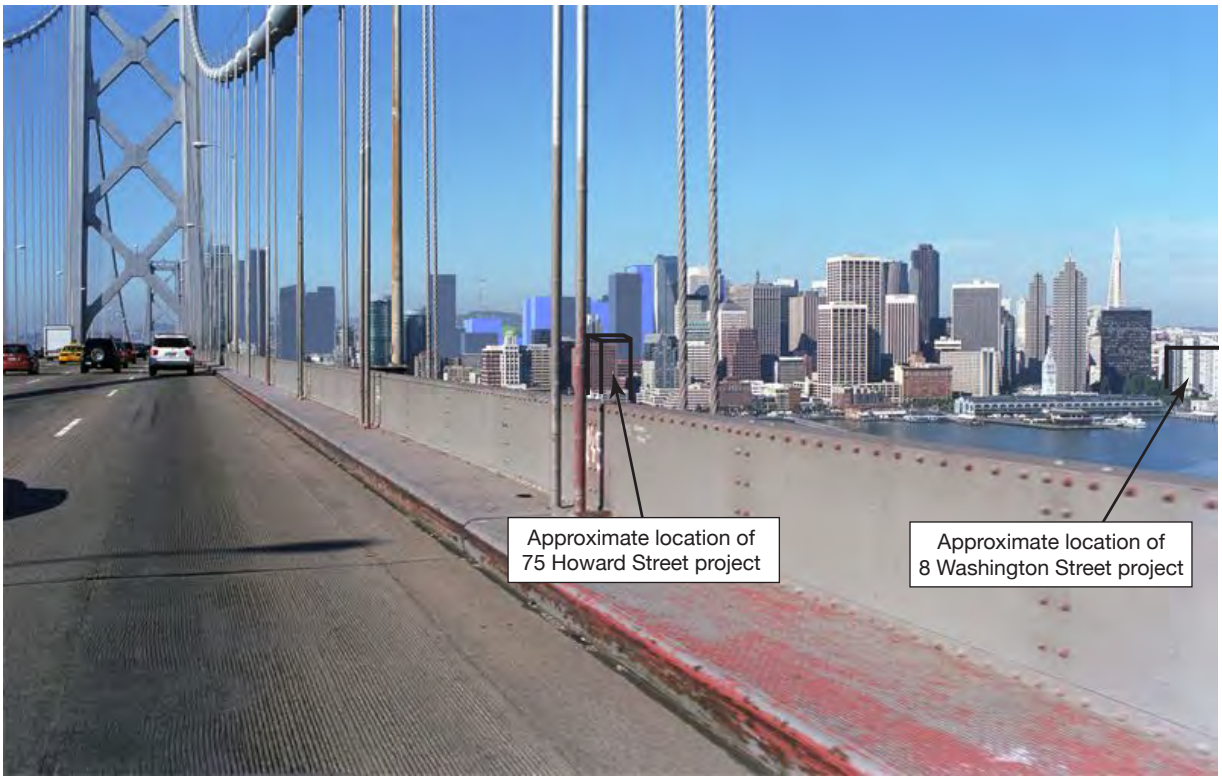
The project at 8 Washington Street (Case No. 2007.0030E, Final EIR certified and project approved by the Planning Commission on March 22, 2012) is not shown in the visual simulation from Treasure Island (EIR Figure 39B, p. 150), which depicts potential development in the Plan area and nearby cumulative towers. The 8 Washington Street project, which would be up to 136 feet in height, is proposed for a location approximately 2,200 feet (0.4 miles) northeast of the proposed Transit Tower site, and equally distant, or farther, from any location in the Plan area proposed for an increased height limit. Because Treasure Island is northeast of the Plan area (its southernmost location is at approximately the same latitude as the Municipal Pier at Aquatic Park), the view in Figure 39B is looking southwest. In this view, the 8 Washington Street project would be nearly indistinguishable against the immediate backdrop of the four 22- to 25-story residential buildings of Golden Gateway Center and the 27-story, 398-foot-tall office building at One Maritime Plaza (the former Alcoa Building). Even from the Bay Bridge, closer to San Francisco, as shown in EIR Figure 40B, p. 152, the proposed 8 Washington Street project would not result in a substantial adverse change in views. **Figure C&R-3** illustrates the approximate location and size of the approved 8 Washington Street project from this viewpoint, using a "wire-frame" model to demonstrate the generalized massing of this project. Therefore, the 8 Washington Street project would not combine with potential future development in the Plan area to result in a significant cumulative impact in views from Treasure Island.

The project at 8 Washington Street was initially proposed (at the time its Environmental Review Application was filed in 2007) at a height of 84 feet. The change to a proposed range of heights of between 30 and 136 feet did not occur until the sponsor of the 8 Washington Street project filed a revised Environmental Review Application in July 2010, two years after the Notice of Preparation was published for the Transit Center District Plan EIR.

Also not depicted in the cumulative visual simulation from Treasure Island (EIR Figure 39B) is a recently proposed project at 75 Howard Street, discussed in the response to Comment PD-1, p. C&R-18. As noted in that response, no application was on file for this building at the time the Draft EIR was published. This building would be approximately the same height as the Rincon Center towers across Howard Street, but would be taller than buildings west of it. However, in the cumulative scenario, as with 8 Washington Street, this building would largely blend in against proposed or anticipated buildings behind it in the view from Treasure Island. In the



Cumulative



No Project plus Cumulative

SOURCE: Square One Productions; ESA

Case No. 2007.0558E: Transit Center District Plan and Transit Tower . 207439

Figure C&R-3

Cumulative Visual Simulations: Bay Bridge Upper Deck

closer-in view from the Bay Bridge, the 75 Howard Street project would be more readily discernible, but the project would not stand out against other existing and cumulative development (see Figure C&R-3). The 75 Howard Street project would not be visible from other viewpoints depicted in the EIR. Therefore, as with the 8 Washington Street project, the 75 Howard Street project would not make a considerable contribution to cumulative aesthetic impacts of the Transit Center District Plan.

Comment AE-8: The EIR should include the Museum of Modern Art expansion project in the visual simulation from Yerba Buena Gardens

"[S]ince we have several large projects following each other very closely, I think the simulations looking from Yerba Buena East would be quite appropriate if we were to also at least to show the effect of the Museum of Modern Art's expansion because that will be so close to each other, that looking at it together, at least in one image, would be very helpful at least to me, and that is not biasing towards one or the other of the project, but in the spirit of cumulative, that particular project because we're going to be hearing it in a few weeks, these two things interact with each other and we might as well know what we're looking at it, and I'm not saying what my thoughts are because I don't have it, but I would like to see it." *(Commissioner Kathrin Moore)*

Response

As stated in footnote 71 on EIR p. 172, "The proposed Museum of Modern Art expansion is modeled as a 320-foot-tall tower, consistent with the information available at the time this analysis was undertaken. The museum has subsequently proposed a shorter building, approximately 200 feet tall, behind the existing museum, which is analyzed in the EIR for that project (Case Nos. 2009.0291E and 2010.0275E)."

EIR Figure 30B, depicting cumulative scenario visual simulations from Yerba Buena Gardens, has been revised to reflect the current design of the Museum of Modern Art expansion project, as approved by the Planning Commission on November 10, 2011. The revised figure is presented at the end of Section E, Revisions to the Draft EIR, following p. C&R-139. This additional information about the Museum of Modern Art expansion project does not change the EIR's conclusions about the visual impact of the draft Plan or Transit Tower.

Population and Housing, Business Activity and Employment

Comment PH-1: The EIR does not provide adequate information on existing housing in the Plan area.

Note to Reader: This comment references p. 92, in the EIR Aesthetics section, where several residential towers "constructed within the last 20 years" are discussed. It is included here because the focus of the comment is on housing attributes.

"**Page 92** - new housing in general area. Please provide information by type of housing (rental, condo, 'artist live/work'), # units in building, income level needed to afford unit, noting how many are in high-rise towers. The core information needed to understand how this new housing meets identified needs is

WHAT INCOME LEVEL IS BEING SERVED? How much parking is associated with each housing project - an important factor given the explicit policy in the Downtown Plan to severely limit the amount of cars on these streets because they are already way over capacity at rush hour." *(Sue Hestor, on behalf of SFRG)*

Response

As stated in the introductory note, this comment was made in reference to a passage in the EIR Aesthetics section. However, the comment does not address aesthetic impacts, but instead requests information regarding existing housing conditions that is beyond the level of detail required under CEQA. "The description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives" (State CEQA Guidelines, Section 15125(a)). Data on housing unit type, size of residential buildings, rent or purchase price of units, and available parking is not necessary for analysis of the significant adverse physical environmental effects of the draft Transit Center District Plan. Nevertheless, the information in **Table C&R-1**, below, is provided in response to the comment, for informational purposes.

Because the proposed number of residential units in the Plan area is relatively small compared to the proposed office space, the great majority of trips made to and from the Plan area are projected to be trips to and from work—principally, offices in the Plan area.

TABLE C&R-1
SELECT RESIDENTIAL DEVELOPMENT PROJECTS IN THE PLAN AREA

Building / Year Completed	Units	Pkg. Spcs.	Sale Price [a]
Millennium / 2009	420	400	$650,000 / $815,000
One Hawthorne / 2010	135	135 [b]	$589,000 / $685,000 (asking)
199 New Montgomery / 2006	166	70	$302,000 / $512,000
246 Second Street / 1999	93	82	Not available / $450,000

NOTES:
a First number is initial sales price reported by Planning Department; second number is most recent available asking price. Figures provided are for one-bedroom units, if available.
b Parking provided in mechanical stackers.

SOURCE: San Francisco Planning Department *Housing Inventory 2010, 2009, 2006*; San Francisco Redevelopment Agency; Redfin

Comment PH-2: The EIR does not provide adequate information on the affordability of housing that would be developed in the Plan area.

"**Page 176-177** - please describe the market that will be accommodated in this new housing - in terms of the City's RHNA goals - Regional Housing Needs Allocation. The vast majority of housing needed is for the persons below the 'market rate' - actually HIGH MARKET RATE - level provided thus far in this part of the South of Market. In light of SF's RHNA goal, what 'demand' is there for residential high-rise towers both in this Plan and in the approved-but-not-yet-built housing including Rincon Hill?

…

"Mismatch between housing NEED and housing PRODUCED is seen on **page 181** first full paragraph. Housing prices in SOM/Rincon Hill have been 10% more expensive than city-wide median. How will the City get out of this imbalance when we are so NOT meeting the RHNA goals re the income levels of housing being produced? That is before development in this Plan Area creates a bigger hole re new affordable housing. Please note that this is one of the places where the DEIR cites a premium for housing in high-rises with VIEWS. It is just as valid to recognize those residents of the middle of the City who will LOSE their views.

"**Page 183** - RHNA goals for housing - there is a PITTANCE of housing being produced for those making 80-120% of AMI. 12.9% of the amount needed, v 153.4% of MARKET RATE HOUSING. Assuming the units come on line in this area as predominantly market rate (we know that is what has already been approved on Rincon Hill), how much further from attaining SF RHNA goals will we be?

"**Rincon Towers** - the largest residential development in this area - a REDEVELOPMENT SITE - is being substantially **rented as short-term furnished corporate housing**. Is this is compliance with the Rincon Point Redevelopment Plan? Is this consistent with the Rincon Point/South Beach Redevelopment Plan goals? (**p. 185**) Again the term justifying the cost of this housing being developed for the high-end market includes the word - VIEWS.

…

"**Page 188** - SF population increase projection - what is the projected mix of housing affordability needs? "Page 190 - additional housing to be provided in C-3/downtown. Without concentration on meeting RHNA goals, the housing will continue to be WAY ABOVE MARKET RATE. If that occurs, the City will be unable to meet its RHNA goals at all, and there will be increasing gentrification pressure on housing. The CONTEXT of this downtown area includes, the AAU is gutting the rental stock in the C-3/downtown area. Rincon Towers and Golden Gateway managing significant portions of their RENTAL HOUSING (built on subsidized Redevelopment Land) as corporate short-term housing. PLUS a gross shortfall in production of housing for those earning 80-120% of median income. Continuing on this path in the Plan area means an even worse housing disaster for San Francisco.

…

"The **page 204** conclusion that there is no impact on the housing supply appears to assume that everything is moving just fine for housing production AT APPROPRIATE INCOME LEVELS in San Francisco. This is a fallacious assumption. You cannot assume that Hunter Point housing, Treasure Island Housing, will be built just because their plans have been approved. Similarly that just because the Eastern Neighborhoods and Market/Octavia were zoned so they could accommodate more housing, that it will be built. This is particularly the case for housing for moderate income residents which is increasingly challenged. The '$53 million' in JHLP funds occurs on full build-out of the entire project. If that level of funding was paid, the full amount of office space would be built. Because the JHLP program funds provide only PART of the money needed to construct that housing, the City would be deeper in the hole

"**Page 200** - **Increased residential capacity** - This is another of the Pollyanna-ish sections. Increase number of housing units will NOT help SF meet its RHNA goals if it is all (as usual) VERY high market

rate housing. We are developing and approving many more upper income housing units than are San Francisco's target. But the housing for people earning 80-120% of median income falls greater and greater behind. Growth in residential population must be seen in light of the balance in serving existing needs and existing residents and providing even more housing for a narrow section of the population who already have multiple choices. It is inappropriate to 'find' that the addition would not be substantial in the context of San Francisco and its downtown.

"**Page 201 - Regional Plans and growth** - ABAG has housing goals for San Francisco as well as regional projections for job growth. Infill housing CANNOT be just high-end housing and meet San Francisco's housing goals as set out in the RHNA goals. The major land available to develop new housing is in the South of Market and greater downtown. By focusing on 'smart growth' and 'transit-oriented development' while completely ignoring the gross imbalance in the production of housing by needed categories guts any hope for balanced communities. If working people in San Francisco are displaced because the vast majority of our land is being dedicated to a small part of the workforce, ultimately those who run the City, provide services, serve the tourist industry will continue to be forced out of the City, many into places without decent transit. This is neither 'smart growth' nor 'transit-oriented development.' Hitting our HOUSING GOALS BY AFFORDABILITY LEVEL MORE IMPORTANT TO THE ECONOMIC AND SOCIAL HEALTH OF SAN FRANCISCO THAN ACCOMMODATING MORE OFFICE WORKERS. We already have a glut of space for the latter and an identified need for the former.

"**Page 202 - PH-2 Finding** that the Plan would not displace a large number of people and their housing. IF all of the housing, or a major portion of it, is the usual high-end condos, as discussed above, this will mean gentrification and pushing out middle income San Francisco workers. This is a Significant Impact.

…

"**Page 205** - conclusion on housing. The summary here - that the Plan would provide for additional housing is grossly insufficient. The increased heights for HOUSING PROJECTS allows for **<u>very upper end</u>** housing -

"Palace Hotel	300' to 600' - for 449 DU
Golden Gate Univ	550 to 700 ' - for 104 DU
41 Tehama	200' to 400' - for 276 DU
191 Fremont	350' to 700' - for 61 DU
50 1st St	550' to 850' - for 165 DU
350 Mission	550' to 700' - for 67 DU
Parcel F	450' to 750' - for 96 DU
543 Howard	85' no change - for 58 DU
176 2nd St	150' no change - for 22 DU

"Producing the above housing will exacerbate new housing skewing to meet an even higher percent of upper income residents.

"The DEIR acknowledges that some of these units would be 'second homes.' This WOULD HAVE an impact on the housing market since the units would not be available to people who need a primary residence.

"Providing 'additional housing' independently of addressing the NEED for housing at the level of need set out in the RHNA indeed worsens housing balance BECAUSE OF THE LIMITED SUPPLY OF LAND and finite resources to produce needed housing.

"**IT IS INAPPROPRIATE TO FIND THAT THERE IS NO MITIGATION REQUIRED FOR HOUSING NEEDS BECAUSE THE SUPPLY OF HOUSING WILL NOT BE AFFECTED.**

"It is further not supported by evidence that the project would not contribute to a substantial growth in population or displace a large number of residents who would be without the resources to compete with the new residents for housing they can afford." *(Sue Hestor, on behalf of SFRG)*

Response

Issues concerning housing affordability raised in the comment relate to socioeconomic concerns, not physical impacts that are the purview of CEQA review. Thus, no response is required. However, the following discussion is provided for informational purposes. The EIR does not assume that housing production in San Francisco currently meets the needs of households of all income levels. Rather, the EIR acknowledges the difficulty of providing for affordable housing in San Francisco and the consequent fact that "increasing the housing supply and making housing more affordable have been key concerns of the City's policy-makers for decades" (EIR p. 182). Despite the fact that "[o]ne-third of the new housing units added in San Francisco from 2005 – 2009 were affordable units, meaning the units are rented or owned at prices affordable to households with low or moderate incomes, … San Francisco has not met the quantified housing goals established by the California Department of Housing and Community Development (HCD) and the Association of Bay Area Governments (ABAG)" (EIR p. 182). As shown in Table 5 on EIR p. 183, the City realized 83 percent of the ABAG housing production goal for very-low-income units and just over half of the goal for low-income units. For units that are affordable to moderate-income households (at around 100 percent of median income), only 13 percent of the target was met.

The EIR does not identify a significant impact with respect to housing, based on the significance criteria stated on p. 196. That is, the EIR finds that the project would neither displace a large number of people (involving either housing or employment), or create a substantial demand for additional housing in San Francisco, or substantially reduce the housing supply. As stated on EIR p. 203, assuming that all jobs created would be new jobs, employment growth in the Plan area by 2030 would result in a demand for approximately 10,250 housing units in San Francisco, or about 18 percent of the potential of approximately 58,000 units that could be developed under various areawide planning efforts and redevelopment plans identified in the 2009 Housing Element. However, actual housing demand would likely be less, because not all new employment space created results in jobs that are new to San Francisco, as noted on EIR p. 204.

The EIR recognizes the high cost of much of the housing in and around the Plan area. The reason that views from housing units in and near the Plan area is mentioned in Section IV.C., Population and Housing, Business Activity, and Employment, is simply to explain the nature of much of the

housing stock in Downtown San Francisco. Likewise, the discussion of existing housing units notes that a relatively high degree of finishes and amenities is provided in many of these units and their buildings. The EIR cites all of these factors, along with proximity to downtown, as being responsible for the relatively higher cost of housing in the Plan area and surrounding neighborhoods. As stated on EIR p. 205, new housing developed in the Plan area would be subject to the City's Residential Inclusionary Affordable Housing Program, as set forth in *Planning Code* Section 415. Large-scale non-residential development would also be required to pay fees in support of affordable housing, through the Jobs-Housing Linkage Program (*Planning Code* Section 413), as stated on p. 204.

Comment PH-3: Parts of the Population and Housing analysis are confusing.

"**Page 179** - info on workers and residents in SF is confusing. It is not always clear whether what is being discussed is people who LIVE AND WORK in SF, people who WORK in SF but live elsewhere and people who LIVE in SF but work elsewhere.

"Also confusing **page 180** last paragraph. Price range shows higher THEN LOWER number. Huh?" *(Sue Hestor, on behalf of SFRG)*

Response

The discussion on p. 179 concerns employment levels and locations for San Francisco residents. The phrase "employed residents" refers to residents of San Francisco who are employed, regardless of where they work. The second full paragraph on p. 179 states that, in 1960, 94 percent of employed residents of San Francisco (i.e., San Franciscans with jobs) worked in the City, and this share declined to approximately 76 to 78 percent in the late 2000s. The last, partial, paragraph on p. 179 states that, of all jobs in San Francisco, 56 percent are held by City residents, and 44 percent by non-residents.

Regarding p. 180, the cited text is: "In 2010, the median price for houses sold in San Francisco was $661,000—$248,500 (60 percent) higher than the regional median price of $412,000." This is not presenting a range; it is a relative clause, set off by an "em dash." The sentence written as follows would have the same meaning: "In 2010, the median price for houses sold in San Francisco was $661,000, which is $248,500 (60 percent) higher than the regional median price of $412,000."

Comment PH-4: Is the information concerning Golden Gate University's potential site development accurate and current?

"**Page 202 fn 119 - Golden Gate University**. There appears to have been no discussion directly with Golden Gate in 2 ½ years about whether they are still interested in a proposal to tear down their building to build a new school. The referenced article is based on PRE-ECONOMIC CRASH discussions in 2008, updated with further thoughts in mid-2009. There have been a lot of economic changes in the US economy since 2008. Has anyone talked to GGU about this recently? Have they reviewed the information in the DEIR, including the shadows impacts that would be cast by a building on their height? " *(Sue Hestor, SFRG)*

Response

Please see the response to Comment SH-2, p. C&R-81, which discusses information provided by a representative of Golden Gate University.

Comment PH-5: The EIR mischaracterizes the Jobs-Housing Linkage Program.

"**Page 192 - Job Housing Linkage Program** - this program resulted from massive community pressure, sustained over 6+ years to force Planning and the Mayor to require that commercial office developers pay a portion of the cost of new housing to accommodate their work force. In 1984/1985 the Board of Supervisors, working with community advocates, held the Downtown Plan hostage until the Office Affordable Housing Production Program was signed by Mayor Feinstein. The fee required pays only a portion of the cost of providing new housing to meet the needs of the work force.

…

"**Page 203 - SF Housing Supply.** This Section appears to conclude that the housing demands from the office space allowed would be 'covered' by the payments into the Jobs Housing Linkage Program. This is a gross misunderstanding of the JHLP. That fund only pays PART of the cost to provide additional housing. San Francisco housing non-profits currently have sites but NO MONEY (which comes from various government agencies) to build already approved housing. Money flowing from commercial projects only pays a portion of the cost of providing new housing. San Francisco is already in a hole on being able to construct needed housing. Perhaps it would be good to consult with the Mayor's Office of Housing on this section." *(Sue Hestor, on behalf of SFRG)*

Response

The comment concerning the history of the Jobs-Housing Linkage program is noted.

Regarding the text on p. 203, the EIR does not state that the Jobs-Housing Linkage Program would fully pay for all needed affordable housing in the City. The text says that the program "would <u>help reduce</u> the impact of the increased demand on housing prices and rents and the need for affordable housing in San Francisco" (emphasis added).

Please see the response to Comment PH-2 for additional information on affordable housing.

Cultural and Paleontological Resources

Historic Architectural Resources

Comment CP-1: Mitigation measures for effects on historic architectural resources should be enhanced.

"The HPC suggests that the mitigation measure described in M-CP-3A should be modified to accurately reflect the historic resources needing HABS and HAER documentation.

"The HPC believes the HABS and HAER documentation should include aerial photography.

"The HPC suggests that the mitigation measure described in M-CP-3B be modified to include both written and photographic data in the public interpretative display and that the proposed display be presented to the HPC prior to finalization.

"Given the amount of demolition proposed, the HPC suggests inclusion of a salvage mitigation measure." *(Charles Chase, San Francisco Historic Preservation Commission)*

Response

Mitigation Measure M-CP-3a (HABS/HAER Documentation), EIR p. 267, states, in part, "Prior to demolition or substantial adverse alteration of historical resource(s), the project sponsor of a development project in the Plan area shall contract with a qualified preservation architect, historic preservation expert, or other qualified individual to fully document the structure(s) to be demolished or altered." The "historical resources" to which this measure would apply would include all historical resources as defined by CEQA that would be demolished or adversely affected, as determined by a Planning Department Preservation Technical Specialist. As stated on EIR p. 207, "A 'historical resource" is defined, under CEQA Section 21084.1, as one that is listed in, or determined eligible for listing in, the California Register of Historical Resources."

Aerial photography may be appropriate in Historic American Buildings Survey and Historic American Engineering Survey (HABS/HAER) documentation in certain circumstances. According to the National Park Service, "Aerial photographs are generally used to record large complexes, historic districts and landscapes, as well as geographic or urban contexts."[8] As stated in Mitigation Measure M-CP-3a, EIR p. 267, "Documentation shall be undertaken following consultation with Planning Department preservation staff and the Historic Preservation Commission, and shall *at a minimum* be performed to HABS Level II documentation standards" (emphasis added). Aerial photography could, therefore, be required as part of this measure.

Regarding Mitigation Measure M-CP-3b (Public Interpretative Displays for historical resources that are significant due to event(s) that occurred in the building), this measure calls for the project sponsor to "develop, in consultation with Planning Department preservation staff, a permanent interpretative program/and or display that would commemorate such event(s)," and states that the program or display be publicly accessible, and that "content and location of the display shall be presented to the Historic Preservation Commission for review and comment." The precise content of such a program or display, and whether it would include "written and photographic data," would be determined on a case-by-case basis in consultation with Planning Department preservation staff.

Concerning "the amount of demolition proposed," it is noted that the draft Plan is not a development project, but does propose zoning changes, including increased height limits at certain locations in the Plan area, that could allow subsequent future development projects. (Many of these projects would be permitted, albeit with shorter buildings in some cases, under

8 National Park Service, Heritage Documentation Programs, *HABS/HAER/HALS Photography Guidelines*, November 2011. Available on the internet at: http://www.nps.gov/history/hdp/standards/PhotoGuidelines_Nov2011.pdf.

existing zoning controls.) Development assumptions for the Plan area developed by the Planning Department in support of the EIR do assume demolition of some existing structures, including some that are identified as historic resources for purposes of CEQA review. Accordingly, the following component is added to Mitigation Measure M-CP-3 on EIR p. 268 following Mitigation Measure M-CP-3c:

> **M-CP-3d: Salvage of Historical Resources.** Prior to demolition of historical resource(s) that are significant due to architecture (resource(s) that embody the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values), the project sponsor of a development project in the Plan area shall consult with a Planning Department Preservation Technical Specialist and/or other qualified parties regarding salvage of materials from the affected resource(s) for public information or reuse in other locations.

Mitigation Measure M-CP-3d is also added to Table S-1, Summary of Impacts and Mitigation Measures for the Proposed Transit Center District Plan, on p. S-10 and p. S-47.

Comment CP-2: Effects on the potential historic district near First and Mission Streets should be further discussed.

"The HPC would like to see impacts to the potential historic district at the intersection of 1st and Mission Streets be analyzed at the project level or reduced scope project.

"The HPC would like to see individual historic resources identified in the survey be formally designated and expansion to the existing Conservation District be implemented.

"The HPC would like to see the historic district identified at the intersection of 1st and Mission Streets be formally designated if the reduced scope project is implemented." *(Charles Chase, San Francisco Historic Preservation Commission)*

Response

As noted on p. 237 of the EIR, the historical resources survey and *Context Statement* for the Plan area "identified an additional potential historic district around First and Mission Streets that was determined to be eligible for listing on the California Register, a finding that was concurred in by the Landmarks Preservation Advisory Board (predecessor to the Historic Preservation Commission). This potential district, which is not listed on the California Register, is nevertheless considered a historical resource for purposes of CEQA review.'" As identified in the *Context Statement* and reported in the EIR, this potential district contains six buildings on the west side of First Street between Stevenson and Mission Streets, and a seventh at the northeast corner of First and Mission Streets. The *Context Statement* found that the two northernmost buildings on First Street have been extensively remodeled and therefore do not retain sufficient integrity to qualify for listing on the California Register of Historical Resources, either individually or as contributors

to a historic district.[9] Thus, the potential historic district contains only five buildings that could be considered contributors. The Plan area survey found that four of these five buildings were also eligible for the California Register as individual resources.

Of the five buildings that could be contributors to the potential historic district, three are proposed for demolition as part of a project proposed at 50 First Street (Case No. 2006.1523E), as described on EIR p. 264. The three buildings are the Marwedel Building at 76 First Street (rated "2S2," or determined individually eligible for the National Register), and the Neustadter Bros. Building at 62 First Street and the Brandenstein Building at 88 First Street (both rated "3CS" or individually eligible for listing in the California Register by the *Context Statement*). Project-specific environmental review for this project is currently being undertaken by the Planning Department and that CEQA analysis will fully evaluate the effects of the loss of these buildings on the potential historic district around First and Mission Streets. Of the two other potential contributors, one, at 82 – 84 First Street, is not part of the 50 First Street project site, and the other, at 440 Mission Street, is on the opposite side of First Street from the 50 First Street site.

Concerning the "individual historic resources identified in the survey" conducted for the Plan area, as noted on pp. 236 – 237 of the EIR, this survey, commissioned by the Planning Department, was formally adopted by the HPC's predecessor, the Landmarks Preservation Advisory Board (LPAB), in 2009. As described in Section C, Revisions to the Proposed Project, p. C&R-4, in February 2012, the HPC adopted a revision to the Transit Center District Survey. Accordingly, the Planning Department proposes to slightly increase the size of the proposed expansion of the existing New Montgomery–Second Street Conservation District, compared to the proposed expansion shown in the DEIR, and to identify approximately five additional buildings as contributors to the renamed "New Montgomery–Mission–Second Street Conservation District." The HPC also adopted revised historic survey forms and California Historical Resource status codes for a number of properties in the Plan area, both inside and outside the proposed expansion of the conservation district. The proposed revised conservation district boundary, along with other changes following from the HPC's adoption of the revised survey materials, are depicted in revised EIR Figure 7, Existing and Proposed Conservation and National Register Districts, which appears at the end of Section E of this Comments and Responses document, following p. C&R-139. Based on the adoption of the survey and update by the LPAB and HPC, respectively, the individual buildings identified as being eligible for listing on the California Register of Historical Resources are considered by the Planning Department to be historical resources for purposes of CEQA, as is the potential historic district around First and Mission Streets. The HPC's support for expansion of the existing conservation district and designation of the potential historic district at First and Mission Streets, as well as formal designation of the individual buildings—presumably under Article 11 of the Planning Code–is noted.

[9] As explained in footnote 125, p. 207 of the EIR, "Resources are listed in the California Register if they meet one of four criteria and also retain sufficient integrity. … Integrity entails the survival of characteristics or historic fabric that existed during the resource's period of significance; that is, the time it gained its historical importance. Integrity encompasses seven aspects: location, design, materials, workmanship, setting, feeling, and association."

Comment CP-3: The Historic Preservation Commission should be given an informational presentation on the draft Plan.

"The HPC believes an informational presentation or briefing prior to the DEIR hearing is warranted in order for the HPC to comment on the overall plan and proposed policies." *(Charles Chase, San Francisco Historic Preservation Commission)*

Response

The comment is noted and will be considered by Planning Department staff. The comment does not address the adequacy or accuracy of the EIR, and no further response is required. However, the following is provided for informational purposes. The proposed *Planning Code* revisions that would implement the draft Plan would establish a new *Code* Section 128.2, Downtown Historic Preservation Fund, which would be used for the following purposes:

- Support for staff or consultant efforts in survey or designation of historic resources in the C-3 districts and adjacent downtown areas, and related amendments to the *Planning Code*;
- Grants to owners of historic resources in the C-3 Districts for seismic upgrades, facade renovation, or other restoration or rehabilitation of such resources;
- Purchase of transferable development rights from qualified historic resources;
- Public educational, interpretative or commemorative programs or infrastructure related to downtown historic resources; and
- Educational or outreach materials to assist owners of historic resources related to preservation and maintenance.

An informational presentation on the draft Plan and proposed *Planning Code* revisions was made to the HPC on February 1, 2012, and a hearing is required for the HPC to comment on draft amendments to *Planning Code* Articles 10 and 11 prior to Planning Commission action; this hearing was held on May 2, 2012. (The proposed *Planning Code* amendments to implement the draft Plan include proposed amendments to Article 11, as described in the draft Plan.)

Comment CP-4: The Historic Preservation Commission disagrees with the EIR's conclusion as to the effectiveness of mitigation identified for construction-related effects on historic buildings.

"The HPC disagrees with the statement made under M-CP-4 that the mitigations would result in less than a significant impact and would like to see more information on how that determination was made." *(Charles Chase, San Francisco Historic Preservation Commission)*

Response

Note: It is presumed that this comment refers to Mitigation Measure M-CP-5a and 5b, given that Impact CP-5 is the only impact related to historic architectural resources for which the EIR identified mitigation measures that would reduce the impact to a less-than-significant level.

Impact CP-5, EIR p. 269, states, "Construction activity in the Plan area could result in damage to historic architectural resources." Mitigation was identified in the form of Construction Best Practices for Historical Resources (M-CP-5a), whereby construction contractor(s) would be required to use all feasible means to avoid damage to adjacent and nearby historic buildings; and a Construction Monitoring Program for Historical Resources (M-CP-5b), under which a project sponsor would undertake a preconstruction survey of nearby historical resource(s) to document and photograph the buildings' conditions prior to construction; establish a maximum vibration level that shall not be exceeded at each building; and monitor vibration levels at each structure and prohibit activities that generate vibration levels in excess of the applicable standard. Any damage would be remediated by the project sponsor. Such best practices and monitoring programs have been used successfully in San Francisco and elsewhere during construction of numerous high-rise buildings proximate to existing historic structures. Such measures are recommended by the National Park Service.[10] Accordingly, the EIR determined that Impact CP-5 could be mitigated to a less-than-significant level.

Comment CP-5: The Historic Preservation Commission would like more information about potential Plan area fees that could benefit historic architectural resources.

"Once developed, the HPC would like more information about the Downtown Rehabilitation Fund and In-Lieu Fee Program." *(Charles Chase, San Francisco Historic Preservation Commission)*

Response

The comment is noted and will be considered by Planning Department staff. However, the comment does not address the adequacy or accuracy of the EIR, and no further response is required. The proposed modifications to the *Planning Code* developed to implement the draft Plan address these programs, as described in Section C of this document, Revisions to the Proposed Project, p. C&R-4.

Comment CP-6: The Historic Preservation Commission would like to see more and better graphics in the EIR.

"The HPC believes the graphics and illustrations in the DEIR could be improved for consistency and clarify purposes. The DEIR should include the boundaries of the potential historic district at the intersection of 1st and Mission Streets." *(Charles Chase, San Francisco Historic Preservation Commission)*

Response

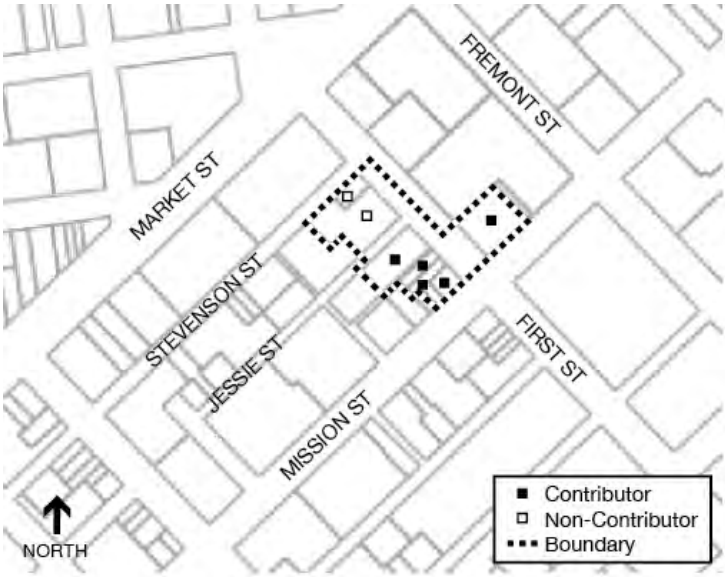
The comment regarding graphics and illustrations, generally, is noted. Because no specific figures are referenced, no response is possible.

The potential historic district identified in the Plan area *Context Statement* is depicted in **Figure C&R-4**.

[10] National Park Service, Technical Preservation Services, "Preservation Tech Note 3: Temporary Protection." Available on the internet at: http://www.nps.gov/tps/how-to-preserve/tech-notes/Tech-Notes-Protection03.pdf.

Comment CP-7: The EIR should include additional graphical information about historical resources.

"[I]n order to improve the public disclosure aspect of the EIR, I'd like to have the comments and responses add some graphics to the Cultural Resource section. There's only one map in that section and it shows the historic shoreline, more or less. And I think in terms of historic resources, it would be nice to have some graphics showing existing historic district boundaries, existing historic resources, National Register properties, California Register properties, city landmarks, maybe even eligible properties. It's already been all identified, so something more graphic to illustrate that would help." *(Commissioner Hisashi Sugaya)*



SOURCE: Kelly & VerPlanck

Figure C&R-4
Potential First and Mission Streets Historic District

Response

Figure 7 in EIR Chapter II, Project Description, p. 33, identifies existing City Landmarks and in the Plan area, the City's existing New Montgomery—Second Street Conservation District, and the existing Second and Howard Streets Historic District that is listed in the National Register of Historic Places. Figure 7 also indicates the historic rating assigned to Plan area buildings under Article 11 of the *Planning Code*, Preservation of Buildings and Districts of Architectural, Historical, and Aesthetic Importance in the C-3 Districts, which implemented the "Preserving the Past" chapter of the Downtown Plan.

Figure 7 also depicts new City Landmarks proposed under the draft Plan, as well as the draft Plan's proposed expansion of the existing conservation district, which would be renamed the "New Montgomery–Mission–Second Street Conservation District." As well, the draft Plan proposes some revisions to Article 11 ratings, which are also shown in Figure 7.

Concerning resources listed on the National Register of Historic Places, as stated on EIR p. 235 (as revised in this Comments and Responses document), there are only three individually listed properties in the Plan area: the Matson and PG&E Buildings on Market Street between Main and Beale Streets; and Folger Coffee Company Building at Howard and Spear Streets. Another 19 buildings are listed on the National Register as contributors to the Second and Howard Streets Historic District (shown in Figure 7), as stated on EIR p. 236. Two additional properties—the Marwedel Building at 76 First Street and the Brizard and Young Building at 72 Tehama Street—have been determined eligible for listing in the National Register as individual properties, and a third building, the Wells Fargo Building at 71 Second Street, has been determined eligible for

listing in the National Register as a district contributor. All six of these buildings are therefore also listed in the California Register of Historical Resources. There are another 20 buildings in the Plan area that "appear eligible" for listing in the National Register but are not formally listed. These resources, as well as those identified by the City, such as the contributors to the locally designated New Montgomery-Second Street Conservation District, are considered historical resources for purposes of CEQA review and are treated as such in the EIR, as stated above in the response to Comment CP-2. Therefore, at least pending transmittal of the Transit Center District Plan survey documentation to the California Office of Historic Preservation, there are many fewer resources listed on and determined eligible for the California and National Registers than are considered historical resources under CEQA.

Transportation

Traffic, Parking, and Circulation

Comment TR-1: The transportation analysis assumes too small a mode share of vehicle travel and too large a share of transit use.

"Table 29 on page 120 of the [Transportation Impact Study] states that the proposed project would generate approximately 9,661 AM and 9,543 PM peak-hour person trips that includes 2;660 AM and 2,600 PM peak hour vehicle trips. From this Table, the analysis estimates that only approximately 30-33% of person trips will use auto as the mode of transport. Although there is a large number of transit services within the area, the Department believes that the mode split for vehicles is relatively low since residents living within the proposed area may not necessary work within the planned site. To provide a better representation of the mode. split within the planned area, the Department recommends the City to survey the travel patterns of existing residents within the plan area." *(Gary Arnold, Caltrans)*

Response

The comment refers to the Transportation Impact Study, a resource document used in preparation of the EIR. As stated in footnote 155 on p. 274 of the EIR, the Transportation Impact Study is available for review at the Planning Department.

As stated on p. 282 of the EIR, and discussed in more detail in the Transportation Impact Study, trip generation, trip distribution, trip purpose, and mode splits for the proposed project were based on data compiled in the San Francisco *Transportation Impact Analysis Guidelines for Environmental Review*, as well as information from the San Francisco County Transportation Authority's Chain Activity Modeling Process (SF CHAMP) Model. The *Guidelines* and SF CHAMP model are based on extensive locally collected data, including data specific to the downtown core; these resources are typically employed for transportation environmental analysis in San Francisco.

In addition, to better understand the travel characteristics of residential land uses within the downtown core, the City conducted a *Residential Travel Behavior Survey* in and around the Plan area in 2008, which collected information regarding respondents' place of home, place and type

of work, means of travel to work, incentives for transit use and other non-single-occupant-vehicle commuting, auto and bicycle ownership, and household characteristics. The survey results are presented in Appendix I of the Transportation Impact Study.[11] This survey augmented use of the *Guidelines* and SF CHAMP model to determine the travel modes for Plan area residents in the analysis reported in the EIR.

Overall, based on the above sources, the analysis in the Transportation Impact Study and EIR assumes a peak-hour automobile mode share of approximately 32 to 33 percent for travel demand generated by future development projects in the Plan area.

Comment TR-2: Changes to Howard Street could adversely affect the Fremont Street freeway off-ramp and the freeway itself.

"The project proposes to convert Howard Street west of Fremont Street, which is currently [a] one-way street, into a two-way street. The queue forming at the Howard Street and Fremont Street intersection currently backs up onto the Fremont Street off-ramp and causes the queue to spill onto the mainline freeway. Furthermore, both north and south side of Howard Street are currently being used as causal carpool drop off locations. If this section of Howard Street is converted to a two-way street, it will force all carpool drop offs to one side of the street. This will further reduce the throughput capacity of … Howard Street and exacerbate the existing Fremont off-ramp queue onto the freeway mainline, and will exacerbate existing safety concerns. From Tables 17 and 18, the TIS does not adequately show the impact of the project on Fremont off-ramp traffic since it does not capture delay greater than 80 seconds. Please include a section that includes the queue length on the Fremont off-ramp and Freeway mainline resulting and necessary mitigation measures to reduce this impact." *(Gary Arnold, Caltrans)*

Response

The comment refers to the Transportation Impact Study, a resource document used in preparation of the EIR. The EIR discusses potential impacts to the Bay Bridge off-ramp at Fremont Street, the changes noted in the directional orientation of Howard Street, and the proposed elimination of the existing "casual carpool" drop-off zone on the south side of Howard Street.

Concerning the off-ramp, the EIR identifies a significant and unavoidable impact on the Fremont Street off-ramp. Specifically, the EIR states, on p. 289, that Fremont Street traffic would be expected to back up due to a planned three-phase traffic signal where Fremont Street will intersect with Natoma Street and the ground-level bus plaza at the new Transit Center, currently under construction. As stated in the EIR, "delays would occur at the new signal, resulting in LOS F conditions on northbound Fremont Street and generating a queue of vehicles stretching back up onto the Bay Bridge off-ramp during the weekday a.m. peak period, when traffic along Fremont Street reaches its peak. During the weekday p.m. peak period, traffic volumes along Fremont Street are lower and could be accommodated with acceptable LOS and no significant

[11] The Transportation Impact Study is available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2007.0558E.

queuing. This would be a **significant and unavoidable impact** to which Plan-generated traffic and the draft Plan's public realm improvements would contribute." As identified in the EIR, the reduction in capacity on Fremont Street resulting from the lane removal and the introduction of a three-phase traffic signal at the bus plaza would result in increased queuing onto the Bay Bridge, which would be a significant and unavoidable impact. Mitigation Measure M-TR-1l on p. 295 of the EIR states that the signals at Fremont/Natoma Streets and Fremont Street/Transit Center Bus Plaza egress could be designed with two signal phases instead of three. This signal timing would increase traffic capacity on Fremont Street and reduce potential for queues onto the off-ramp. However, MTA has determined that a two-phase signal would create operational and safety concerns for transit and pedestrians. Accordingly, the mitigation is considered infeasible and the impact would remain significant and unavoidable, as no feasible mitigation was identified. As to other effects on Caltrans facilities, the EIR states, on p. 298, that mitigation is not feasible for adverse effects to on-ramps at Fourth/Harrison Streets and First/Harrison Streets, due to physical constraints.

Regarding Howard Street, the EIR notes, on p. 290, that the Plan's proposed extension of two-way Howard Street from Fremont Street west to New Montgomery Street would result in additional congestion along Howard Street due to conflicts between two-way traffic and vehicles heading to the Bay Bridge via First Street. This condition would be at its worst in the p.m. peak hour. Regarding effects on the Fremont Street off-ramp at Harrison Street, where congestion is worst in the a.m. peak hour, the analysis in the EIR (specifically, Table 17, p. 286) shows that the change in intersection operations attributable to alteration of the lane configuration of Howard Street—as well as to other aspects of the draft Plan's public realm improvements, including the elimination of one northbound lane on Fremont Street—would increase the volume-to-capacity (v/c) ratio of the Fremont / Howard Streets intersection from 1.31 to 1.76. The analysis in the Transportation Impact Study shows that, under scenarios both with and without the public realm improvements, most of the effect on average vehicle delay and on v/c ratio is attributable to traffic on northbound Fremont Street (which primarily consists of vehicles that have exited the Bay Bridge via both the Fremont Street and Harrison Street off-ramps). The EIR states, on p. 290, "Lane reductions along Fremont Street and Beale Street, both key arterials for Bay Bridge traffic, would exacerbate conditions at intersections that already operate at unacceptable level of service at intersections on these streets," and that "there would be heavy congestion on northbound [Fremont Street] … at Howard Street, Mission Street, and Market Street, exacerbated by high volumes of pedestrians crossing north-south across side streets. As a result, some vehicles may shift to Main Street, which would generally operate with much less congestion." Traffic conditions on Fremont Street, along with many other streets in the Plan area, were determined in the EIR to be subject to significant, unmitigable adverse impacts. Therefore, it is reasonable to assume that the queue length on Fremont Street could increase, compared to (i) existing conditions with Plan area growth but without the public realm improvements and (ii) future conditions with Plan area growth without the public realm improvements.

Regarding the Plan's proposed changes to casual carpool unloading, p. 317 of the EIR notes (as revised herein) that "an additional drop-off area would be designated in the proposed loading pocket on the west side of Fremont Street between Howard Street and the Bay Bridge off-ramp (mid-block between Howard Street and Folsom Street), during the a.m. peak hour." On p. 318, the EIR states, "Field observations indicate that the existing casual carpool drop-off zone on both sides of Howard Street is typically less than half occupied during periods of peak use. Most drop-off activities are completed within ten seconds, clearing the zone before one full signal cycle at Fremont Street / Howard Street." These observations were made both by the EIR transportation consultant and by Planning Department staff.

Based on these observations, the EIR concludes, on p. 318, "The addition of a drop-off area on Fremont Street would offset the loss of part of the Howard Street curb space for drop-off activities, and no substantial impacts to carpool activities or traffic flow along westbound Howard Street are expected with implementation of the draft Plan." The EIR also notes that MTA could, if future conditions warrant, designate an additional casual carpool drop-off zone during the weekday a.m. peak period along the north and/or south side of Natoma Street between First Street and Fremont Street, adjacent to the new Transit Center. Therefore, no significant impact was identified with respect to changes in casual carpool drop-off conditions. Because capacity would not be exceeded, no adverse traffic impacts would be anticipated.

Comment TR-3: The multi-use pathway described in the EIR is only one option under consideration.

"In the DEIR, it references that a new multi-use pedestrian and bicycle path proposed between Howard Street and Folsom Street near Essex Street and beneath the ramp that links the Transit Center to the Bay Bridge. However, please be advised .that this is only one alternative of the Westspan multi-use path project." *(Gary Arnold, Caltrans)*

Response

The comment is noted. The multi-use pathway is described in the EIR (p. 31 and p. S-4 in the Summary) for informational purposes, but is not anticipated to result in any adverse effects, regardless of whether the Essex Street option or another option is ultimately constructed.

Comment TR-4: Is a study of Downtown-area signalized intersections feasible?

"Pg. 296, Mitigation M-TR-1m: This mitigation states that as part of a RTSOP [Regional Traffic Signalization and Operations Program] project, the MTA could conduct a study of Downtown-area traffic signal systems; however, it does not indicate what would trigger such a study. Can such a study be accomplished within the program limitations?" *(Ron Downing, GGBHTD)*

Response

The Downtown-wide traffic signal study identified in Mitigation Measure M-TR-1m is one of several potential measures that are identified in the EIR to improve future operating conditions at study intersections in the Plan area. MTA does not at present have plans to undertake such a

study, nor is such a study proposed as part of the proposed Transit Center District Plan. As is the case with a number of other mitigation measures identified in the EIR with respect to intersection operating conditions, implementation of Mitigation Measure M-TR-1m would require separate action(s) be taken and funding identified by MTA. Moreover, it is not known whether such a Downtown traffic signal systems study would identify changes that could improve operating conditions and/or avoid a significant impact at one or more study intersections. For this reason, intersection impacts were determined to be significant and unavoidable, as stated on EIR p. 296. It is noted that Chapter 7, Funding Public Improvements, of the draft Plan, proposes devoting a portion of fee revenue generated in the Plan area towards "Additional Studies and Trials of Traffic and Circulation Changes in Plan."

Comment TR-5 The project description does not analyze a proposal to convert Folsom Street to two-way traffic.

"**Page 30** - what happened to **Folsom becoming 2-way with 2-way transit service west of 2nd Street**? It was discussed in just about every plan dealing with development along Folsom for the past 20 years. Included Rincon Hill Plan, Eastern Neighborhoods, and I believe the Redevelopment Plan for this area. It is key to improving east west transit service in the areas south of Market." *(Sue Hestor, SRFG)*

Response

The commenter is correct in noting that conversion of Folsom Street to two-way operation—either for transit or for all vehicles—has been discussed in planning documents and studies over the years. Under current plans, this proposal may be considered for implementation as part of MTA's Eastern Neighborhoods Transportation Implementation Planning Study (EN TRIPS), which would make transportation improvements in various parts of the City's Eastern Neighborhoods. To date, MTA has published background reports documenting existing conditions and projected future needs with respect to various modes of travel, and the Draft Final EN TRIPS report was published in December 2011. MTA is currently in the process of developing alternative conceptual designs. However, implementation of specific changes in travel patterns, such as conversion of Folsom Street to two-way operation, would require both detailed operational analysis and environmental review of a specific Folsom Street proposal. No funding has yet been identified for these analyses. As stated in the EIR Project Description, on p. 30, the draft Plan does propose two-way operations on Folsom Street east of Second Street, as part of the proposed public realm improvements. Folsom Street west of Second Street is largely outside of the Plan area. Therefore, it was not analyzed as part of this EIR.

Comment TR-6: Future traffic will be extremely congested.

"You can already see traffic really getting snarled in the neighborhood with existing Transit Center construction, central subway, and utility relocation. With the America's Cup hopefully coming our way, please don't drive into our [Rincon Hill] neighborhood for the next two or three years." *(Jamie Whitaker)*

"The traffic implications are impossible to imagine. This document, I think, does a decent job in trying to lay them out, but you look at every single street in the area is impacted. I started to write down a few as I

was going through, you know, Steuart, Beale, Howard, Folsom, Bryant, Harrison, Mission. You've got a situation now where the Market Street Design Advisory Board is probably going to suggest that some bus lines actually move off of market in order to stop mid-block mornings and move on to Mission where possible. So that will impact that area of Mission, as well." *(Commissioner Ron Miguel)*

Response

The first comment refers to existing and future traffic conditions in the Rincon Hill neighborhood, while the second comment addresses traffic more generally. Concerning the planned America's Cup sailing races, traffic and other effects were extensively analyzed in the EIR for that project (Case No. 2010.0493E; State Clearinghouse No. 2011022040), which is available on the Planning Department website as of the time of publication of this document. That EIR concluded that the America's Cup events would result in significant and unavoidable impacts during both 2012 and 2013 at a number of intersections, including intersections in and near Rincon Hill.

Regarding traffic more generally, intersections along Folsom and Harrison Streets in Rincon Hill are analyzed in the EIR in Section IV.E, Transportation. See, in particular, Tables 17 and 18, EIR pp. 286 and 287, concerning existing and future traffic conditions. As noted by the commenter, many intersections, particularly those on First Street that serve the approach to the Bay Bridge, already operate at unacceptable levels of service in the p.m. peak hour, and traffic operations are anticipated to deteriorate in the future with growth in the Plan area and other cumulative growth.

Concerning potential future changes on Market Street, effects of any proposed change in connection with the Better Market Street planning effort (which did not begin until after the Notice of Preparation was issued for this EIR) or other plans would be subject to CEQA review at the time such changes were proposed. As of this time, no specific street change designs have been developed at a sufficient level for transportation analysis, and therefore they are not analyzed in the EIR.

Transit

Comment TR-7: Potential impacts on regional transit carriers due to increased ridership are based on incorrect assumptions.

"BART is supportive of new infill development projects near BART stations…. At the same time, the BART system was designed in the 1950's and 60's, initiated operations in 1972, and is approaching 40 years of serving downtown San Francisco, and the region. The planning horizon of the original BART system has been surpassed by a decade, and system capacity improvements will eventually be needed to alleviate constraints on projected ridership. The Metropolitan Transportation Commission's (MTC's) Transportation 2035 (T2035) regional transportation plan does not include any significant funding to enable BART to address emerging capacity constraints (as identified in the DEIR), even as BART develops plans to increase capacity and throughput. To this end, BART looks forward to collaborating

with the City, and other funding partners, to develop a successful Project with substantial benefits for the public.

"We note that the plan contains many objectives which support transit including enhanced funding of capacity for regional transit service (Objective 4.13), demand management strategies to reduce automobile use (Objective 4.15), a parking plan to encourage transit (Objective 4.16), Increased incentives to take transit (Objective 4.17), and encouragement of non-auto modes of transportation (Objective 4.18).

"However, while these stated objectives are laudable and appropriate, we are concerned that erroneous assumptions in the DEIR may understate significant impacts. In addition, the DEIR does not contain a strategy to monitor transit capacity, particularly on BART and at the Montgomery and Embarcadero Stations, over the life of the plan. Finally the DEIR does not provide adequate mitigation, in the form of a clear strategy to address the need for operating or capital improvements to mitigate impacts that the DEIR acknowledges to be attributable to the Project.

"These issues should be acknowledged and appropriately addressed in the Final EIR for the Project.

"The assumptions regarding BART service in 2030, which are the basis for the TCDP DEIR analysis, are not consistent with BART's own service plans. This is existing information, readily available in public documents including the BART Fleet Management Plan (2010) and BART service expansion assumptions contained in environmental documents such as the Silicon Valley Rapid Transit Corridor Final EIS (2010), BART to Livermore Final Program EIR (2010), eBART Final EIR (2009). Relying on erroneous assumptions, the TCDP DEIR incorrectly analyzes BART's service frequency and Transbay capacity constraints and understates our year 2030 train capacity limits. Peak hour / peak direction train throughput at the Transbay screen line should total 31 trains and be based on the following service plan:

"• Warm Springs/Berryessa to Daly City = 5 trains peak hour/direction
"• South Hayward to Daly City = 3 trains peak hour/direction
"• Pittsburg/Bay Point to SFO = 5 trains peak hour/direction
"• Pittsburg/Bay Point to Daly City = I train peak hour/direction
"• Pleasant Hill to Montgomery = 4 trains peak hour/direction
"• Dublin Pleasanton to Daly City = 5 trains peak hour/direction
"• Richmond to Daly City/Millbrae = 8 trains peak hour/direction

…

"The transit ridership forecasts identified in the Technical Appendix (2011) differs from the earlier Transit Center District Plan - Transit Network Analysis memo (AECOM, Feb. 2, 2009) in terms of East Bay corridor transit mode allocation. Overall transit ridership increased as compared to the 2009 memo, but BART's ridership decreased. What explains the discrepancy? The FEIR should identify what has changed in the analysis. " *(Val Menotti, BART)*

"Pg. 300: The ridership projections for Golden Gate Transit (GGT) buses is inconsistent with the preliminary analysis conducted by the Metropolitan Transportation [Commission] as part of the Transit Sustainability Project.

…

"Pg. 26 [of the Transportation Study]. The second paragraph explains the origin of ridership projections used for the analysis. It appears that the projections from the SFCTA travel demand model and the MTC model are not consistent. Can/should this be resolved?" *(Ron Downing, GGBHTD)*

Response

Assumptions regarding capacity for regional transit services were based on the information available at the time of commencement of the analysis. The Notice of Preparation (NOP) of the EIR was published on July 20, 2008, before the publication of the cited BART documents and the commencement of work on the MTC's Transit Sustainability Project.

Concerning the February 2009 transit memorandum, this was prepared as part of an interim submittal with respect to the EIR's transportation analysis, and included draft analyses of future transit capacity and ridership conditions. The information contained within the document is no longer up-to-date, having been superseded by the analysis presented in the Transportation Impact Study and summarized in the EIR.

Please see also the response to Comment TR-8, below.

Comment TR-8: The presentation of regional transit ridership impacts is confusing, and it appears that mitigation is required for significant capacity-related impacts to regional transit carriers.

"On pages 302 - 305, Impact TR-3, the DEIR identifies two potential transit impacts, but with different significance conclusions:

"• Transit ridership related to the Draft Plan, including street changes, would cause substantial increase in transit demand that could not be accommodated by adjacent transit capacity, resulting in unacceptable levels of transit service; and would cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service levels could result (Significant and Unavoidable with Mitigation). DEIR, p. 302.

"• Plan induced growth would contribute almost 3 percent additional ridership to conditions on BART and AC Transit, both of which would operate with ridership in excess of capacity under 2030 without project conditions, and 6 to 7 percent additional ridership on BART Peninsula service. However, the DEIR concludes that this impact is less than significant. DEIR, p. 304.

"It is difficult for the non-expert reader to interpret these conclusions. In particular, the DEIR reports transit demand changes attributable to the Project as percentages only, rather than reporting specific ridership projections as is typical in EIR analyses of transit impacts. See Table 22, Regional Transit Peak-hour Capacity Utilization (p. 301). The Transit Center District Plan Transportation Impact Study Technical Appendix, v.1, dated September 22, 2011 is apparently the source of these percentages. However, reporting the results as percentages has the effect of understating the impacts, by depriving the reader of necessary context. For example, where total ridership on the different transit systems may be very different, expressing the results in percentages only tends to downplay large ridership increases on systems with large ridership to begin with. Relevant transit ridership and mode share information from

the Technical Appendix should be incorporated into the Final EIR for the benefit of the public and decision-makers.

"BART's analysis of the data provided in the Technical Appendix (see Attachment 1), indicates that BART is forecast to carry 55% of AM Peak Hour riders across Regional Screenlines, when comparing Existing Conditions to the 2030 Baseline, and 44% of riders across All Regional and SFMTA Screenlines. When comparing the 2030 Baseline to 2030 plus Project Conditions, BART is forecast to carry 77% of AM Peak Hour riders across Regional Screenlines, and nearly 31% of across All Regional and SFMTA Screenlines. Table 22 on p. 301 indicates that demand on BART's East Bay routes will exceed capacity. Mitigations for addressing BART capacity should be identified and a strategy set forth to achieve them.

"The DEIR concludes that the impacts of 3 percent additional BART ridership generally, and 6 to 7 percent additional ridership on BART Peninsula service, are less than significant because these increases represent less than 5 percent of total future BART ridership. DEIR, p. 304. For the cumulative impacts shown in Table 25, p. 331, the DEIR asserts that project ridership is insignificant because it would be less than 0.75% of the total growth in 2030. This 'proportionality' argument has been rejected by the courts. See *Kings County Farm Bureau v. City of Hanford*, 221 Cal. App. 3rd 692 (1990) and *Communities for a Better Environment v. Resources Agency*, 103 Cal.App4th 98 (2002). These cases hold that a project's incremental contribution to an impact cannot be dismissed because it is small in proportion to the contributions of other sources. On the contrary, the courts concluded, the 'proportionality' approach violates CEQA because the more serious conditions are due to other sources, the greater the consequences may be of adding yet another increment. Therefore, the project's small contributions should be more closely scrutinized, not less, when other sources are already creating a problem. In this case, BART's expected increase in demand without the project, in the context of capacity constraints, give rise to greater concern over the additional contribution of the project." *(Val Menotti, BART)*

"Pg. 304: The second paragraph discusses ridership increases for regional carriers. Impacts on GGT ridership needs further clarification. It states that capacity utilization would increase from 2 to 7 percent for each carrier, with GGT exceeding the 100 percent capacity utilization standard in the AM peak, resulting in a significant impact. It then goes on to state that since plan ridership would 'cause add less' (clarify?) than 5 percent to GGT capacity utilization, it would be a less-than-significant impact. Would GGT simultaneously experience significant and less-than-significant impacts?" *(Ron Downing, GGBHTD)*

Response

Regarding the commenter's statements concerning "different significance conclusions," the EIR does present differing conclusions for effects on different transit agencies. The first citation noted by the commenter, "Significant and Unavoidable with Mitigation," is impact statement TR-3, impacts on transit service, which concludes that the project would result in significant impacts on transit that could not be mitigated. The EIR text goes on to evaluate effects of the draft Plan and the public realm plan's proposed street network changes on Muni operations, which are found to be significant with respect to the 10 corridors and screenlines given in the bulleted list near the top of p. 303. The finding of significant impact is based on the fact that Plan-generated ridership "would increase capacity utilization to beyond 85 percent and/or because it would contribute more than 5 percent of the total ridership," as stated in the first paragraph on p. 303. The

5 percent threshold is used where conditions without project ridership would already exceed established capacity utilization thresholds, to determine whether the project's contribution to already degraded conditions would be significant.[12] In this way, the analysis ensures, consistent with the courts' direction in the *Kings County* and *Communities for a Better Environment* cases noted by the commenter, that the project's incremental effects are considered in light of the contributions of other past, present, and future projects to environmental conditions. The lesson of the two cases cited by the commenter (and a third case that reached a similar conclusion, *Los Angeles Unified School District v. City of Los Angeles* (1997), 58 Cal. App. 4th 1019) is that it is not acceptable under CEQA to dismiss a project's seemingly minor contribution to a cumulative impact merely on the grounds that conditions are already degraded and that the project would make little difference. Rather, it is necessary for the lead agency to evaluate, through analysis, "whether any additional effect caused by the proposed project should be considered significant," particularly when environmental conditions without the project are already adverse (*Communities for a Better Environment v. California Resources Agency* (2002), 103 Cal. App. 4th 98, 118).[13] Here, the City has done exactly this, by establishing one threshold of significance that is triggered by a project that causes an exceedance of the transit agency's adopted standard for an acceptable capacity utilization (a measure of crowding), and a second threshold of significance, *to be used only in cases where capacity utilization without project-generated ridership already exceeds the transit agency's standard.* Use of this second threshold, which the City has established as a 5 percent increase in ridership, ensures that, when environmental conditions are degraded without the project impact (i.e., the first threshold has already been crossed), there is still a means of identifying a significant impact. The 5 percent threshold reflects City planners' reasoned judgment regarding an appropriate threshold for identifying a "considerable contribution" to cumulative effects. Such a quantitative threshold must be employed, for otherwise there is no way to reach a conclusion from the analysis required under the line of cases discussed above. Indeed, the appellate court in *Communities for a Better Environment* noted that the courts' reasoning "does not mean, however, that *any* additional effect … *necessarily* creates a significant cumulative impact; the 'one [additional] … molecule rule' is not the law" (*Communities for a Better Environment*, 103 Cal. App. 4th 98, 120; emphasis in original).

Regarding ridership on regional transit, the commenter correctly states that BART East Bay ridership would increase due to Plan-generated growth by approximately 3 percent and BART Peninsula ridership would increase by 6 to 7 percent (see EIR p. 304). The East Bay ridership increase was determined to be less than significant because, while BART capacity utilization would exceed BART's 100 percent standard even without project ridership, the increase would be less than the 5 percent threshold noted above. For Peninsula ridership (including locations from

[12] The same 5 percent increment is used as a threshold of significance for analysis of intersections where operating conditions are degraded even before the addition of project traffic.

[13] The *Communities for a Better Environment* case did not involve a lead agency, but instead challenged the adoption by the California Resources Agency of several sections of the state CEQA Guidelines. The appellate court found, among other things, that Guidelines sections that allowed a lead agency to find a cumulative impact to be less than significant if "environmental conditions would be essentially the same whether or not the proposed project is implanted" violated CEQA because these sections would have allowed such a conclusion absent analysis of the severity of existing and cumulative conditions.

16th Street south in San Francisco), capacity utilization would increase but would reach no more than 60 percent of capacity with the addition of project ridership. Therefore, the 5 percent threshold—intended to capture the project increment only when conditions are already degraded (i.e., capacity utilization is more than 100 percent)—does not apply. Because there would be sufficient capacity on the Peninsula corridor to accommodate the additional ridership, the impact was determined to be less than significant.

The use of percentages of capacity utilization to evaluate impacts to transit ridership is a standard methodology; it does not understate impacts, nor does it deprive the reader of context, as claimed by the commenter. To the contrary, it is the use of raw ridership numbers that would deprive the reader of context. As the commenter notes, the same numerical increase on a system with small ridership might have a proportionately greater effect than on a system with large ridership. Even more important, however, is that the same numerical increase on a system with small *capacity* would have a proportionately greater effect than on a system with large *capacity*. As the ridership data presented by the commenter shows, BART has an existing peak-hour capacity (40,950) that is three times the capacity of all other regional carriers combined (13,807). Even with future increases in capacity on other carriers, BART will continue to have nearly 2.5 times the combined capacity of other regional carriers. Therefore, it would stand to reason that, as noted by the commenter, BART would carry the great majority of regional transit riders under future conditions.

The foregoing should not be taken as an attempt to downplay the fact that, as stated on p. 304 of the EIR, BART, along with AC Transit, "would operate at conditions well in excess of capacity" in the future. The great majority of this ridership, however, would be attributable to growth other than that generated by the draft Plan—that is, growth elsewhere in San Francisco and the Bay Area—and, for that reason, and specifically because "Plan ridership would amount to less than 5 percent of future ridership," the impact was determined to be less than significant, both individually and cumulatively.

In terms of reducing potential impacts to transit carriers, it is acknowledged that increasing transit capacity requires a source of funding. Please see the response to Comment TR-11 for additional discussion regarding funding of regional transit.

Concerning effects on Golden Gate Transit, as shown in Table 22, EIR p. 301, the draft Plan would result in a significant impact on Golden Gate Transit bus service in the a.m. peak hour, because the Plan-generated increase in ridership would cause capacity utilization to newly exceed 100 percent. However, as indicated in the table, in the p.m. peak hour, while capacity utilization would exceed 100 percent both without and with the addition of Plan-generated ridership, the increase attributable to Plan implementation would be less than 5 percent, and would thus be less than significant. In other words, the analysis found that Golden Gate Transit would experience significant capacity utilization impacts in the a.m. peak hour and less-than-significant capacity utilization impacts in the p.m. peak hour.

To correct an editorial error, the last sentence of the second paragraph on DEIR p. 304 is revised as follows to clarify the impact analysis (new text is double-underlined; deleted text is shown in ~~strikethrough~~):

> Plan ridership would ~~cause~~ add less than 5 percent to Golden Gate Transit capacity utilization in the p.m. peak hour, and therefore would have a less-than-significant impact on p.m. peak-hour Golden Gate Transit bus service.

Beyond ridership exceeding capacity, the EIR also finds a significant effect on Muni and regional transit operations on City streets (Golden Gate Transit and San Mateo County Transit, or SamTrans) due to anticipated increases in travel time that would result from traffic congestion (pp. 303 and 305), and a significant impact on Muni, Golden Gate Transit, and SamTrans due to the public realm plan's proposed reconfiguration of transit-only lanes on Mission Street (pp. 304 and 305). Finally, as stated on p. 305, the EIR finds a significant impact with respect to anticipated peak-hour capacity constraints at BART's Montgomery Street and Embarcadero stations (p. 305). Further discussion of this last impact is provided in the response to the ensuing Comment TR-9.

Comment TR-9: No mitigation is identified for significant impacts to BART station capacity.

"While dismissing the increased percent ridership as insignificant, the DEIR does acknowledge peak-hour capacity constraints at two stations, the Montgomery Street and Embarcadero Stations (p. 305). The document concludes that increased ridership from Plan area development would almost all go through these two stations, and thus would cause a significant and unavoidable impact on regional transit.

"A significant and unavoidable finding is not a 'free pass' under CEQA. Impacts may only be found significant and unavoidable where mitigation to avoid or reduce the impacts to less than significant levels is infeasible as defined by CEQA.[n2] The DEIR contains no discussion of potential mitigation or claims of infeasibility. Moreover, when feasible mitigation can partly reduce an impact, even though the remaining impact after such mitigation is still 'significant and unavoidable,' the EIR must address mitigation to reduce the impact to the extent feasible.

"BART has developed preliminary plans to expand station capacity, improve the train control system to enable more frequent, expand the fleet of BART cars, and expand essential yards and shops. Because funding for these investments is scarce, a number of operational strategies could also alleviate capacity constraints on an interim basis. At a minimum, the plan should call for monitoring transit capacity over the life of the plan, and prioritize capacity investments to reduce and manage the safety of the traveling public. Even if the impact would remain significant and unavoidable, these are feasible mitigations which the Final EIR should consider." *(Val Menotti, BART)*

Response

While the City of San Francisco may participate in regional transportation planning efforts, including jointly seeking funding from state and federal sources, with other regional agencies

[n2] Pub. Res. Code §§ 21061.1, 21081; CEQA Guidelines §§ 15126.2, 15126.4.

including the Metropolitan Transportation Commission, it would not be appropriate for the City or the Transbay Joint Powers Authority to monitor the capacity and use of BART stations (any more than it would be appropriate for BART to monitor San Francisco Muni ridership), except as part of a joint effort with BART. Toward that end, it is noted that the draft Plan proposes to allocate approximately $10 million in fee revenue collected within the Plan area towards "Station Capacity Improvements to Montgomery and Embarcadero BART Stations" (November 2009 draft Plan, Chapter 7, Funding Public Improvements). However, station capacity improvements to address future growth—both in the Plan area and elsewhere—are likely to require more funding than would be available from Plan-generated fees. For example, BART's *Comprehensive Station Plan* for the Embarcadero station, referenced in the EIR on p. 305, identified $27 million, in 2004 dollars, in required capacity improvements for that station alone. Therefore, feasible mitigation beyond the above-noted commitment in Plan fee funding may not be available in the context of the proposed Transit Center District Plan alone, which is why the EIR identifies effects on BART station capacity as significant and unavoidable. Regarding funding of regional transit generally, please see the response to Comment TR-11 for additional discussion.

Comment TR-10: No mitigation is identified for indirect effects on transit due to an anticipated parking shortfall.

"In addition to and beyond the impacts discussed above, the DEIR acknowledges that the project's parking supply limitations could secondarily result in further crowding and capacity issues on BART and other transit systems. DEIR, p. 324. This indirect impact is also characterized as significant and unavoidable. As stated above, the significant and unavoidable finding does not relieve the lead agency from addressing mitigation to the extent feasible." *(Val Menotti, BART)*

Response

As described on EIR p. 323, a parking shortfall could lead to increased transit use, which "would be in keeping with the City's 'Transit First' policy. The City's Transit First Policy established in the City's Charter Article 8A, Section 8A.115, provides that 'parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation.'" Therefore, the City has made a policy decision not to attempt to meet parking demand, but instead to encourage transit use. The potential indirect impact of such increased transit use would be appropriately addressed by increasing transit capacity, as and where necessary. Regarding funding of increased regional transit capacity, please see the response to Comment TR-11 for additional discussion.

Comment TR-11: The discussion of impact fees as a potential means of funding enhancement of regional transit is unclear.

"The DEIR includes Mitigation Measure TR-3e, 'Increased Funding of Regional Transit,' as a proposed mitigation measure for Impact TR-3. DEIR, pp. 308-309. MM TR-3e provides that: 'Sponsors of development projects within the Plan area could be subject to one or more fair share fees to assist in service improvements, such as through the purchase of additional transit vehicles and vessels or contributions to operating costs, as necessary to mitigate Plan impacts.'

"BART agrees with the conclusion that it is speculative at this time to presume that fees could fully offset project impacts, so that Impact TR-3 remains significant and unavoidable. However, as written in the DEIR, MM TR-3e is too vague and uncertain to satisfy the requirements of CEQA. First, it is not even clear that the impact fee will be imposed at all, as MM TR-3e is not stated as a commitment: 'Sponsors ... *could be* subject' to the fees (p. 308, italics added). Second, it is not clear which transit operators may share in the revenue if the fees are implemented: 'These fee(s) *could be* dedicated to Golden Gate Transit, North Bay ferry operators, AC Transit, BART, *and/or* additional North Bay and East Bay transit operators' (p. 309, italics added). Most important, there is no discussion of standards for allocating fee revenues among recipients, not even a commitment to allocate revenues in proportion to the impacts identified in the EIR. The determination of the recipients, generation and allocation of fees is deferred to the future. However, CEQA does not allow the formulation of mitigation measures to be deferred to a future time, unless the EIR contains specific performance standards that will guide the future determination.[n3] BART recognizes that a detailed fee program is not available at this stage. Nevertheless, once the DEIR put forward the fee proposal as a form of mitigation for Impact TR-3, decision-makers and the public must be provided with some reasonable, general description of the proposed fee program. In the Final EIR, MM TR-3e should be revised to clarify and commit to actions that meet the CEQA standard of mitigation to the extent feasible." *(Val Menotti, BART)*

"Pg. 308, Mitigations M-TR-3d and M-TR-3e: These mitigations discuss the potential to establish a fair share fee to allow for the purchase of additional transit vehicles to mitigate impacts on transit travel time and calls for the funds include 'costs to store and maintain the vehicle.' How will the one-time fee be applied to the on-going costs to store and maintain the vehicles?" *(Ron Downing, GGBHTD)*

Response

As stated in the response to Comment TR-9, above, the draft Plan proposes to allocate approximately $10 million in fee revenue collected within the Plan area towards BART station improvements at the Montgomery and Embarcadero Stations. As stated in the project description on EIR p. 7, the draft Transit Center District Plan also "includes one or more financial programs to support the Transit Center Program[footnote omitted] and other public infrastructure and amenities in the area, through the implementation of one or more new fees, taxes, or assessments that would be applied to new development." As a parallel effort to the draft Plan, the Planning Department is undertaking a "nexus study," an analysis that must be undertaken by a local agency to justify imposition of a new fee by linking the fee to the effects of development that would be subject to the fee. This study would be considered by the decision-makers (San Francisco Planning Commission and Board of Supervisors) prior to adoption of any development fee or other fee(s) that would apply to future projects in the Plan area. While the amount, nature, and allocation of any proposed new fee(s) is not known at this time, these factors, along with input from other public agencies, would be considered by the decision-makers as the draft Plan is considered for approval. It is noted, however, that new fee(s) applicable to the Plan area could address only the effects of development within the Plan area and, as noted in the response to Comment TR-8, other growth, both in San Francisco and elsewhere in the region, would be

[n3] CEQA Guidelines § 15126.4(a)(I)(B).

responsible for the great majority of growth in transit ridership, both on Muni and on regional carriers.

Comment TR-12: Golden Gate Transit midday bus storage will shift locations in 2013.

"[T]he last paragraph [on EIR p. 304] states that 'Golden Gate Transit buses also use portions of Howard Street and Folsom Street when heading to and from Golden Gate Transit's mid- day yard at Eighth and Harrison Street.' GGT's San Francisco bus yard will be relocated to a new location on Perry Street between Third and Fourth streets in 2013. Thus, any analyses concerning GGT operations in any scenario other than existing should take this into consideration.

…

"Mitigation M-TR-3c: Footnote 174 refers to GGT's move from the Eighth and Harrison yard in 2017. In fact, the move will occur in 2013.

…

"Pg. 53: Figure 10 [of the Transportation Impact Study] erroneously shows GGT buses on Howard Street between Beale and Main streets.

"Pg. 102: Figure 18 [of the Transportation Impact Study] erroneously shows GGT buses on Howard Street west of Fourth Street and on Folsom Street west of Third Street. The GGT bus yard will be relocated to Perry Street between Third and Fourth streets in 2013, so buses will no longer operate in revenue service along these street segments in the Future Transit Network." *(Ron Downing, GGBHTD)*

Response

The fact that Golden Gate Transit's midday bus storage yard will move earlier than stated in the EIR means only that impacts related to travel to and from the Eight and Harrison Street location would be less likely to occur, because less development would have occurred in the Plan area by 2013 than by 2017, reducing the amount of congestion to which Golden Gate Transit vehicles would be subject when traveling to and from the Eighth and Harrison storage facility. However, Golden Gate Transit buses and other buses will continue to use the Temporary Transbay Terminal at Howard and Beale Streets until the new Transit Center opens in 2017. It is assumed that Golden Gate Transit buses will travel on Howard and Folsom Streets east of Third/Fourth Streets to reach the Temporary Transbay Terminal, although they might use Harrison and Bryant Streets. The EIR analyzes future cumulative conditions for a horizon year of 2030, by which time Golden Gate Transit will have moved to the new midday storage yard, whether this occurs in 2013 or 2017.

To incorporate the information from the commenter, the fourth sentence of the last paragraph on DEIR p. 304 is revised as follows (new language is <u>double-underlined</u>):

> Golden Gate Transit buses also use portions of Howard Street and Folsom Street when heading to and from Golden Gate Transit's mid-day yard, at Eighth and

Harrison Streets, although they will relocate to a new storage yard beneath the Bay Bridge west approach in 2013.

Additionally, footnote 174 on DEIR p. 307 is revised as indicated by the commenter (see Section E of this Comments and Responses document, Revisions to the Draft EIR, p. C&R-121).

Comment TR-13: Mitigation for transit impacts on Mission Street should apply to regional carriers, as well as to Muni

"Pg. 306, Mitigation M-TR-3a: This mitigation discusses the installation of transit-only and queue-jump lanes as improvements for Muni operations, but GGT and SamTrans operations are not mentioned.

"Pg. 307, Mitigation M-TR-3b: This mitigation measure proposes that Muni buses have exclusive use of boarding islands on Mission Street while regional carriers use the curbside bus stops. Regional carriers could either use the transit-only center lanes between stops or use only the curb lane. It is acknowledged that using curbside stops '... may result in unsafe maneuvers for regional transit vehicles and increase the potential for collisions and conflict between buses and vehicles or bicycles,' using only the curb lane would eliminate ' ... increased potential for collisions due to merging in and out of the transit-only lanes' and 'subject regional transit vehicles to substantial travel time delays as a result of traveling in mixed-flow traffic.' Both alternatives will have significant impacts to the safe and timely operation of GGT buses. While the possibility of regional carriers using the boarding islands was mentioned in the first paragraph on page 304, it was not adequately explored. It is not clear why having both Muni and regional buses in the boarding islands would be infeasible." *(Ron Downing, GGBHTD)*

Response

Mitigation Measure –TR-3a, Installation and Operation of Transit-Only and Transit Queue-Jump Lanes, is specifically drafted to reduce or avoid significant impacts on Muni service due to traffic congestion. A separate measure, Mitigation Measure M-TR-3c, Transit Improvements on Plan Area Streets, p. 307, is intended to reduce the effects of traffic congestion on regional carriers that operate on City streets (primarily Golden Gate Transit and SamTrans). As noted on p. 308, however, "it cannot be determined whether the impact would be reduced to a less-than-significant level. Therefore, this impact is considered **significant and unavoidable**. Moreover, it is noted that, because there is finite right-of-way at Plan area intersections, adding transit-only lanes could increase congestion for other traffic and, possibly, increase transit delays." It should also be noted that Golden Gate Transit and SamTrans buses would generally benefit from any new or reconfigured transit-only lanes proposed under the draft Plan, such as along Mission Street.

Comment TR-14: Sidewalk bulb-outs must accommodate bus turning radii.

"General comment on bulb-outs: The DEIR cites the possibility of installing bulb-outs at intersection crosswalks. The District would like to assure that such modifications maintain turning radii to accommodate the minimum turning radius of GGT buses.

…

"General comment on bulb-outs: While the [Transportation Impact Study] addresses concerns for heavy vehicles (i.e., tractor-trailers) and emergency vehicles relative to the installation of bulb-outs, it does not specifically address the need to maintain minimum turning radii requirements for buses, which may be significantly more than articulated vehicles such as tractor-trailer combo and ladder trucks." *(Ron Downing, GGBHTD)*

Response

The term "heavy vehicle" is used as a general term in the Transportation Impact Study to refer to any vehicle larger than a standard automobile for personal use, and includes both trucks and buses.

The MTA Sustainable Streets Division (formerly the Department of Parking and Traffic) reviews all street and sidewalk changes, including sidewalk widening and installation of sidewalk bulb-outs. During detailed engineering of sidewalk bulb-outs, MTA staff (conferring with other City and regional agencies as appropriate, including Golden Gate Transit) would ensure that all improvement(s) would accommodate transit buses and emergency vehicles as appropriate.

Comment TR-15: The Transportation Impact Study contains an incorrect reference to a mitigation measure.

"Pg. 444: Mitigation Measure DA-TRANSIT-5 [in the Transportation Impact Study] references 'Mitigation Measure P-TRANSIT-e,' but there is no such mitigation in the document." *(Ron Downing, GGBHTD)*

Response

The comment refers to the Transportation Impact Study, a resource document used in preparation of the EIR. The reference to Mitigation Measure P-Transit-e on p. 444 of the Transportation Impact Study was a typographical error. The text should have referenced Mitigation Measure P-TRANSIT-3.

Comment TR-16: Transit routes may have to be revised in the future due to severe traffic congestion.

"We have gridlock in certain areas of South of Market right now without any of this being built. We put into place particularly rail lines and overhead wire lines that are very expensive to move. It's easy to move just a bus from one block to another, comparatively, but when we start in with overhead lines and rail lines, it becomes very, very expensive and everyone is very reluctant to start making those changes. So any transit assumptions we have for this area must be built on a flexible underlay. They have to be. They're not going to stay the same way 20 years from now, 25 years from now, and they shouldn't. They should be flexible enough to be able to be changed with the times. We were just talking, obviously, about the Corridor Plan, Fourth Street, and the streets that surround it, and the cross streets there and what happens on Fourth in the Central Corridor are going to affect this area, they have to work in conjunction with each other. And that has to be flexible enough to work 10 years from now when we have a little better idea of how much of this that is planned for here, or studied here, will actually start to be built." *(Commissioner Ron Miguel)*

Response

The transit analysis in the EIR relies on existing and already planned Muni operations. Muni serves the Plan area with several bus lines on which electric trolleys operate. These include the 5-Fulton, 14-Mission, and 41-Union, all of which operate within the Plan area; the 6-Parnassus, 21-Hayes, and 31-Balboa, which operate on Market Street, as does the F-Market streetcar; and the 30-Stockton and 45-Union/Stockton, which operate on Third and Fourth Streets, west of the Plan area. The 5-Fulton and 41-Union currently serve the Temporary Transbay Terminal. As noted by the commenter, in the future bus routes may be modified and/or street configurations redesigned so that transit avoids or is insulated from traffic congestion. However, any such future action would be subject to separate environmental review at the time proposed. It is noted that electric trolley coaches provide benefits that counteract their relative lack of flexibility in routing compared to diesel coaches, foremost of which are improved air quality, lower noise levels, and greater durability.

Pedestrians

Comment TR-17: Pedestrian access to parks and open spaces should be analyzed.

"Please review the pedestrian experience proposed in the plan to access open spaces, particularly Recreation and Parks Department Open Spaces, using the anticipated changes in population, to assess the proposed transit tower and existing public open spaces. Please describe and analyze those patterns of use and routes anticipated and the design of these connections for safety and pedestrian access." *(Karen Mauney-Brodek, San Francisco Recreation and Park Department)*

Response

As stated on EIR p. 469 in the Shadow section and on p. 530 in the Recreation and Public Space section, there are no Recreation and Park Department parks or open spaces in the Plan area. The nearest Recreation and Park Department facilities are Justin Herman Plaza, one block east of the Plan area at the foot of Market Street; South Park, between Bryant and Brannan Streets and between Second and Third Streets, approximately two blocks south of the Plan area's southern boundary; Sue Bierman Park and Maritime Plaza, each about two blocks north of the Plan area between Washington and Clay Streets just west of the Embarcadero; Union Square, on the block bounded by Powell, Post, Stockton, and Geary Streets, about one-quarter mile west of the Plan area; and St. Mary's Square, between Sacramento and California Streets and between Grant Avenue and Kearny Street, about one-quarter mile northwest of the Plan area. Of these parks, South Park, St. Mary's Square, and Sue Bierman Park have playground equipment (newly added at the last of the three), while none of these six parks has active recreational facilities such as soccer or ball fields. Therefore, much of the activity at the nearest parks is limited to "passive" use, such as sitting, picnicking, and walking, although, as noted on EIR p. 520, St. Mary's Square, and Portsmouth Square to the north, are used for early morning exercise, often by nearby residents. The City parks nearest the Plan area that are equipped with a playing fields are Victoria Manolo Draves Park on Folsom Street near Seventh Street and North Beach/Joe DiMaggio Playground at Columbus Avenue and Greenwich Street in North Beach.

Because there are no City parks within the Plan area, access to Recreation and Park Department facilities would entail traveling outside the Plan area by Plan area residents and workers. The lack of City parks in the Plan area, particularly those with facilities for active use, also means that there would not be any single park that would be anticipated to be the most heavily used by Plan area residents and workers. Although Justin Herman Plaza is the closest City park, the seating facilities that it offers, particularly for workers lunching at midday, also would be available within the Plan area in numerous privately owned, publicly accessible open spaces, as well as the new City Park on top of the Transit Center. Because no single City park would be a major draw for Plan area residents or workers, it is not anticipated that the Plan would result in a substantial increase in travel to any of the nearby City parks, such that a safety hazard would arise.

Within the Plan area itself, as stated in the Project Description (p. 8), one of the draft Plan's fundamental core goals is, "Create a framework for a network of public streets and open spaces that support the transit system, and provides a wide variety of public amenities and a world-class pedestrian experience." For example, the draft Plan proposes the widening of sidewalks, the removal or reconfiguration of on-street parking and/or loading; the closure of one or more streets and alleys to general automobile traffic; installation of traffic-calming mechanisms; removal, addition or reconfiguration of auto travel lanes; conversion of one or more one-way streets into two-way operations; and dedication of transit-only lanes and delineation of pedestrian areas, as stated on EIR p. 27. Therefore, it can be expected that the pedestrian experience within the Plan area would be improved, compared to existing conditions.

Noise and Vibration

Comment [NO-1]

"Vibration: Impacts to vibration-sensitive equipment, which could have significant repercussions, are left out of the impact analysis in the Draft EIR without explanation. Also, the effectiveness of the Draft EIR's mitigation measure to 'limit pile driving' is unexplained and unknown. Lastly, data presented in the Draft EIR indicate that pile-driving during Tower construction could result in significant impacts, but no mitigation is proposed.

…

"Vibration Impacts

"With respect to construction-related vibration, the Final EIR should include an analysis of impacts to sensitive equipment, explain mitigation for Plan impacts with greater detail, and propose mitigation for impacts from Tower construction.

"The Draft EIR recognizes the potential for significant impact of construction-related vibration on humans and structures, noting on page 365, for example, that such vibration 'could result in harm to individuals and/or surrounding buildings.' It also recognizes '[s]ensitive receptors for vibration' on page 344, which include 'structures (especially older masonry structures), people (especially residents, the elderly, and sick), and vibration-sensitive equipment.'

"The Draft EIR's analysis of impacts from vibration and proposed mitigation are presented in impacts NO-3, NO-5, and CP-5. To mitigate Plan-related vibration generally, the Draft EIR proposes mitigation measure M-NO-2a. That mitigation measure, entitled 'Noise Control Measures During Pile Driving,' consists of measures entirely specific to noise, except for the general requirement that project sponsors 'shall require that the construction contractor limit pile driving activity to result in the least disturbance to neighboring use.' For Plan-related impacts to cultural resources, the Draft EIR also proposes mitigation measures M-CP-5a and M-CP-5b (the Draft EIR actually references M-CP-3b and M-CP-3c, but this reference appears to be in error), which require contractors to undertake best practices and to conduct pre-construction surveys and monitoring of historical resources within 125 feet of proposed construction. The Draft EIR proposes no mitigation for vibration impacts associated with Tower construction. The Draft EIR concludes that vibration impacts associated with the Plan are significant and unavoidable, while the impacts associated with the Tower are less than significant.

"CEQA requires that an EIR propose and describe mitigation measures to minimize the significant environmental effects identified in the EIR, even where the effects cannot be reduced to a level of insignificance. 14 C.C.R. §15126.2(b). The measures to mitigate vibration impacts as presented in the Draft EIR fall short of CEQA's requirements in several respects. First, although the Draft EIR identifies vibration-sensitive equipment as a sensitive receptor for vibration, impacts to such equipment are left out of the impact analysis without explanation. Notably, under CEQA, the significance of an impact on the physical environment may depend on social or economic factors beyond the physical change in the environment. 14 C.C.R. § 15131. Because damage to BlackRock's sensitive equipment could, despite BlackRock's business continuity procedures, result in large and adverse economic impacts, the potential to result in such damage should be evaluated in the EIR, and if found to be appreciable, mitigation should be proposed.

"Second, mitigation measure M-NO-2a does not adequately explain how pile driving will be limited, and how such limitation could result in the least disturbance to neighboring use. Under CEQA, mitigation measures must be described with sufficient definition and detail; measures are inadequate where they are so undefined that it is impossible to gauge their effectiveness. Here, it is impossible to gauge the effectiveness of the measure to 'limit' pile driving from the description provided. As a result, additional detail is needed.

"Finally, the Draft EIR does not include support for the conclusion in impact NO-5 that sensitive uses located greater than 82.5 feet away from the Tower site will not be significantly impacted by construction-related vibration. To the contrary, Table 30, located on page 363 of the Draft EIR, suggests that significant impact will occur at distances of 82.5 feet. Specifically, at 82.5 feet from a pile driver at the upper range, PPV is measured at 0.265 and RMS is measured at 106, both of which measurements greatly exceed the thresholds of significance (0.2 PPV and 80 RMS, respectively) given on page 353 for impacts to structures and humans. Given that the impact could be potentially significant, the EIR should propose mitigation. By way of comparison, the Transit Terminal EIR proposed mitigation for vibration associated with pile driving, which included the requirement that, '[a]t a minimum, processes such as pile driving would be prohibited at distances less than 250 feet from residences.' Transit Terminal EIR, at 5-214.

"In light of these observations, we recommend that the Final EIR provide an analysis of sensitive equipment, provide more detail on the mitigation measure requirement to limit pile driving, and reclassify impact NO-5 to 'potentially significant and propose measures to mitigate the impact. If the EIR

concludes that construction-related vibration could result in a significant impact by damaging sensitive equipment, then it should propose mitigation measures analogous to M-CP-5a and M-CP- 5b, which should incorporate requirements to use appropriate best practices and other feasible means into construction specifications and which should also involve surveys and monitoring. The requirement in M-NO-2a to limit pile driving should also involve incorporation of appropriate best practices and other appropriate measures into construction specifications." *(Thomas L. Bain, BlackRock)*

Response

Equipment that is particularly sensitive to vibration includes such things as very sensitive manufacturing or research equipment such as, for example, high-resolution lithography equipment and electron microscopes.[14] This category of equipment does not include typical office-based computing and communication equipment. A typical office use is not considered highly sensitive to vibration, and is classified by the Federal Transit Administration at the low end of uses that are sensitive to vibration.[15] EIR Table 30, p. 363, indicates the potential for building damage at vibration levels in excess of 0.2 inches per second, peak particle velocity (PPV), but such damage would be expected only in buildings extremely susceptible to vibration-caused damage, such as unreinforced masonry (i.e., brick) structures and in non-engineered timber and masonry buildings. It is for this reason that the EIR includes Mitigation Measures M-CP-5a and M-CP-5b, p. 270, to minimize damage to historic buildings. By contrast, a reinforced concrete or steel-frame building, such as the commenter's building at 400 Howard Street, would not be anticipated to sustain structural damage at vibration levels of less than 0.5 PPV.[16] As indicated in Table 30, even the upper range of pile driving vibration at a distance of 82.5 feet would produce far less vibration than 0.5 PPV. The 400 Howard Street building, which is located on Howard Street between First and Second Street, is within 82.5 feet (i.e., the distance across Fremont Street) of one proposed new building in the Plan area, at 181 Fremont Street. Assuming this building is pile-supported, vibration at the 400 Howard Street building would not be expected to exceed 0.265 PPV at the maximum vibration from pile driving. The 400 Howard Street building is more than 200 feet from the site of the proposed Transit Tower; therefore, construction-generated vibration levels from the Transit Tower would be anticipated to be less than those from the proposed building across Fremont Street. It is noted that 400 Howard Street, the third of the three Foundry Square buildings to be constructed to date at the intersection of First and Howard Streets, was built across the street from each of the two other Foundry Square buildings without causing apparent structural damage. Moreover, it is noted that pile-driving is commonly used in projects in downtown San Francisco without undue incident.

To ensure that potential impacts to historical resources from vibration during construction of the Transit Tower are reduced to a less-than-significant level, the following revisions are made to the

[14] Federal Transit Administration, Office of Planning and Environment, *Transit Noise and Vibration Impact Assessment*, May 2006; p. 7-5. Available on the internet at: http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf. Reviewed January 31, 2012.
[15] Ibid; p. 8-3.
[16] Ibid; p. 12-13.

beginning of EIR p. 367: (new text is double underlined; deleted text is indicated by ~~strikethrough~~):

> Concerning vibration, because there are no sensitive uses closer than across the street (i.e., greater than 82.5 feet) from the Transit Tower site, vibration impacts would be anticipated to be less than significant, as described in Impact NO-3, except for potential impacts to historical resources, for which Mitigation Measures M-CP-5a and M-CP-5b would reduce impacts to a less-than-significant level.
>
> ***Mitigation Measures***
>
> **Implement Mitigation Measure M-NO-2a, Noise Control Measures for Pile Driving, ~~and~~ Mitigation Measure M-NO-2b, General Construction Noise Control Measures, Mitigation Measure M-CP-5a, Construction Best Practices for Historical Resources, p. 270, and Mitigation Measure and M-CP-5b, Construction Monitoring Program for Historical Resources, p. 270.**
>
> Level of Significance after Mitigation
>
> With implementation of Mitigation Measures M-NO-2a, ~~and~~ M-NO-2b, M-CP-5a, and M-CP-5b, project-specific construction noise and vibration impacts would be reduced to a less-than –significant level.

Concerning potential economic loss due to business interruption, this would be a potential socioeconomic impact with no associated significant adverse physical effects, and therefore would not be considered an indication of a substantial adverse physical effect on the environment that would rise to the level of significance under CEQA.

Regarding Mitigation Measure M-NO-2a, Noise Control Measures During Pile Driving, this measure expressly provides for the use of plywood noise barriers, use of "quiet" pile-driving techniques, monitoring of noise levels, and selection of methods to minimize pile-driving noise to neighboring uses, all to be employed as feasible, along with other feasible strategies recommended by a qualified acoustical consultant. Despite these measures, the EIR concludes, on p. 363, that "certain uses in close proximity to construction sites could, depending on the source and nature of the vibration, experience construction-related vibration that would be considered **significant and unavoidable**" (emphasis in original).

Regarding the mitigation measure in the EIR for the Transbay Terminal, Caltrain Downtown Extension, and Transbay Redevelopment Project to prohibit pile-driving within 250 feet of residential uses, this measure is considered infeasible, as it could preclude substantial development on many sites in the Plan area, including the Transit Tower, the site of which is across Fremont Street from the Millennium Tower residential building.

Air Quality

Comment AQ-1: Recycled water must be used in construction dust control.

"Page 383 (San Francisco Dust Control Ordinance):

"Non-potable Water Use for Dust Control and Soil Compaction - Non-potable water must be used for dust control and soil compaction activities during project construction as required by Ordinance 175-91. The SFPUC operates a recycled water truck-fill station at the Southeast Water Pollution Control Plant that provides recycled water for these activities at no charge. For more information please contact (415) 695-7358. Information on Ordinance 175-91 is available at the following webpage: http://sfwater.org/index.aspx?page=477." *(Irina Torrey, San Francisco Public Utilities Commission)*

Response

The requirement for the use of non-potable water in construction dust control is noted on EIR p. 383, which states, "Reclaimed water must be used if required by Article 21, Section 1100 et seq. of the San Francisco Public Works Code. If not required, reclaimed water should be used whenever possible."

Comment AQ-2: Traffic must be reduced to reduce air pollution.

"Air quality is my big concern and I think that there will always be a concern with the Bay Bridge outside my window, literally, and more parking spaces being proposed for projects like 8 Washington; I think there are 400 some odd parking spots there. I think there are tools to mitigate the traffic, that we just need to find some leaders politically to consider traffic, the congestion charge, a pilot at least, and give some folks some incentive to not be driving downtown, at least not to be leaving all at once, but between 3:00 p.m. and 7:00 p.m. So that's my main comment… I support -- well, this EIR looks fine to me; I just hope our politicians can embrace trying congestion fees to mitigate the air pollution." *(Jamie Whitaker)*

Response

The commenter makes suggestions concerning potential means of reducing traffic impacts in the Plan area and elsewhere in Downtown San Francisco. In particular, the commenter suggests imposition of a congestion charge on drivers who travel at periods of peak traffic volumes. In December 2010, the San Francisco County Transportation Authority (SFCTA) approved a preliminary report on this concept and authorized further study of potential future implementation. According to the SFCTA website, no action is likely to be taken on implementing such a program, if authorized, before 2015.[17]

[17] San Francisco County Transportation Authority, "Mobility, Access and Pricing Study" webpage. http://www.sfcta.org/content/view/302/148. Reviewed February 1, 2012.

Shadow and Wind

Comment SH-1: Individual development projects will require project-specific shadow analyses.

"As the Report indicates, several RPD properties are potentially impacted by the proposed plan and transit center. These properties include Chinese Recreation Center, Union Square, Portsmouth Square, St. Mary's Square, Woh Hei Yuen Park, Boeddeker Park, Gene Friend Recreation Center (aka 'SOMA Recreation Center'), South Park, Sue Bierman Park, Justin Herman Plaza, Maritime Park, Huntington Park, and Willie 'Woo Woo' Wong Playground.

Shadow

"The analysis provided within the DEIR for CEQA analysis has made two impact findings of Significant and Unavoidable shadow impacts to parks under the jurisdiction of the Recreation and Parks Department in the plan.

"Separate from the CEQA process, as the DEIR notes, the proposed plan, the proposed tower and other proposed projects may require review and necessary approvals as per Section 295 of the City Planning Code, which addresses shadow on parks under the jurisdiction of the Recreation and Parks Department. All projects in San Francisco which include new buildings over 40 feet in height and shadow or could shadow properties are subject to Section 295 requirements and analysis. This may require the Planning Commission and the Recreation and Parks Department to make findings and amend the Absolute Cumulative Limits for one or more parks.

"As has been discussed in previous hearings, it is unclear which projects or developments would be realized and at what time in the future depending on available financing and funding. At that time, each project presented for consideration must define the extent of shadow on each park affected for detailed and full analysis. It should include existing shadow on each park at that time including an analysis of both the quality and character of the shadow and the shadow portrayed on the park's existing topography and major features including buildings and other facilities. Though facilities may change over time, it is important to understand the current impacts with current topography and facilities." *(Karen Mauney-Brodek, San Francisco Recreation and Park Department)*

Response

The comment summarizes the review process that would be required for each subsequent development project in the Plan area pursuant to Section 295 of the *Planning Code*. This process is set forth at the bottom of EIR p. 467. As described on EIR p. 471, the analysis in the EIR addresses the effects of several potential future Plan area buildings at 500 feet in height or greater. This analysis, under Impact SH-1, includes the effects of all potential future buildings in the Plan area that would cast shadow on parks covered by Section 295. As noted by the commenter, individual building effects would be analyzed, both with respect to significant impacts under CEQA and in compliance with Section 295, at the time an individual project is proposed. (The analysis of the proposed Transit Tower under Impact SH-2, EIR p. 523, includes this project-specific detail for CEQA purposes.)

Comment SH-2: How would increasing the height limit on the Golden Gate University site affect the EIR analysis?

"**Page 18** - paragraph re shifting development zone 10 years in the future if no development taller than 700′ is built. How would this occur? Is it reflected in the various analyses (e.g. shadows) in this DEIR?" *(Sue Hestor, on behalf of SFRG)*

"The Draft Transit Center District Plan dated November 2009 (the 'Draft Plan') provides that the Golden Gate University property located at 536 Mission Street (the 'GGU Property') could be rezoned in the future from the currently proposed 700-foot height district to an 850-foot height district….

…

"Sarah Jones of Environmental Planning has confirmed that programmatic level impacts would be within the same order of magnitude if an 850-foot tower were ultimately built on the GGU Property rather than the First and Mission site because there would only be one 850 foot tower in the Plan Area. As to potential project-specific impacts, shadow impacts have already been identified in the DEIR as significant and unavoidable so there could not be a new significant impact, though the location of the shadow might vary (see page 470 of the DEIR). Potential wind impacts are identified in the DEIR as less-than-significant with mitigation (see page 462 of the DEIR). Mitigation Measure M-WI-2 requires that additional wind-tunnel testing be performed for the future tower sites, including the GGU Property, and if the results of that testing were to identify potential adverse impacts, additional mitigation testing would be required (i.e. changes to the tower design) to reduce the impact to a less-than-significant level. That mitigation measure would be required to be implemented regardless of whether the tower height is 700 feet or 850 feet.

"Based on the foregoing, we have concluded that while additional wind and shadow analysis would be appropriate if the GGU Property were rezoned to an 850-foot height district, a taller building alone would not trigger a subsequent or supplemental EIR because there would not be a new significant impact or a substantial increase in the severity of a previously identified significant impact (see CEQA Guidelines Section 15162). We are writing to request your confirmation of our understanding. Thank you in advance for your courtesy. *(Caroline A. Guibert, on behalf of Golden Gate University)*

Response

The commenter representing Golden Gate University correctly notes that Mitigation Measure M-WI-2 requires that specific attention be paid to potential wind impacts of any tall building proposed for the Golden Gate University site, both with respect to pedestrian-level winds at grade and winds on the City Park open space atop the new Transit Center that is currently under construction. This measure was identified in response to the potential impacts on winds from the proposed Transit Tower and more than 10 other potential projects on development sites in the Plan area, all of which were included in the wind analysis for the draft Plan. The mitigation measure states, in part, "If wind-tunnel testing identifies adverse impacts, the project sponsor(s) shall conduct additional mitigation testing to resolve impacts to the maximum degree possible and to the satisfaction of Planning Department staff. Design features could include, but not be limited to, setting a tower atop a podium, which can interfere with "downwash" of winds from

higher elevations toward the ground; the use of setbacks on tower facades, particularly those facades facing into prevailing winds, which can have similar results; using chamfered and/or rounded corners to minimize the acceleration of upper-level winds as they round corners; façade articulation; and avoiding the placement of large, unbroken facades into prevailing winds." Because *Planning Code* Section 148 prohibits approval of a project that would create a new wind-hazard exceedance at pedestrian level, and because this measure explicitly calls for Planning Department staff to review potential wind impacts on City Park and for a potential project to "resolve impacts to the maximum degree possible," this measure would reduce the potential impact to a less-than-significant level.

With regard to shadow, the comment correctly states that a building-specific shadow study would be required for a high-rise building proposed at the Golden Gate University site, as must be undertaken in compliance with *Planning Code* Section 295. Like the wind analysis, the shadow analysis described impacts from the proposed Transit Tower and other potential projects on development sites in the Plan area. Unlike wind impacts, which are a function of building height and massing and the interplay of nearby buildings with one another, shadows increase in length in direct proportion to the height of the building(s) casting the shadow. However, shadow from an existing building can preclude a new building from casting any new shadow on a particular open space, if the two buildings are in line with the sun angle towards the open space at the time the new shadow would otherwise be cast. For example, absent any other new development, a building approximately 470 feet tall on the Golden Gate University site (allowable under existing zoning, as the existing height limit on this site is 550 feet) could cast new shadow on Union Square. On the other hand, if the Transit Tower as proposed is completed before development on the Golden Gate University site, some of the new shadow that the Golden Gate University building would otherwise cast on Union Square would already be cast by the Transit Tower, and would, therefore, not be considered new shadow. Thus, while it is true that the EIR identified a significant, unavoidable shadow impact from potential future Plan area development, the individual impacts of a particular building would have to be analyzed, and the conclusions regarding those impacts would be dependent, to some extent, on the existing setting at the time the building was evaluated under Section 295.

Concerning the height limit on the Golden Gate University site, as indicated in Figure 3, EIR p. 14 (which is taken from the draft Plan), that site is proposed under the draft Plan for a height limit of 700 feet. Any potential future increase in the height limit on that site, if proposed, would be processed as for any proposed change in the *Planning Code*, including its height and bulk maps: environmental review would be conducted and the proposal would be reviewed by the Planning Commission and, if recommended favorably, would be acted upon by the Board of Supervisors. As to the nature of environmental review required, it would be speculative to draw conclusions on that matter at this time, as it is not possible to know what other future changes in circumstances might have occurred by the time such a rezoning proposal were to be considered.

Comment SH-3: The draft Plan would violate Section 295 of the Planning Code.

> *"HOW DO YOU PROPOSE TO UNDO THE VOTE OF SAN FRANCISCO VOTERS WHO ADOPTED THE SHADOW LIMITATIONS OF PROPOSITION K* **- the legal foundation for Planning Code shadow limits? Do you have LEGAL clearance for a mere change in 'policy language?'**

"What modifications would be necessary if the public does not vote to change the terms of Prop K?

…

"**Page 66** - Proposition K Planning Code 295 - see comment above. Proposition K is VOTER-ADOPTED POLICY. City voters did NOT give Rec Park the ability to collude with the Planning Commission to violate the provisions the voters had ADOPTED. In the months leading to Prop K being put on the ballot there was substantial controversy over shadows being added to UNION SQUARE, to PORTSMOUTH SQUARE and the CHINESE PLAYGROUND. A professional study was done to define the base line - the amount of existing shadow on each affected park. But the LIMITS were established by the VOTERS. **What plan does the Department have to present amending Prop K to the voters at the next election?**

…

"**SHADOWS**

"**As is set out on page 3** [of the commenter's letter]**, Prop K was adopted BY THE VOTERS OF SAN FRANCISCO and can only be amended BY THE VOTERS OF SAN FRANCISCO. The Rec Park Commission and the Planning Commission cannot amend the shadow limitations of Prop K.**

…

"**Page 520** - the first full paragraph appears to be a major policy change and should be labeled to draw attention to itself. SFRG does not agree that the Planning Commission and Rec Park have POWER to amend a vote of the citizens of San Francisco. These are SIGNIFICANT and UNAVOIDABLE IMPACTS and cannot be defined away." *(Sue Hestor, on behalf of SFRG)*

"[U]nlike other speakers, I care about Prop. K and the shadows go to Portsmouth Square, and if you are going to throw out the vote of the people, say you're going to put it on the ballot, don't interpret it away. Prop. K was voted on by the citizens of San Francisco and it limited shadow." *(Sue Hestor)*

"[T]he issue of [Prop. K] is something which continues to puzzle me and I think it puts a very unusual burden on this Commission to continue to grapple with an issue which I do not believe we fully understand. There are all the right reasons to look at [Proposition K] … with respect to the public benefit we have to judge on, but I do think we need to have an independent, clear discussion about what it is we're doing. That is a legal issue, that is a historic planning issue, the voter approved initiative,… And I personally am troubled by it because I don't have a clear idea, really, what I am doing." *(Commissioner Kathrin Moore)*

Response

The commenter raises a policy issue regarding the implementation of Proposition K and Section 295 of the *Planning Code*. The EIR evaluates the physical impacts of development that could occur pursuant to the draft Plan, including the shadow impacts of such development, and finds that if this development were to occur the shadow impacts would impair the use and enjoyment of public spaces and would therefore result in a significant impact. The ability of the Planning Commission and Recreation and Park Commission to change the Absolute Cumulative Limit on affected parks has no bearing on the analysis of physical effects of shadow.

As stated on p. 466 of the EIR (and revised in Section E of this document, Revisions to the DEIR, to correct the date of adoption), Section 295 of the *Planning Code* was "adopted through voter approval of Proposition K in November 1984 to protect certain public open spaces from shadowing by new structures." This section states, in pertinent part, that the Planning Commission, following receipt of comment from the Recreation and Park Department and its commission, and following a public hearing, "shall disapprove the issuance of any building permit governed by the provisions of this Section if it finds that the proposed project will have any adverse impact on the use of the property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission because of the shading or shadowing that it will cause, unless it is determined that the impact would be insignificant" (Section 295(b)). Section 295(c) states, "The City Planning Commission and the Recreation and Park Commission, after a joint meeting, shall adopt criteria for the implementation of the provisions of this Section." As stated on EIR p. 468, "In 1989, the two Commissions adopted shadow criteria for 14 downtown parks, including an Absolute Cumulative Limit for new shadow for each open space and qualitative criteria for assessing new shadow." The Absolute Cumulative Limit adopted by the two commissions for each of the 14 parks set forth the only numerical standards for evaluation of shadow impacts; there are no quantitative standards contained within the text of Section 295 itself and this was left to the interpretation of the implementing Commissions in their joint administration of the voters' will. Contrary to the commenter's assertion, no explicit quantitative limits on parks were established by Proposition K which created Section 295. The measure passed by the voters, including Section 295, specifically prohibited shadow impacts that are both "significant" and "adverse." The interpretation of these qualitative terms was left to the interpretation of the Planning and Recreation and Park Commissions, which subsequently adopted quantitative limits for certain specified parks.

As detailed in EIR Section IV.J, Shadow, these quantitative criteria have, on occasion, been adjusted by joint action of the Planning and Recreation and Park Commissions, as the quantitative limits were not imposed by Proposition K but rather by the Commissions in interpreting the qualitative directive from the voters. Specifically, the Absolute Cumulative Limit has been increased three times for Boeddeker Park. (It has also been increased for Civic Center Plaza, which would not be affected by Plan area buildings.) Additionally, new shadow has been permitted—within the established Absolute Cumulative Limits—on Union Square and Justin Herman Plaza. As noted in Table 41 on EIR p. 508, five other parks that could be affected by Plan

area development have an Absolute Cumulative Limit of 0.0% (i.e., no new shadow is permitted). These parks are St. Mary's Square, Portsmouth Square, Willie "Woo Woo" Wong Playground (formerly Chinese Playground), Maritime Plaza, and Chinese Recreation Center. No Absolute Cumulative Limit has been established for Woh Hei Yuen Park.[18]

Under procedures for implementation of *Planning Code* Section 295, any project that would cast new shadow on a park subject to Section 295 during the applicable hours (one hour after sunrise to one hour before sunset) must undergo both a quantitative evaluation to determine the amount of new shadow (measured in shadow-foot-hours) and a qualitative evaluation of the effects of shadow on the park, to determine whether use of the park would be adversely affected in a significant manner. For the 14 downtown parks for which an Absolute Cumulative Limit has been established, if the quantitative evaluation determines that new shadow from an individual building project would exceed the amount permitted under the Absolute Cumulative Limit, the City's procedures require the Absolute Cumulative Limit to be increased to accommodate the project in question. This includes cases in which the Absolute Cumulative Limit is zero, as it is for most of the 14 parks. In these instances, approval would likewise require that the Absolute Cumulative Limit be increased to accommodate the project. Eight of the nine Section 295 parks that would be affected by shadow from Plan area buildings have an established Absolute Cumulative Limit. As noted above, the one that does not have an Absolute Cumulative Limit is Woh Hei Yuen Park. Effects on parks for which no Absolute Cumulative Limit exists are typically analyzed on a case-by-case basis, using the same procedure for quantification of the amount of net new shadow and a qualitative evaluation of the effects of the shadow.

Because the analysis in EIR Section IV.J, Shadow, explains that the combined net new shadow from all Plan area development assumed in the EIR would exceed the Absolute Cumulative Limit for eight parks, the EIR correctly states on p. 520 that "approval of the Plan area buildings would require that the Absolute Cumulative Limit be increased on eight downtown parks," and therefore the EIR finds that the impact would be significant and unavoidable. (Evaluation would also have to be made of the shadow effects on Woh Hei Yuen Park.)

As noted, the decision as to whether to increase the Absolute Cumulative Limit is made as part of the consideration of project approval under Section 295. Because this EIR is a program EIR with respect to the proposed Transit Center District Plan and a project-specific analysis of the

[18] A project was approved in 2001 at 350 Bush Street (Case No. 2000.541), for a 19-story, approximately 353,000-square-foot office building with ground-floor retail space, that would add new shadow on St. Mary's Square. However, this project also would increase the size of St. Mary's Square by creating publicly accessible space on the roof of a related five-story building at 500 Pine Street, adjacent to St. Mary's Square, and dedicating that open space to the City. The net result would be a decrease in the percentage of shadow coverage of the enlarged St. Mary's Square, compared to the percentage of shadow coverage on the existing park. Because the 350 Bush Street project was dependent on the expansion of St. Mary's Square in conjunction with the 500 Pine Street project, and because neither has been built, the shadow effect of the 350 Bush Street project is not considered in the EIR. If the 350 Bush Street project were to be constructed, it would reduce the net addition of new shadow under the draft Plan, and the net addition for the proposed Transit Tower, because the 350 Bush Street project site is directly in line with shadow that would be cast on St. Mary's Square by the Transit Tower, as well as by a proposed project at 50 First Street. Thus, the first of these three projects to be constructed would add new shadow to St. Mary's Square and would diminish the amount of new shadow that would be cast on St. Mary's Square by either of the other two projects.

proposed Transit Tower, the only ensuing approval action under Section 295 would be for the proposed Transit Tower, as stated on EIR p. 50. As stated in footnote 40 on p. 50, "Other buildings that would cast shadow on Recreation and Park Department properties would also require modification of the Absolute Cumulative Limit for one or more parks. However, those subsequent projects would require their own project-specific CEQA analysis and would be considered for approval—including consideration of shadow limits—separately from the Transit Center District Plan and the Transit Tower." As has been the case for other instances in which an Absolute Cumulative Limit has been revised, an increase in the Absolute Cumulative Limit for one or more of the parks affected by the proposed Transit Tower (and, subsequently, by other buildings in the Plan area) would be made jointly by the Planning and Recreation and Park Commissions.

It is noted that the Draft EIR, on p. 524, overstated the number of parks for which the Absolute Cumulative Limit would have to be increased to permit approval of the proposed Transit Tower. Because Woh Hei Yuen Park has no established Absolute Cumulative Limit, approval of the Transit Tower would require that the Absolute Cumulative Limit be increased on six, not seven, parks—Portsmouth Square, St. Mary's Square, Justin Herman Plaza, Chinese Recreation Center, Maritime Plaza, and Boeddeker Park. (This revision is made to the EIR text in Section E of this Comments and Responses document, Revisions to the Draft EIR, p. C&R-121.) Union Square has sufficient available shadow remaining within its Absolute Cumulative Limit to allow for the shadow from the Transit Tower. However, approval of the Transit Tower would require a finding by the Planning Commission, upon the advice of the Recreation and Park Commission or General Manager, that project shadow would not adversely affect the use of Union Square or Woh Hei Yuen Park.

Comment SH-4: The shadow analysis should also include effects of fog and wind.

"The combination of SHADOW AND FOG - CLIMATE - is totally ignored. San Francisco has a setting where WIND coming in at the same time an area is in SHADOW makes the CLIMATE miserable for those affected. San Francisco needs to address our unique setting where shadows in the summer do not give respite from heat, but can chill one to the bone and make things quite unpleasant. The failure to even STATE that is hard to understand. This affects 'comfort levels.'

"Continued reliance SOLELY on a wind tunnel, which does not factor in shadows and reduced temperatures is not adequate for San Francisco. Particularly when the setting is not super highrise buildings." *(Sue Hestor, on behalf of SFRG)*

Response

The effects of fog on weather conditions in San Francisco, and particularly on pedestrian comfort, are acknowledged on EIR p. 464, in the wind analysis. As stated there, "The correlation between fog and wind speed is implicit in the actual wind speed – frequency distributions used in the analysis methodology; that is, fog is more likely to be present during the summer, when westerly winds prevail, whereas there is less chance of fog during strong winter storm winds. However,

because the wind test results represent conditions over a full year, it is not possible to confirm the presence or absence of fog at a given time during the year." Concerning fog and shadow, because the sun is lowest on the horizon at the winter solstice in December, the longest shadows occur around that time, in late fall and early winter. Fog's greatest influence in San Francisco is in the summer, particularly in the early morning and late afternoon (although, as any resident knows, fog sometimes hangs over the City for days at a time in summer). As described in Section IV.J, Shadow, with the exception of Justin Herman Plaza, net new shadow on Section 295 parks from Plan area buildings would generally be greatest in the early morning hours, mostly in fall and winter, except on Union Square and Boeddeker Park, where shadow would occur in the early morning in spring and summer. At Justin Herman Plaza, net new shadow would fall on the park in the midday in late fall and early winter. Thus, the majority of new shadow from Plan area buildings would occur during times of the day and year less likely to also be subject to fog. Moreover, in foggy conditions, the effect of shadow would be reduced because sunlight is obscured.

Regarding wind-tunnel testing as the basis for analysis of wind impacts, this is the City's standard practice and derives from the quantitative standards in Section 148 of the *Planning Code* (and other comparable sections that apply to certain areas outside the C-3 Downtown use districts). It is noted that there is no requirement in CEQA for analysis of changes in wind, shadow, and temperature that may result from a project, nor is the Planning Department aware of an accepted methodology for analysis of the effects of all three factors together. The City of San Francisco has incorporated into its CEQA Checklist a topic of environmental analysis entitled, "Wind and Shadow," based on local concern. The questions in the City's Checklist ask, "Would the project alter wind in a manner that substantially affects public areas?" and "Would the project create new shadow in a manner that substantially affects outdoor recreation facilities and other public areas?" The EIR analyzes both of these topics and determines that neither the draft Plan nor the proposed Transit Tower would result in significant impacts with respect to wind. However, both the draft Plan and the proposed Transit Tower would result in significant shadow effects that could not be mitigated to a less-than-significant level.

Comment SH-5: The shadow impact analysis is confusing.

"**It is extremely hard to find/figure out the findings/recommendations for <u>Impact SH-1</u> Which is found to be significant and unavoidable.**

…

"**Shadow diagrams - 474 - 507**. It would be helpful if there was a key identifying BY NAME the buildings that cast shadows on ANY PARK.

…

"[Page 509] The explanation of shadow changes on Union Square needs clarification. Peter Bosselman from UC Berkeley was involved in the Macy's and related billboard cases after the work was complete

defining the amount of shadow cast at the time Prop K passed. Whoever wrote this section needs to rewrite it for clarity. There were other shadow allocations tied to billboards that have been omitted.

…

"**Page 511 - 512 - 514** - please label each building's shadows.

…

"**Pass thru shadow issue** -

"There is not enough information in the DEIR to allow informed comment on this issue.

"The structure of this section makes it hard to determine where one topic ends and another begins." *(Sue Hestor, on behalf of SFRG)*

Response

The analysis in Impact SH-1 evaluates shadow impacts of the draft Transit Center District Plan. Therefore, the analysis examines combined effects of all Plan area buildings that could cast substantial new shadow, particularly on parks subject to *Planning Code* Section 295, and also on other open spaces. As stated above in the response to Comment SH-3, the EIR concludes that because the combined net new shadow from all Plan area development assumed in the EIR would exceed the Absolute Cumulative Limit for eight parks, the impact would be significant and unavoidable.

Concerning Figures 60-A through 62-I, which depict new shadow from Plan area buildings hourly for the summer and winter solstices and the spring/fall equinoxes, the buildings depicted as casting shadow are those potential buildings greater than 150 feet in height on the development sites in the Plan area that are shown on Figure 14, p. 73, and Table 3, p. 74. Buildings on three development sites that would have height limits of 150 or less—176 Second Street (150 feet), 543 Howard Street (85 feet), and TJPA Parcel M (85 feet)—are not included in the analysis because their shadow would not reach any public open spaces, because the maximum length of building shadow during the hours covered by Section 295 is about 6.5 times the height of the building and there are no public open spaces within the applicable distances of any of these three building sites. Of the 13 potential buildings included in the analysis, only the Transit Tower is analyzed based on an actual proposed building design. This is because the EIR provides project-specific environmental review of the proposed Transit Tower, while the remainder of the analysis, of impacts of the draft Plan, is at a programmatic level. As stated on EIR p. 470, "For potential future buildings other than the Transit Tower, shadows analyzed are based on massing models representative of potential future development in the Plan area. Each individual development project that is proposed in the Plan area would be subject to *Planning Code* Sections 295, 146, and 147, and therefore project-specific shadow impacts would be analyzed at such a time as a subsequent project is being reviewed by the Planning Department."

To assist the reader in identifying the development sites on which potential Plan area buildings would cast new shadow as identified in the EIR, **Figure C&R-5** reproduces EIR Figure 60-A, labeled with a key as to the buildings shown casting shadow.

Concerning the figures that illustrate maximum extent of shadow on various parks on EIR pp. 511, 512, 514, 516, 517, and 526, the buildings casting the shadow are identified in the text for each open space. That is, on p. 510, the EIR states that the maximum shadow on Union Square (Figure 63, top) would be cast by the proposed Palace Hotel tower and the maximum shadow on Portsmouth Square (Figure 64, top) would be cast by the proposed project at 50 First Street; on p. 513, the EIR states that the maximum shadow on St. Mary's Square (Figure 65, top) would be cast by the proposed project at 50 First Street; and on p. 515, the EIR states that the maximum shadow on Justin Herman Plaza (Figure 66, top) would be cast by the Transit Tower. Also on p. 515, the EIR describes the maximum shadow on Willie "Woo Woo" Wong Playground (Figure 67, top). However, the DEIR does not note that this shadow would be cast by a potential 700-foot building on the TJPA's "Parcel F," located between the new Transit Center and Howard Street, east of Second Street. Accordingly, the third sentence of the first paragraph beneath the heading, "Willie 'Woo Woo' Wong Playground" on EIR p. 515 is revised as follows:

> The greatest area of new shadow at any one time would be approximately 4,000 square feet (about 15 percent of the total area of Willie Wong Playground), at 8:15 a.m. in late November and mid-January<u>, from the building on TJPA Parcel F</u>; at these times, shadow on the playground would increase from about 80 percent to about 97 percent shadow coverage (see **Figure 67**).

With respect to the other four parks, only the Transit Tower would cast new shadow on Maritime Plaza, Woh Hei Yuen Park, Chinese Recreation Center, and Boeddeker Park; therefore, shadow shown falling on those parks in Figures 66 (bottom image), 67 (bottom image), and 69 (both images) would be cast by the Transit Tower. It is noted that the DEIR neglected to include a detailed discussion or a figure reference for Chinese Recreation Center; accordingly, the following text is added following the first partial sentence on EIR p. 525 (continuing from p. 524):

> <u>Likewise, the maximum one-time shadow on Chinese Recreation Center would occur for less than 15 minutes after the "first Proposition K minute" (8:23 a.m.) for one week in late February and one week in mid-October, when the Transit Tower would shade about 35 percent of the park's area (see **Figure 67**).</u>

It is noted that the DEIR included two graphics in the shadow analysis which incorrectly presented the same figure, of draft Plan impacts, twice and did not depict Transit Tower shadow, Accordingly, EIR Figures 64 and 65, pp. 512 and 514, have been revised to depict maximum shadow from the proposed Transit Tower alone on Portsmouth Square and St. Mary's Square, respectively. The revised figures are included in this Comments and Responses document at the end of Section E, Revisions to the Draft EIR, following p. C&R-139.

SOURCE: CADP

Case No. 2007.0558E: Transit Center District Plan and Transit Tower . 207439

Figure C&R-5
Key to Shadow Impacts

Concerning Union Square, the billboards that exist today, including those on the east side of the park where shadow from the Plan area would originate, were in existence at the time that Section 295 was added to the *Planning Code* in 1985, following voter approval of Proposition K in 1984. Subsequently, in 1997, after electronic billboards had been proposed for the east side of Stockton Street across from Union Square, the Board of Supervisors amended *Planning Code* Section 608.2 to prohibit new general advertising signs and all other signs larger than 200 square feet from locations within 200 feet of a City park, thereby precluding any new billboards across the street from Union Square.

It is unclear what the commenter means by "pass through shadow issue," and no response can be provided. Regarding the non-specific comment regarding the "structure" of the Shadow section of the EIR, it is noted that each of the five parks on which there would be new shadow from Plan area buildings other than the Transit Tower is discussed under its own heading on pp. 509 – 518, and impacts on the use of the affected parks is discussed on pp. 519 – 521. Parks that would be newly shaded only by the proposed Transit Tower are discussed in the project-specific analysis in Impact SH-2; this analysis is referenced in the Plan analysis in Impact SH-1, on p. 518.

Comment SH-6: New shadow described in the EIR should not be permitted on specific parks.

"**Page 470** - What is the justification for ANY increased shadow on Union Square from the Palace Hotel tower? That project is not necessary to fund a transit station. The shadow and wind impacts cause problems without ANY redeeming justification for the increased height. This is ONE HOUR A DAY FOR UP TO 6 MONTHS.

…

"**Page 509** - What justification is there for ANY increased shadow on Union Square from 50 1st Street, 181 Fremont Street, Golden Gate University? This is a violation of Prop K.

…

"[Page 509] It is inappropriate to 'weigh' shadow by time of day. Prop K allowed shadows one hour after sunrise and one hour before sunset. September and April are months when the City generally has nice weather. It is not the Commission's role/power to say that increased shadows are just fine. The rules for limits were established DECADES ago.

"**Page 510 - Portsmouth Square** - this was the second sensitive park that triggered passage of Prop K. It is a heavily use park ALL DAY LONG. Measuring sunlight in the context of the total number of sunlight over the entire year is not appropriate at THIS POINT. It was when the original analysis was done to establish how much was in sun/shadow when Prop K passed. This park has an absolute CUMULATIVE LIMIT of -0-. ZERO is ZERO, not 0.24% new shadow. The same holds true for Union Square.

…

"Remaining shadows - St Mary's Square, Justin Herman Plaza, Willie Wong Playground - same issue as above regarding the ability to change a VOTER ADOPTED LIMIT without going to the ballot.

"For Willie Wong Playground (formerly Chinese Playground) - this is the ONLY Rec Park public tennis court serving Chinatown and a basketball court. Please describe the activities that will be in shadow. THIS PLAYGROUND was one of the ones that triggered passage of Prop K because a planned development was going to cast this into SUBSTANTIAL shadow.

"Re **non-Prop K shadows** - which CEQA governs as well. Under PLANNING CODE policies, shadows on public sidewalks, particularly those around parks should be thought thru carefully. Often the 'best' way to use a park is to walk by it. That means on the sidewalk. Shadowing the sidewalk, particularly if it is windy out, may make it less desirable. Rincon Park is a resource for this area and should be protected.

"The hypocrisy of the Downtown Plan and this proposed plan is seen in how they 'create' parks and open spaces, then fail to protect them from shadows that would make them unpleasant. Page 525 discussion of the City Park to be built with the Transit Tower falls exactly into that category." *(Sue Hestor, on behalf of SFRG)*

"We are very concerned with the shadow impacts to Chinatown parks caused by the Transit Center Plan and Tower. Many of these parks are subject to Section 295, including St. Mary's Square, Portsmouth Square, Willie 'Woo Woo' Wong Playground, and Chinese Recreation Center. Woh Hei Yuen Recreation Center and Park is another Chinatown park impacted by Transit Center shadows although not subject to Section 295.

"As you may recall, Proposition K was approved by San Francisco voters in 1989 [sic] and established the 'Sunlight Ordinance' (Section 295), which created a shadow budget for 14 downtown parks and set a zero tolerance level for Chinatown parks. Among the reasons cited for passing the ordinance include the need to protect the quality of open space in high-needs downtown neighborhoods such as Chinatown.

"To this day, Chinatown remains the densest residential neighborhood west of Manhattan. 36% of households live in overcrowded conditions compared to the 17% citywide average.[fn 1] The population consists of primarily low-income, non-English speaking immigrant seniors and families. The median household income is $17,411 compared to the citywide median of $73,598.[fn 2] For this transit-dependent population in which 83% of households do not own a car, most residents rely on walking to access public open spaces. The last park established in Chinatown was the Woh Hei Yuen Recreation Center and Park in 1999 as a result of nearly an entire generation's struggle (almost 25 years) to create a new park in the neighborhood. In sum, Chinatown residents are already sorely lacking quality open space and they rely on access to public parks in this dense neighborhood to enjoy fresh air and sunlight.

"As such, we are deeply disturbed that the Transit Tower and 50 First Street will create new shadows on Portsmouth Square in the late fall and early winter. Portsmouth Square is affectionately known as the

[fn 1] SF Department of Public Health, Healthy Development Measurement Tool: http://www.thehdmt.org/indicators/view/125
[fn 2] SF Department of Public Health, Healthy Development Measurement Tool: http://www.thehdmt.org/indicators/view/162

'living room of Chinatown' to many of the single-occupancy hotel residents who rely on the park for recreation and exercises. The shadows will occur for almost 4 months from about 8am to just after 9am during the long winter months of November through January. To understand and evaluate the impacts on current park users, Chinatown CDC surveyed Portsmouth Square for a week between 8:15am and 9:15am in early November. We found that the park was frequented at this time by Chinese seniors practicing tai chi and engaging in other recreational activities. We believe that the new shadows will have a significant negative impact on the quality of life for Chinatown residents and will decrease access to quality open space in this high needs, low-income immigrant community.

"As Table 42 (p. 523 of DEIR) demonstrates, the proposed Transit Tower will result in an increase in shadow on eight affected open public spaces. Four out of those 8 public spaces are located in Chinatown, including Portsmouth Square, Woh Hei Yuen Recreation Center and Park, St. Mary's Square, and Chinese Recreation Center. Chinatown is the only neighborhood in the downtown core that is bearing the brunt of the burden of the impacted parks.

"As p. 524 of the DEIR states, 'The greatest one-time effect would be on Portsmouth Square. The Transit Tower would add about 22,500 sq ft of shadow, covering about 35% of the park, at 9:15am in early November and late January.' Figure 64 (p.512) shows that the maximum extent of new shadow on Portsmouth Square will cover the portion of the upper level of Portsmouth Square that currently provides the greatest amount of open space. This specific area is the primary open-air 'plaza' of the park and is often used for tai chi, exercising, and the stage area for cultural events in this neighborhood.

"We see the shadow impacts on the 4 Chinatown parks, and in particular Portsmouth Square, as a major environmental justice issue. It is unjust, plain and simple, that this neighborhood that is already sorely lacking in open space opportunities should bear the brunt of the burden and see a significant reduction of quality open space as a result of the Transit Center District Plan and Tower. We disagree with the comments that these shadows are insignificant or that these concerns over shadows are unwarranted. In the life of many low-income Chinatown residents, these Section 295 parks are the only respite from overcrowded housing conditions and thus efforts should be made to ensure that Chinatown should not suffer disproportionately due to its proximity to the Transit Tower. Chinatown is already a dense, walkable neighborhood in the Downtown Core and should not be sacrificed at the expense of creating another dense walkable neighborhood near the Transbay Terminal." *(Deland Chan, Chinatown Community Development Corporation)*

"Given our history and concern with the quality of Chinatown parks, we cannot stand by idly and watch the Transbay Transit Center and Tower rise at the expense of the quality of open space in Chinatown. **We strongly oppose this project** given that there will be significant shadowing as a result of the project at all Chinatown parks. We are ESPECIALLY concerned with the shadowing at Portsmouth Square that will increase shadow to up to 90 percent shadow coverage precisely during the wintertime when sunlight is already so precious and during the morning hours when Portsmouth Square is used by seniors for their morning recreational exercises. We are also very concerned about the planned development shadowing Chinese Playground, where new shadow will increase shadow on the playground to a total of 97 percent!

"From the community perspective, this project has no benefits for the Chinatown immigrant seniors and children who will have sunlight in parks taken away. We take offense at the EIR's analysis that shadowing from far away will be more 'diffuse' and hardly noticeable. Frankly, there is no way to

guarantee that the loss of sunlight will not be profoundly felt and experienced, at the human level, given that all of the Planning Department's analysis consists of bird' s eye plans and views. " *(Tan Chow, Committee for Better Parks and Recreation in Chinatown)*

"It is projected that the Transit Center District and Transit Tower will cast shadows in excess of the cumulative amount permitted by existing regulations. We are very concerned about the proposal to relax the Park Shadow ordinance and the loss of any sunshine on the Square. Once lost to shadows; sunlight can never be recaptured except by a tragic force of nature. Parks are the 'lungs' of the City and must be protected.

"Toward that end, we are steadfastly opposed to the proposed modification of the Absolute Cumulative Limit for new shadows that may be cast on certain City Parks. Doing so would effectively repeal Prop. K (the 1984 Park Shadow Ban ordinance) and leave parks at the mercy of developers. Further, we question the adequacy of the methodology used to estimate the shadow impacts. We are also concerned about the Plan's failure to include the additional shadow impact of other pending projects such as the Mexican American Museum highrise development at Jesse Square. The City must consider the full impact of the shadowing that may be imposed by a wall of projects to the south of Union Square." *(Linda Mjellem, Union Square Business Improvement District)*

Response

The comments express opposition to new shadow that would be cast by buildings in the Plan area, as is described in EIR Section IV.J, Shadow. These comments do not concern the adequacy or accuracy of the EIR, but are directed at the merits of the proposed project. As such, they will be considered by the decision-makers (Planning Commission, Board of Supervisors, Recreation and Park Commission, and other bodies noted on EIR pp. 49 – 50) in their consideration of the draft Plan and the proposed Transit Tower. As stated in the response to Comment SH-3, p. C&R-83, there are no quantitative standards contained within the language of *Planning Code* Section 295 (or Proposition K). Rather, the quantitative "Absolute Cumulative Limits" for 14 downtown parks were established by joint resolution of the Planning and Recreation and Park Commissions, based on analysis of existing and potential future shadow on those parks.

Concerning the "weighing" of shadow by time of day, the EIR reports when and where new shadow would fall on the open spaces analyzed. With regard to quantitative considerations, calculating the extent of new shadow does not involve weighting shadow impacts; rather, it involves modeling the area and the duration of the shadow that occurs between one hour after sunrise and one hour before sunset. As noted on EIR p. 468, the Planning and Recreation and Park Commissions not only adopted an Absolute Cumulative Limit for square-foot-hours for each of the 14 parks, but also adopted "qualitative criteria for assessing new shadow." These qualitative criteria were adopted for the three parks for which additional net new shadow was to be permitted, including two of the parks that would be affected by shadow from Plan area buildings as discussed below: Union Square and Justin Herman Plaza. These qualitative criteria for both parks incorporate the time of day when shadow would fall on a park and are applied after the calculations are made in order to implement the qualitative criteria of Section 295.

For Union Square, the qualitative criterion is "Avoid additional shadows during mid-day." As can be seen from EIR Table 41, p. 508, no new shadow would fall on Union Square during mid-day; net new shadow would end by 8:50 a.m. For Justin Herman Plaza, the qualitative criterion is "Avoid mid-day and Winter shadows." As indicated in Table 41, new shadow from Plan area buildings, including the proposed Transit Tower, would fall on Justin Herman Plaza during the mid-day (approximately 1:00 p.m. to 2:40 p.m.) between late fall and early winter. The Transit Tower would cast shadow between about 1:00 p.m. and 1:40 p.m., also during late fall and early winter, between mid-November and late January.

The comment regarding potential shading of Willie "Woo Woo" Wong Playground (formerly Chinese Playground) being a catalyst for the adoption of Section 295 is correct. As noted planner William H. Whyte writes in his book, *City: Rediscovering the Center*,[19] "One of the things [Proposition K] had going for it was visible outrage. It had manifested itself in Chinatown a decade earlier. This was the construction of the Pacific Telephone Building, a twenty-two story high rise of unparalleled ugliness… [that] cast a shadow that fell on much of St. Mary's Square at lunchtime most days of the year. [¶] Then, in 1982, a few blocks away, the tiny Chinese Playground was threatened by a prospective 140-foot-high condominium tower." Although the Planning Commission subsequently reduced the height limit around Chinese Playground, citizens placed Proposition K on the ballot in 1984 and secured passage, leading to the codification of Section 295.

Concerning the activities undertaken at Willie Wong Playground, similar to Portsmouth Square and St. Mary's Square, activity observed in the early morning at Willie Wong Playground consists largely of individuals, many elderly, exercising. Most of these individuals are performing exercises in portions of the playground that are in shadow under existing conditions, and there is no reason to believe that the increment of additional early-morning shadow added by development under the draft Plan, including the Transit Tower would alter this activity. Likewise, there is no reason to believe that similar existing activities at Portsmouth Square and St. Mary's Square—again, consisting mostly of people engaged in exercise, largely in areas shaded under existing conditions—would change with the additional shadow added by development under the draft Plan, including the Transit Tower. Moreover, new shadow on Willie Wong Playground would be cast by potential future development yet to be the subject of a specific proposal; most of the new shadow would be cast by a potential 700-foot-tall building on the TJPA's "Parcel F" site, on the north side of Howard Street between First and Second Streets, with a small increment from potential development of a 700-foot-tall building on the Golden Gate University site, on the north side of Mission Street between First and Second Streets.

Regarding Woh Hei Yuen Park, that park, like all Recreation and Park Department properties, is subject to Section 295. The difference between this park and the others discussed in the EIR is that there is no Absolute Cumulative Limit that has been established for Woh Hei Yuen Park, as this park was created after 1989, when the quantitative criteria were established for other parks. As

[19] Philadelphia : University of Pennsylvania Press, 2009; pp. 265 – 266. Available at the San Francisco Public Library.

stated above in the response to Comment SH-3, shadow effects on parks for which no Absolute Cumulative Limit exists are typically analyzed on a case-by-case basis, using the same procedure for quantification of the amount of net new shadow and a qualitative evaluation of the effects of the shadow.

Please see the response to Comment SH-3, p. C&R-83, regarding the date of adoption of *Planning Code* Section 295. As stated in that response, Section 295 was adopted following passage of Proposition K on the November 1984 ballot. The Planning Commission and Recreation and Park Commission adopted quantitative and qualitative criteria for 14 downtown parks in 1989. Among those parks are several in and near Chinatown, including Portsmouth Square, Willie "Woo Woo" Wong Playground, Chinese Recreation Center, St. Mary's Square, and Woh Hei Yuen Park, although no Absolute Cumulative Limit has been adopted for Woh Hei Yuen Park, which was developed subsequent to the 1989 action with respect to 14 other downtown parks. Potential shadow impacts on all of these parks are analyzed in EIR Section IV.J. Shadow.

Concerning the comment about the survey conducted of Portsmouth Square by the Chinatown Community Development Center and the survey's finding that this park is "frequented … by Chinese seniors practicing tai chi and engaging in other recreational activities" when new shadow would fall on Portsmouth Square, this agrees with the text of the EIR, on p. 519: "Portsmouth Square, at the eastern edge of Chinatown, a very dense residential neighborhood, is relatively heavily used even between 8:00 a.m. and 9:00 a.m., when new shadow from Plan area buildings would fall on the park. Much of the activity in Portsmouth Square at this time of day consists of individuals, many elderly, exercising."

Concerning the comment that the EIR characterizes some shadow as "'diffuse' and hardly noticeable," the EIR does not characterize shadow effects as being less noticeable because some of the shadow cast on affected parks would be diffuse. The discussion of shadow effects on each park on EIR pp. 509 – 525, including Figures 60 – 67 and Figure 69 and the quantification of impacts in Table 41, p. 508, and Table 41, p. 523, all report effects without taking into account the diffusion of light at long distance that would preclude the presence of a "bright-line" shadow on most affected parks, as illustrated in Figure 68, EIR p. 519. Moreover, the analysis in the EIR conservatively assumes the sun is a single point of light that is either fully blocked or fully unimpeded, whereas in reality, as stated on EIR p. 468 (and revised herein in Section E, Revisions to the Draft EIR, p. C&R-121), the sun is a disk that occupies approximately one-half of one degree (0.53 degrees) of a 360-degree circle that represents the sun's path across the sky. This means that an object, particularly one that is quite distant from the viewer, will only partially block the full disk of the sun at certain times as the sun moves behind the object, though the analysis conservatively assumes the sun's light is fully blocked. Indeed, structures located hundreds or thousands of feet from the viewer can at times actually be less wide than the sun is in the sky, thereby not fully blocking the sun's rays shining around the structure. The closer one is to a building, the wider that building is in relation to the sun, thereby causing more shadowing

on places closer to the building than on places farther away.[20] Thus, in the case of a building more than a few hundred feet from a particular park, the edge of the building intercepts only a portion of the sunlight at any given moment, and therefore the shadow from that building is cast as a diffuse "line" on the distant park, as some of the sun's rays pass around the edge of the building. Therefore, the methodology for analyzing shadow impacts in the EIR is conservative, in that it assumes that the edge of a building creates a "bright line" of shadow. **Figure C&R-6** illustrates this phenomenon for a location near Chinatown, on Columbus Avenue at Vallejo Street. This image was taken in the early morning on December 6, at approximately the first Proposition K minute, when the sun was passing behind the Transamerica Pyramid, approximately 1,800 feet (one-third mile) to the southeast. Bright sunlight is visible at the left side of Columbus Avenue, while the right side is in full shade, obscured by the Pyramid. In between, the boundary between

SOURCE: Environmental Science Associates

Figure C&R-6
Diffuse Shadow Cast by Transamerica Pyramid, December 6

bright sunshine and full shadow is not a distinct "line" where the shadow begins or ends, and the shadow cast by the pedestrian on the left is more vivid, against a lighter background, than the shadow cast by the photographer, against a darker background. However, in the images used in the EIR to determine the significance of shadow impacts, shadow is represented by a distinct line that corresponds to the point at which the center of the sun would be obscured by the building

[20] As an analogue, one's finger, when directly in front of the eye, can completely block the sun, whereas with the finger at arm's length, sunlight passes around each side of the finger.

edge. In the photograph in Figure C&R-6, for example, this line would fall well to the left of the fully shaded area on the right; that is, when calculated in accordance with the EIR approach, the results would be more conservative.

As noted on EIR p. 520, the EIR concludes that shadow from Plan area buildings would result in a significant, unavoidable impact on parks subject to Section 295 of the *Planning Code*, given that approval of the Plan area buildings would require that the Absolute Cumulative Limit be increased on eight downtown parks, and that certain parks, in particular Portsmouth Square and St. Mary's Square, would sustain new shadow that "would be expected to be readily noticeable to park users." Likewise, on p. 525, the EIR concludes that the proposed Transit Tower would also have a significant, unavoidable impact with respect to shadow.

It is noted that, because of a transcription error from the spreadsheet used to summarize shadow impacts in the Plan area, the DEIR incorrectly presented the percent of theoretical annual available sunlight that would be consumed by shadow cast by buildings in the Plan area on Portsmouth Square. The correct figure is 0.41 percent of the theoretical annual available sunlight, not 0.24 percent, as stated in DEIR Table 41 and on pp. 509 – 513. These corrections are noted in Section E, Revisions to the Draft EIR, p. C&R-121, of this Comments and Responses document. This change means that the Absolute Cumulative Limit for Portsmouth Square—adopted in 1989 as part of the implementation of *Planning Code* Section 295—would ultimately have to be increased, as part of the approval process for individual buildings in the Plan area, including the Transit Tower, to approximately 0.41 percent, if all Plan area buildings were to be approved.

This error notwithstanding, the physical impact of the new shadow—that is, the times of day and times of the year at which new shadow would be cast—is accurately described in the Draft EIR. Specifically with respect to Portsmouth Square, the EIR states, on p. 510, that new shadow from two potential buildings (the Transit Tower and the project at 50 First Street) would fall on Portsmouth Square for almost four months in the late fall and early winter, from about 8:00 a.m. until just after 9:00 a.m. The EIR further states that, because of the locations of the Transit Tower and 50 First Street relative to Portsmouth Square:

> shadow from these two projects would fall on the park in sequence during November and early December and again during January and early February. For these approximately 10 weeks, shadow from the First Street project would begin to fall on Portsmouth Square just as shadow from the Transit Tower is leaving the park, meaning that new shadow would be cast for about one hour each morning between about 8:00 and 9:00 a.m. On any given day during the rest of the time when Portsmouth Square would be newly shaded, new shadow would last less than 30 minutes. The greatest area of net new shadow at any one time would be approximately 27,600 square feet (about 43 percent of the total area of Portsmouth Square), at 8:30 a.m. in late November and mid-January, from the project at 50 First Street; at these times, shadow on Portsmouth Square would increase from about 50 percent to more than 90 percent shadow coverage ….

The foregoing description of physical impacts of new shadow on Portsmouth Square remains accurate, the transcription error in Table 41 notwithstanding. As stated above, the EIR concludes that shadow from both Plan area development and from the Transit Tower itself would result in a significant and unavoidable impact. The significance criterion for shadow in San Francisco is whether new shadow from a project would affect, in an adverse manner, the use of any park or open space under the jurisdiction of the Recreation and Park Department, or substantially affect the usability of publicly accessible open space or outdoor recreation facilities or other public areas. The significance determination in the Draft EIR considers physical impacts on the space itself, such as the times of the day and year in which shadow would occur and the types of activities that would be affected. Therefore, the calculation of the total amount of new shadow from Plan area development as 0.41 percent of the theoretical annual available sunlight, rather than 0.24 percent, would affect determinations under Section 295, but would not constitute a substantial increase in the severity of the impact identified in the DEIR.

With regard to Union Square, the text on p. 509 of the EIR correctly reports that

> shadow from development in the Plan area would fall on Union Square from late March through late September, about 6 months in all, between about 7:10 a.m. and 8:40 a.m.; on any given day during that period, new shadow would fall on Union Square for between a few minutes and about one hour, with the duration being less than 30 minutes on most days except between late August and mid-September and between late March and mid-April, when shadows would last up to about one hour.

However, this information was incorrectly summarized in Table 41, p. 508, which has been revised for consistency with the text. Additionally, Table 41 attributed too high a diminution in the percentage of the theoretical annual available sunlight to development in the Plan area. The correct figure is 0.19 percent, compared to 0.24 percent reported in the DEIR. Likewise, for Woh Hei Yuen Park, Table 41 reported a loss of 0.07 percent of the theoretical annual available sunlight; the correct figure is less than 0.01 percent. Finally, the start time of new shadow on St. Mary's Square, which was correctly reported as 8:10 a.m. in the text on EIR p. 513, was given as 8:40 a.m. in Table 41, and the table has also been revised to reflect this information. The revised Table 41 is included in Section E, Revisions to the Draft EIR, p. C&R-121 of this Comments and Responses document.

The Transit Tower's contribution to new shadow on Portsmouth Square, Union Square, and other parks was reported accurately in the Draft EIR, including Table 42, EIR p. 523.

Comment SH-7: New shadow described in the EIR is not substantial

"With reference to the issue of shadows and high-rise buildings, it is worthy to note that the Draft EIR before you today finds no adverse shadowing of park property. That is, any shadow issue is an inconsequential one, and would not violate the intent of the San Francisco's shadow protection ordinance." *(Ken Cleaveland, Building Owners and Managers Association)*

"City law requires high rise buildings to be judged against shadow impacts they may cause on Recreation and Park Department properties. The Draft EIR finds no adverse shadowing of park property. Increases in shadowing from the proposed new height limits are a fraction of a percent and appear to be insubstantial." *(Jim Lazarus, San Francisco Chamber of Commerce)*

"We have had the opportunity to review the shadow impacts of the Transit Center District Plan and Transit Center Tower. Page 470 of the DEIR notes: 'With one exception, shadow from any given potential building would cover part of any affected Section 295 park for less than 45 minutes per day over a period of time ranging from 4-12 weeks, per year.' The exception noted is the shadow to Union Square by the proposed addition to the Palace Hotel on New Montgomery Street.

"Table 41 on page 508 shows the potential shadow increases resulting from the plan. These shadow increases range from .24% to less than .01%. Even in the case of Union Square, the plan exceeds the existing shadow budget for the park by .2% which is only .5% of the total shadow budget for the park.

"We believe the value of this plan to enable the continued development of our walkable transit friendly downtown core outweighs the very small shadow impacts it generates." *(Sarah Karlinsky, San Francisco Planning and Urban Research Association)*

"I hope this note finds you well. I was born and raised in SF and I think it's high time we increase density in this city. I fully support the proposed building heights mentioned in the DEIR for the Transit Center District Plan and Transit Tower (PLANNING DEPARTMENT CASE NO. **2007.0558E and 2008.0789E**) and actually wouldn't mind if the allowed heights are increased beyond 1,070 ft. I don't believe the additional shadows created will be significant and in fact am wondering if there's a way to get a measure on the ballot to repeal the law which restricts buildings from casting significant shadows on public parks." *(Issa Kawas)*

Response

The comments stating that commenters do not find that project shadow effects would be substantial are noted, and will be considered by the decision-makers. However, the comments that the EIR "finds no adverse shadowing of park property" are incorrect. As stated in the EIR, and discussed in the prior responses, the EIR finds a significant, unavoidable effect due to new shadow from potential Plan area buildings together and from the proposed Transit Tower itself.

Concerning the duration of shadow, as correctly presented in the text of EIR pp. 509 – 515 and in Table 41, p. 508, new shadow could last up to about an hour and a half per day on Justin Herman Plaza. Accordingly, the last paragraph of EIR p. 470 is revised as follows for consistency with Table 41:

> With one exception, shadow from any given potential building would cover part of any affected Section 295 park for less than ~~45~~ 90 minutes per day over a period of time ranging from ~~4 to 12~~ 2 to 16 weeks (one-half to ~~three~~ almost four months) per year; the exception would be that Union Square would be newly shaded by up to about one hour per day, over a period of six months, by a 600-foot tower addition to the southwest corner of the Palace Hotel on New Montgomery

> Street.[footnote omitted] Most new shadow on Section 295 parks would be in the early morning hours, except that Justin Herman Plaza would be newly shaded in the early afternoon in late fall and early winter.

Concerning how much of Union Square's shadow "budget" would be consumed by Plan area buildings, please note that the 0.2 percent increment of new shadow from Plan area buildings does not represent a percentage increase over existing shadow, but rather a percentage of the total annual available sunlight, as stated in footnote 4 of Table 41.

Recreation and Public Space

Comment RE-1: The Recreation and Park Department desires further detail concerning the analysis of impacts on existing parks and open spaces.

"In terms of Impact RE-1, please provide further analysis of how the proposed determination was made that the additional office, retail, hotel, and residential density would not result in increased use that would lead to or accelerate their physical deterioration or require construction of new facilities. Many of the parks in the area of the plan are heavily used and in areas the city's general plan considers to be 'high-needs' in terms of new or improved open space. The proposed plan does include some new proposed open spaces. Please provide additional analysis of the future use of those spaces and existing open spaces based on user types, time of use and type of facility provided and other appropriate analysis methods." *(Karen Mauney-Brodek, San Francisco Recreation and Park Department)*

Response

In general, it is anticipated that office workers would normally frequent open spaces during the midday period, when many office workers spend the lunch hour in publicly accessible open spaces, during other midday breaks, and after work, particularly in the case of workers who are also City residents. There are no City parks within easy walking distance of most of the Plan area, and only Justin Herman Plaza and Sue Bierman park are close enough to reach on foot from the eastern portion of the Plan area for persons with a limited amount of time. Therefore, as under existing conditions, it is anticipated that most open space use by future employees in the Plan area would consist of lunchtime use of the numerous privately owned, publicly accessible open spaces in the Plan area. Likewise, hotel guests visiting for business purposes would not be expected to be frequent park users (assuming they would be spending most of their time on their appointed business). Leisure visitors, while they would use public parks, would be likely to visit parks citywide, notably Golden Gate Park and other iconic Recreation and Park Department properties.

Because the growth forecasts for the Plan area anticipate primarily employment growth and comparatively limited residential growth, and because all of the residential growth would be in multi-family buildings, many of which would be towers, relatively little demand for family recreational uses is anticipated. As noted on EIR p. 548, fewer than 1,000 new children are anticipated in the 6,100 new housing units in the Plan area. Accordingly, most new recreational

use resulting from Plan area development would likely be passive use (or organized games in leagues that use a limited number of citywide playfields outside the Plan area).

Moreover, as stated in EIR Chapter II, Project Description, the new 5-acre City Park will be created atop the Transit Center that is currently under construction and the proposed Transit Tower would develop Mission Square, a publicly accessible open space at Mission and Fremont Streets. In addition to helping fund open spaces in the Plan area such as Transbay Park (between Beale and Main and Tehama and Clementina Streets) and physical connections to the elevated City Park, the draft Plan also proposes an additional new open space at the northeast corner of Second and Howard Streets, as well as widespread streetscape improvements to enhance the pedestrian environment, plus funding for improvements to other Downtown open spaces. Therefore, it is expected that use of City parks by Plan area workers, visitors, and residents would not be so great that any significant effects related to physical deterioration of park facilities or construction of new facilities would be anticipated.

Comment RE-2: The DEIR improperly characterized the Embarcadero Promenade as being under the jurisdiction of the Recreation and Park Department.

"On page 529, the area generally referred to as the Embarcadero Promenade, as discussed, is owned by the Port of San Francisco, not the Recreation and Parks Department." *(Karen Mauney-Brodek, San Francisco Recreation and Park Department)*

Response

The commenter correctly notes an error in the setting portion of the EIR's Recreation and Public Space section. Accordingly, the second bullet beneath the heading "Plan Area Recreational Resources " on EIR p. 530 is deleted and new text is inserted following the last bullet, as follows:

> The Port of San Francisco has jurisdiction over the following facility in the vicinity of the Plan area:
>
> - Embarcadero Promenade – extending along the length of much of the City's eastern waterfront, the Embarcadero Promenade is located about a block east of the Plan area's eastern boundary. The paved pathway is used for active and passive recreation by joggers, bikers and urban hikers to enjoy unobstructed views of the bay and the Bay Bridge.

Biological Resources

Comment BI-1: The Recreation and Park Department supports the use of the City's recently adopted Standards for Bird-Safe Buildings.

"The Recreation and Parks Department manages numerous facilities citywide that provide special habitat for wildlife, including [birds]. We are encouraged that the Standards for Bird Safe Buildings have been adopted for potential use on projects such as this." *(Karen Mauney-Brodek, San Francisco Recreation and Park Department)*

Response

As stated on EIR p. 561, as the Draft EIR was published, the San Francisco Board of Supervisors had unanimously approved, on first reading, proposed *Planning Code* amendments to incorporate bird-safe building standards into the *Code*, and final approval was scheduled before the Supervisors the week the DEIR was published. As stated by the commenter, the standards have now been adopted and are included in Section 139 of the *Code*.[21]

Public Services and Utilities

Comment UT-1: The EIR should discuss the City's recycled water ordinances.

"Pages 35-37 (District Sustainability), 537-538 (Plan Impacts, Water), 598 (Recycled Water), and 610 (Recycled Water):

"Recycled Water Systems - Recycled Water Ordinances 390-91, 391-91, and 393-94 require property owners (including municipal) to install recycled water systems for recycled water use within the designated recycled water use areas. All but the very northwest corner of the Plan area is located within the designated recycled water use area and the installation of a recycled water system(s) in the buildings/facilities/green spaces located within the designated ordinance area is required. Although the northwest corner of the Plan area is not located within the designated area, it is contiguous to the rest of the Plan area that is within the designated area and, therefore could be served recycled water.

"The text of these ordinances can be found at the following webpage: http://sfwater.org/index.aspx?page=477." *(Irina Torrey, San Francisco Public Utilities Commission)*

Response

Recycled water requirements, including the fact that "all but the very northwest corner of the Plan area (northwest of the corner of Second and Mission Streets) is within the Eastside Reclaimed Water Use Area designated by Section 1029 of the Reclaimed Water Use Ordinance," are discussed on pp. 537 – 538 of the EIR. The comment that the northwest corner of the Plan area could also be served with recycled water is noted. As described in EIR Chapter II, Project Description, p. 35, "The draft Plan would implement a number of district-wide policies and controls aimed at supporting and, where possible, exceeding the City's existing environmental, sustainability and climate change objectives." Water conservation, in particular, is discussed on EIR p. 37.

Comment UT-2: The EIR does not address potential disruption of utilities due to construction.

"BlackRock's operations at 400 Howard Street involve conducting multiple *billions* of dollars of financial transactions each day on sophisticated telecommunications and data processing equipment that depend on the stability and security of the physical environment. We are therefore extremely sensitive to proposed changes in the environment around 400 Howard Street that could cause business disruptions. This sensitivity is heightened by the fact that in August 2009, a TJPA contractor severed an AT&T

[21] Ordinance 199-11, approved by the Board of Supervisors September 27, 2001 and signed by the mayor October 7, 2011.

communication cable serving BlackRock's operations at 400 Howard Street. Fortunately, no disruption of our ability to conduct financial transactions occurred. While BlackRock maintains robust business continuity procedures, even a temporary disruption in BlackRock's ability to conduct financial transactions of a duration that might seem inconsequentially short to others, could result in serious financial damage. Therefore, it is very important that activities of the TJPA do not impair operations at 400 Howard Street.

…

"Utilities: The Draft EIR does not appear to analyze the effect of construction activities damaging utilities, thereby causing a disruption in services, which could have significant repercussions. Accordingly, neither does the Draft EIR propose mitigation for this potentially significant impact.

…

"Disruption of Utilities

"With respect to utilities, the Final EIR should analyze the impact of construction-related damage to utilities and propose mitigation. It should also confirm that construction activities in the Plan area will not require the relocation of utilities.

"The Draft EIR does not appear to analyze the potentially significant effect of construction activities damaging utilities, thereby causing a disruption in services. Section L. Utilities and Service Systems does not analyze damage to utilities or disruption. On the other hand, Section O. Geology, Soils, and Seismicity does acknowledge that construction activities could adversely affect utilities. Specifically, on pages 591-592, the Draft EIR states that excavation activities, construction-related dewatering, and permanent dewatering, could all result in settlement of utilities. On page 592, the Draft EIR also acknowledges that 'repair to service lines under the street' could be necessary. As indicated above, BlackRock is familiar with the potential for accidents to disrupt utilities because of the August 2009 incident involving a TJPA subcontractor severing an AT&T communication cable serving BlackRock's operations at 400 Howard Street. .

"CEOA requires that an EIR propose mitigation for potentially Significant impacts to the environment. The significance of an impact to the physical environment, such as damage to utility lines, may depend on social or economic factors beyond the physical change in the environment. 14 C.C.R. § 15131. Although the Draft EIR acknowledges the potential for damage to utility lines, it does not analyze the impact or offer mitigation. Damage to utility lines should be considered a potentially significant impact because of the magnitude of the economic and social effects that could result from the physical damage. Accordingly, the EIR should analyze the potential for such damage and propose mitigation.

"By way of comparison, the Transit Terminal EIR did analyze the potential for damage to utilities from construction and planned relocation. Mitigation there centered on planning and strategizing with providers, as well as informing customers when short-term service disruptions would occur. Specifically, to mitigate the potential impact of damage to utility systems and disruption and degradation of service to local customers, the EIR proposed, among other measures, to coordinate with utility providers during preliminary engineering and through final design and construction and to avoid, relocate, and/or support

utilities during construction activities. Transit Terminal EIR, at 5-82. Similar planning and strategizing should be incorporated into proposed mitigation for the Plan and Tower.

"We note that the current Draft EIR could be read as analyzing the impacts related to damaged utilities within impacts GE-3 and GE-7, and concluding that such impacts are less than significant, in part because of the Department of Building Inspection ('DBI') requirements to prepare a geotechnical report that would address potential settlement and related impacts. However, this reading is problematic under CEQA for multiple reasons. First, this section does not explain how damage to utilities could be avoided; it even suggests damage would occur and the project proponent would pay for such damage. Second, as explained above, damage to utility lines should be considered a potentially significant impact, which would require formal mitigation measures to comply with CEQA.

"In light of these observations, we recommend that the Final EIR identify damage to utilities and disruption in utility service as a potentially significant impact, for both the Plan and Tower construction, and propose mitigation measures to minimize the risk of such damage. Some of the DBI requirements described on page 592 could form the basis for appropriate mitigation. Additionally, the EIR could incorporate some planning and coordination requirements similar to those required in the Transit Terminal EIR. However, any deferral of mitigation in the Final EIR (for instance, through the requirement to comply with a future geotechnical report or monitoring survey) would comply with CEQA only through articulation of specific performance standards and an analysis of how the various plan components can accomplish the performance standards. 14 C.C.R. § 15126.4(a)(1)(B).

Additionally, we request confirmation that construction in the Plan area will not involve any relocation of utilities. The Draft EIR did not discuss utility relocation, or potential impacts associated therewith. Presumably, this is because no utility relocation is anticipated." *(Thomas L. Bain, BlackRock)*

Response

Temporary disruption of utility service does not constitute a significant adverse effect on the environment for purposes of CEQA, although it may have economic consequences. Accordingly, disruption of utility service to an individual building, even disruption causing economic loss, would not be considered an adverse physical change in the environment, and would not result in a significant impact, because it would not trigger any of the significance criteria listed on EIR p. 537, in Section IV.L, Utilities and Service Systems. As described in EIR Section IV.O, Geology, Soils, and Seismicity, the Department of Building Inspection reviews proposed building plans for, among other things, potential effects on adjacent structures.

No utility relocations are likely to be required as a result of the development that could occur as a result of adoption of the draft Plan. This is because all of the potential development projects included in the analysis in this EIR would occur within existing block configurations and therefore would not require relocation of in-street utility lines. By contrast, the new Transit Center currently under construction requires relocation of multiple utility lines, both above grade and below, because the Transit Center will include basement levels spanning multiple blocks to accommodate potential future trains from high-speed rail operation and Caltrain. Thus the 2004 EIS/EIS for the Transbay Terminal replacement, Caltrain Downtown Extension, and Transbay

Redevelopment Project analyzed "the potential for damage to utilities from construction and planned relocation."

Disruption of business, should it occur, would be an economic impact and not a significant effect on the environment.

Effects related to soils stability are discussed in response to Comment GE-2, below.

Geology, Soils, and Seismicity

Comment GE-1: The EIR should discuss the implications of an earthquake on occupants of a 1,000-foot tower.

"[Page 17] Seismic underpinnings for 1000' tower. What are the implications of tenants going through a MAJOR earthquake in such a tall building. If the elevators have to go off for a period, the evacuation AND inability to reoccupy (with elevator shut off) AND will the building shed even a little bit of its skin so that the STRUCTURE can [ride] out the quake." *(Sue Hestor, on behalf of SFRG)*

Response

High-rise buildings are routinely equipped with backup generators to provide an emergency power source. As stated on EIR p. 397, this is required under the *Building Code* for buildings greater than 75 feet in height. Absent structural damage that would preclude the operation of elevators, a standby generator would enable the use of at least some portion of tall building's elevators to facilitate evacuation. As stated on p. 589, compliance with *Building Code* provisions "would ensure that the structure would not suffer substantial damage, substantial debris such as building exterior finishes or windows would not separate from the building, and that building occupants would be able to safely vacate the building following an earthquake, and that pedestrians and other bystanders would not be injured. While some damage could occur, building occupants could reoccupy the building after an earthquake and the completion of any necessary repairs." This is not to state that no debris would fall, but newer structures designed and built in accordance with the current *Code* would not be anticipated to shed large components.

Comment GE-2: The EIR does not present evidence to support its conclusion of less-than-significant impacts with respect to Geology and Soils.

"Geology and Soils: The Draft EIR concludes that potential impacts of soil subsidence and instability are 'less than significant,' despite standards of significance in the Draft EIR that suggest otherwise. The Draft EIR''s explanation for this conclusion places great reliance on the ability of geotechnical reports to prevent catastrophe without explaining how the reports create legally binding mechanisms to identify and avoid potential problems.

…

"Ground Instability

"With respect to soil and ground stability, the Final EIR should consider possible subsidence, instability, and similar effects as 'potentially significant' and should propose mitigation.

"Section O. Geology, Soils, and Seismicity describes potentially adverse impacts to buildings and utilities as a result of excavation, construction-related dewatering, ground heave as a result of pile driving, and permanent dewatering. These impacts are discussed in impact GE-3, with respect to the Plan, and Impact GE-7 with respect to the Tower. The Draft EIR concludes that the potential impacts are less than significant, and therefore no mitigation is proposed. This conclusion is based on the DBI requirements applicable to the project, which include principally a requirement to prepare a geotechnical report.

"The conclusions that the impacts are less than significant are not sufficiently supported in the Draft EIR. The Draft EIR, on pages 590 through 592 and 594, acknowledges the potential for soil to become unstable, for the ground to heave up, and for buildings, sidewalks, and utilities to settle. On page 587, the Draft EIR states that a project impact would be considered significant if it involved location 'on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.' CEQA requires that an EIR propose mitigation for potentially significant impacts to the environment. The appropriate analysis under CEQA would be to characterize the impact as potentially significant, and then propose mitigation, which could include some of the DBI requirements listed on page 592 of the Draft EIR.

"Note, however, that the DBI requirements, as presented on page 592 of the Draft EIR, would not constitute adequate mitigation under CEQA. Mitigation measures must describe the actions that will be taken to reduce or avoid an impact; deferral of the formulation of mitigation measures is ordinarily improper. 14 CCR § 15126.4(a)(1)(B). Here, the Draft EIR does not describe such actions. Rather, the Draft EIR states that, if unacceptable movement is observed during monitoring (*if* monitoring is required), 'corrective actions would be used to halt this settlement.' The only example of such corrective action given is groundwater recharge. No other examples of corrective action are offered, and it is not clear how any corrective action would avoid significant impacts associated with unacceptable movement. In short, the description of DBI requirements does not include a description of the actual actions that would be taken to reduce or avoid potential impacts. Instead, it relies on preparation of future reports, future actions, and undefined 'corrective action' without adequate explanation. To comply with CEQA, reliance on such future reports and actions must be accompanied by concrete performance standards that will be attained through well-defined methods described in the EIR.

"This shortcoming is especially pronounced in the case of the Tower construction. On page 594 of the Draft EIR, impact GE-7 states that ground settlement at the Transit Tower site could result from excavation, dewatering, and heave from pile-driving, but the effects

> "'would be less than significant with implementation of DBI procedures described above, including preparation of a detailed geotechnical report and site specific reports as needed to address the potential settlement and subsidence impacts ... ; implementation of a lateral movement and settlement survey ... if needed; and implementation of corrective actions, as necessary.'

"This analysis does not demonstrate why the potentially significant impacts of ground instability should be considered insignificant. In particular, it places great reliance on the ability of the geotechnical report to prevent any catastrophe without providing detail on how the reports create legally binding mechanisms to identify and mitigate potential problems. The report will include a 'determination' as to whether further surveys are required, but there is no assurance regarding the robustness of that determination, or the ability of the further surveys to identify unacceptable movement in a timely manner. Finally, the vague term 'corrective action' provides no meaningful assurance that significant impacts can be avoided once problems arise.

"In light of these observations, we recommend that the EIR re-classify impacts GE-3 and GE-7 as 'potentially significant,' and propose mitigation. Mitigation would probably be based on the DBI requirements described on page 592. It would also be appropriate to develop some of the ideas presented on page 591, relating to shoring, monitoring, dewatering planning, and surveying. These tactics, unenforceable as presented in the Draft EIR, could play an important role in enforceable mitigation. However, as discussed above, to the extent any mitigation defers the precise formulation of the mitigation measures, it must rely on performance standards and explain with specificity the types of actions that can and will accomplish the performance standards.

"Building Data Survey

"Given the scope of planned construction in the Plan area, and the magnitude of the Tower project itself, a pre-construction building data survey would enhance the analysis and mitigation proposed in the Draft EIR. Such a survey was required in the EIR/EIS for the Transbay Terminal / Caltrain Downtown Extension / Redevelopment Project ('Transbay Terminal EIR'). There, in connection with the planned construction of the Caltrain extension,

> "'[a] pre-construction structural survey would be completed to determine the integrity of existing buildings adjacent to and over the proposed extension. This survey would be used to finalize detailed construction techniques along the alignment and as the baseline for monitoring construction impacts during and following construction.'

"Transbay Terminal EIR, at 5-161. A similar survey would greatly enhance the mitigation proposed in the Draft EIR. Mitigation involving use or limitation of certain construction techniques, for example pile driving or shoring techniques, will be better informed to incorporate building-specific data. The specific impacts and mitigation measures discussed above would benefit from such data." *(Thomas L. Bain, BlackRock)*

Response

As stated on EIR p. 586, "The *San Francisco Building Code* is an amendment to the CBC [California Building Code]. It includes seismic safety performance standards that apply to all new construction in the City. In accordance with this code, the San Francisco Department of Building Inspection (DBI) could, in its review of building permit applications, require the project sponsor to prepare a geotechnical report pursuant to the State Seismic Hazards Mapping Act. … [¶]As part of [the City's] permitting process, the final building plans would be reviewed by DBI. In reviewing building plans, DBI refers to a variety of information sources to determine existing

hazards and assess requirements for reducing or avoiding those hazards. … If the need were indicated by available information, DBI would require that additional site-specific soils reports be prepared by a California-licensed geotechnical engineer prior to construction, and may require additional consultation with the project sponsor and peer review of the proposed design of the proposed project to ensure that it meets the seismic safety requirements of the *San Francisco Building Code*." Hence, the *San Francisco Building Code* is legally binding on permit holders, and DBI has the authority to enforce all of the applicable requirements. DBI may also require a project sponsor to comply with measures identified in a geotechnical report, prepared by a qualified expert, to ameliorate site-specific conditions. In addition to the *Building Code*, *California Civil Code* Section 832 requires property owners undertaking construction projects involving excavation to take appropriate measures to safeguard adjoining properties. It is not the preparation of a geotechnical report or soils study, in itself, that would ameliorate potential geologic, soils, and seismic impacts of new project. Rather, it is the City's established permit review process and compliance with the *San Francisco Building Code*, including the implementation of building design features required by the *Code*, as interpreted by DBI, that would avoid significant effects.

Regarding the significance criteria on EIR p. 587 that are noted by the commenter, the EIR analysis does not identify any of these geologic or soils hazards as resulting in a significant impact, when considering that the City's legally required permit review process assures compliance with the *Building Code*. Compliance with the *Building Code* is required as a matter of law, and therefore is properly assumed as part of the analysis, because DBI will not issue a building or other permit absent compliance with the *Code*. This holds true for the proposed Transit Tower, as well as for other all development in the Plan area.

Regarding the commenter's suggestion for a pre-construction structural survey of buildings near a planned construction site and the reference to a mitigation measure requiring such a survey in the "Transbay Terminal EIR," the mitigation measure in question was identified in connection with the planned subsurface extension of Caltrain tracks from the existing station at Fourth and Townsend Streets to the new Transit Center. Because that component of the project analyzed in the Transbay Terminal EIR would involve tunneling and boring within street rights of way and beneath existing structures, special attention was paid to the potential for construction damage, particularly because the planned route, along Second Street, would pass within mere feet of a number of more fragile historic buildings. It is noted that the EIR includes Mitigation Measure M-CP-5b, which would require a pre-construction survey for historical resources adjacent to new construction, because such resources, particularly if they are of masonry construction, are more likely than newer, reinforced concrete and steel buildings (such as the commenter's building at 400 Howard Street) to sustain damage from heavy construction activity.

Hazardous Materials

Comment HZ-1: The Transit Tower site could require remediation for contamination from prior uses, which must be analyzed in the EIR.

"Based on historic use of the [Transit Tower] project site (i.e. the now-demolished Transbay Terminal), we strongly recommend that sampling should be conducted to determine whether there is an issue which will need to be addressed in the CEQA compliance document. If hazardous substances are present, they will need to be addressed as part of this project.

"For example, if the remediation activities include the need for soil excavation, the CEQA document should include: (1) an assessment of air impacts and health impacts associated with the excavation activities; (2) identification of any applicable local standards which may be exceeded by the excavation activities, including dust levels and noise; (3) transportation impacts from the removal or remedial activities; and (4) risk of upset should there be an accident at the Site." *(Ryan Miya, DTSC)*

Response

The EIR evaluates the potential to encounter hazardous materials in the soil and groundwater in the Transit Center District Plan area in Impact HZ-2, EIR p. 637, and at the Transit Tower site in Impact HZ-7, p. 650. As discussed in these impact analyses, there is a high potential to encounter hazardous materials in the soil and groundwater during construction based on historic land uses in the Transit Center District Plan area. To address this, the project sponsor would be required by Mitigation Measure M-HZ-2a to comply with Article 22A of the San Francisco Health Code for the Transit Tower site and the portions of the Transit Center District Plan area that are bayward of the historic high tide line. This measure requires a site history report, and if appropriate, a soil investigation, soil analysis report, site mitigation plan, and certification report as well. If the presence of hazardous materials is indicated, a site health and safety plan would also be required. In accordance with Article 22A as specified in Mitigation Measure M-HZ-2a, soil and groundwater sampling would be conducted if the site history report indicates the potential for hazardous materials to be present in the soil or groundwater. These activities would be conducted under the oversight of the San Francisco Department of Public Health, and the Regional Water Quality Control Board or Department of Toxic Substances Control if appropriate. If exposure to any contaminants identified would be of a health concern, the project sponsor would be required by these agencies to implement a site mitigation plan specifying site cleanup level that are protective of human health and the environment, and would also be required to prepare a certification report documenting that the site mitigation requirements have been implemented. For portions of the Transit Center District Plan area that are landward of this historic high tide line, the project sponsor would be required to implement Mitigation Measure M-HZ-2b which includes similar requirements. At sites where potential exposure to vapors is expected, a project would also need to implement Mitigation Measure M-HZ-2c which requires implementation of a screening evaluation for vapor intrusion.

Air and health impacts associated with excavation activities would be addressed in the site mitigation plan prepared for the project in accordance with Mitigation Measure M-HZ-2a or

M-HZ-2b and the screening analysis conducted for vapor intrusion conducted in accordance with Mitigation Measure M-HZ-2c (as revised herein; see below). Noise standards for construction activities, including site remediation if needed, are addressed in Section F of the EIR (Impact NO-2), and dust levels are addressed in EIR Section IV.G, Air Quality, in Impact AQ-4, p. 408, and Impact AQ-6, p. 413. Transportation impacts related to construction activities are addressed in EIR Section IV.E, in Impact TR-9, p. 319, and Impact TR-16, p. 338. The health and safety plan prepared in accordance with Mitigation Measures M-HZ-2a or M-HZ-2b would address risk of upset should there be an accident at the site.

To reflect the fact that the Department of Toxic Substances Control has revised a final version of its Vapor Intrusion Guidance since publication of the DEIR (at which time only a draft version was available), Mitigation Measure M-HZ-2c, EIR p. 642, is revised as follows to reflect the final guidance document (new text is double-underlined; deleted text is shown in ~~strikethrough~~):

M-HZ-2c: Site Assessment and Corrective Action for All Sites. The project sponsor shall characterize the site, including subsurface features such as utility corridors, and identify whether volatile chemicals are detected at or above risk screening levels in the subsurface. ~~If potential exposure to vapors is suspected,~~ If so, a screening evaluation shall be conducted in accordance with guidance developed by the DTSC[fn357] to estimate worst case risks to building occupants from vapor intrusion using site specific data and conservative assumptions specified in the guidance. If an unacceptable risk were indicated by this conservative analysis, then additional site data shall be collected and a site specific vapor intrusion evaluation, including fate and transport modeling, shall be required to more accurately evaluate site risks. Should the site specific evaluation identify substantial risks, then additional measures shall be required to reduce risks to acceptable levels. These measures could include remediation of site soil and/or groundwater to remove vapor sources, or, should this be infeasible, use of engineering controls such as a passive or active vent system and a membrane system to control vapor intrusion. Where engineering controls are used, a deed restriction shall be required, and shall include a description of the potential cause of vapors, a prohibition against construction without removal or treatment of contamination to approved risk-based levels, monitoring of the engineering controls to prevent vapor intrusion until risk-based cleanup levels have been met, and notification requirements to utility workers or contractors who may have contact with contaminated soil and groundwater while installing utilities or undertaking construction activities. In addition, if remediation is necessary, the project sponsor shall implement long-term monitoring at the site as needed. The frequency of sampling and the duration

[fn357] California Department of Toxic Substances Control, *~~Interim~~ Final~~,~~ Guidance for the Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air (Vapor Intrusion Guidance)*. ~~December 15, 2004, revised February 7, 2005.~~October, 2011.

of monitoring will depend upon site-specific conditions and the degree of volatile chemical contamination.

The screening level and site-specific evaluations shall be conducted under the oversight of DPH and methods for compliance shall be specified in the site mitigation plan prepared in accordance with this measure, and subject to review and approval by the DPH. The deed restriction, if required, shall be recorded at the San Francisco Office of the Assessor-Recorder after approval by the DPH and DTSC.

Cumulative Impacts

Comment CU-1: The EIR does not analyze cumulative ground stability and vibration impacts.

"Cumulative Impacts: The Draft EIR does not analyze the cumulative ground stability and vibration impacts of the project combined with the impacts of the related and adjacent below-grade Transit Center construction, which is expected to begin in early 2012.

…

"The cumulative impacts discussion in Section O. Geology, Soils, and Seismicity on page 595 of the Draft EIR does not discuss the construction of the Transit Center or the Caltrain extension, both of which will involve large amounts of excavation in the area, which could lead to cumulative effects with regard to ground stability. The Final EIR should include a discussion of the impacts on ground stability from the excavations in the related, adjacent projects, in conjunction with impacts from construction in the Plan area and Tower construction.

"The cumulative impacts discussion in Section F. Noise and Vibration does mention the Transit Center and Caltrain extension on page 368. The analysis there notes that 'train track tunneling and construction would not occur until a later date, which is dependent on funding.' However, according to the TJPA website, excavation and bracing for the Transit Center below grade structure, which will accommodate future Caltrain and potential high-speed rail service, is expected to begin in early 2012. http://transbaycenter.org/construction-updates/project-schedule (visited on 11/11/11). This section of the Final EIR should address such construction, as should Section O. Geology, Soils and Seismicity." *(Thomas L. Bain, BlackRock)*

Response

Regarding cumulative vibration impacts involving ongoing construction on the new Transit Center and other projects, as stated in Impact NO-3, EIR p. 362, most construction activities other than pile driving do not generate substantial vibration at a distance equivalent to the width of a Plan area street (82.5 feet). For there to be a cumulative vibration impact, multiple projects would have to be engaged at the same time in activities causing substantial vibration. At the Transit Center site, demolition of the former Transbay Terminal was completed in 2010, the new shoring wall has been constructed, and piles supporting the temporary roadway and construction trestle

will be installed by the end of 2012. After this time, vibration levels will be diminished at the Transit Center construction site. Because it is likely that no other project in the Plan area, and particularly no other project proximate to the commenter's building at 400 Howard Street, would be ready to begin construction before 2013, no substantial cumulative vibration effects from construction would be anticipated.

Concerning ground stability, the commenter presents no facts in support of alleged "cumulative effects with regard to ground stability." As stated above in response to Comment GE-2, compliance with the *San Francisco Building Code* is required as a matter of law and the Department of Building Inspection (DBI) will not issue a building or other permit absent compliance with the *Code*. As part of its permit review procedures, DBI requires submittal of geotechnical, engineering, and foundation reports and plans that take account of the conditions extant on a particular building site. For example, excavation for the new Transbay Transit Center will be to a depth of 60 feet for the "train box" that would accommodate planned future rail service. Therefore, for a site adjacent to the new Transit Center, the design of any subsequent adjacent structures would have to take this excavation and the train box into account, which could limit the depth of excavation on the adjacent site.

The commenter is correct that construction has begun on the Transit Center's below-grade structure that would accommodate future train traffic. However, the reference on EIR p. 368 is to the potential future extension of the Caltrain tracks from Fourth and Townsend Streets to the new Transit Center, which, as indicated above in the response to Comment GE-2, would involve tunneling and trenching proximate to historical resources.

Alternatives

Comment ALT-1: The EIR should include a preservation alternative that would avoid demolition of any historic buildings.

"The HPC does not believe the reduced scope project should be regarded as a preservation alternative. The DEIR should include a true preservation alternative that looks at not demolishing any historic resources.

"The HPC disagrees with the finding in the DEIR that the reduced scope project will have a reduced impact to the Palace Hotel. While the reduced scope project may have less shadow impacts, there will be no difference between the proposed project and the reduced scope project to the Palace Hotel from a preservation perspective." *(Charles Chase, Historic Preservation Commission)*

Response

The commenter's opinion regarding the degree to which Alternative B, the Reduced Project Alternative, would reduce or avoid impacts to historic architectural resources is noted. The EIR does not describe Alternative B—or any of the other alternatives analyzed—as a "preservation alternative." A true preservation alternative most often is required by the Planning Department in an environmental impact report for an individual development project that would adversely

affect historic architectural resources. Such an alternative is generally designed to accommodate all or most of the project's development program in a manner that would avoid, or at least minimize to the maximum extent feasible, the proposed project's significant impacts on historic architectural resources. For example, a preservation alternative could entail adaptive reuse of a historic building, typically in compliance with the Secretary of the Interior's Standards for Rehabilitation. A preservation alternative might also involve the expansion of a historic building with an addition that is compatible with the building's historic fabric and character-defining features.

In the case of a program EIR such as this one, for which the project being analyzed is a policy framework for many square blocks, including rezoning to increase height limits on a dozen different sites, a preservation alternative that would preclude demolition of any historic buildings is far more complex. It must be understood at the outset that, as a rule, San Francisco does not currently prohibit the demolition or substantial alteration of historic buildings. Article 11 of the *Planning Code,* Preservation of Buildings and Districts of Architectural, Historical, and Aesthetic Importance in the C-3 Districts, generally governs the treatment of historic buildings in Downtown San Francisco. While the City has a number of controls, programs, and incentives aimed at avoiding adverse impacts to historic buildings, nothing in Article 11 fully precludes the demolition of historic architectural resources. As noted in the EIR on p. 234, Article 11 generally prohibits the demolition of "Significant" (Category I and II) buildings, unless it can be demonstrated that they have no substantial market value or reasonable use, after taking into account costs of rehabilitation and any development rights transferred to another site. (Demolition may also be approved if the building presents an imminent hazard.) The same controls apply to "Contributory" (Category III and IV) buildings from which development rights have been transferred to another site. For other Contributory buildings, retention is encouraged under Article 11, and Contributory buildings in a conservation district may not be demolished unless a replacement building is approved, having been found to not adversely affect the district.[22]

Given the existing controls in Article 11, an alternative that prohibits demolition of any and all identified historic buildings could entail designation of all historic buildings in the Plan area as Category I or II ("Significant") Buildings under Article 11, designation of all such structures as City Landmarks or as contributing resources to a Landmark District (formerly known as a Historic District) under Article 10 of the *Planning Code*, a substantial strengthening of existing controls in Article 11, or some combination of these or other strategies. All of these options would elevate the importance of at least some of the historic buildings in the Plan area beyond what is appropriate based on the completed evaluations of the historic importance—or lack thereof—of

[22] Separate controls apply to designated City Landmarks, under *Planning Code* Article 10. In general, demolition of Landmarks is more difficult to approve than demolition under Article 11, because Article 10 requires issuance of a Certificate of Appropriateness indicating that a project "will preserve, enhance or restore, and shall not damage or destroy, the exterior architectural features of the landmark" (*Planning Code* Section 1006.7(b)). Action on a request for demolition of a landmark may be delayed by the City for up to 360 days under Section 1006.6(b), to allow the City to pursue alternatives.

each building. In particular, designating all Plan area historic buildings as "Significant" under Article 11 or as City Landmarks or contributors to a Landmark District under Article 10 would circumvent the procedures in the *Planning Code* for case-by-case evaluation of buildings and districts identified for historic resource designation under the *Code*. Strengthening the controls in Article 11 to prohibit demolition of all historic buildings—both Significant and Contributory Buildings—would likely require overhaul of the City's existing regulations and incentives related to preservation, including substantial modification of the Transfer of Development Rights program. For these reasons, such an alternative is not considered feasible.

Moreover, an alternative that would preclude demolition of all historic architectural resources could be inconsistent with the direction in CEQA Guidelines Section 15126.6 that alternatives "feasibly attain most of the basic objectives of the project." As stated on p. 8 of the EIR, the "overarching premise" of the draft Plan is "'is to continue the concentration of additional growth where it is most responsible and productive to do so—in proximity to San Francisco's greatest concentration of public transit service,'" while also providing funding for development of the new Transit Center and other infrastructure improvements. Mandating the preservation of all historic buildings in the Plan area would make it more difficult to achieve the draft Plan's growth objectives, in that six of the 16 specific sites where development in the Plan area is assumed (see EIR Figure 14, p. 73) contain one or more historic buildings. While some of these sites could conceivably be developed at or near the intensity assumed in the growth forecasts prepared by the Planning Department in conjunction with the draft Plan, other sites would provide for substantially less development than envisioned under the draft Plan if all historic buildings were retained. For example, development on the 50 First Street site under Alternative B would accommodate about half the development program currently envisioned for that site, while a site at 648 – 660 Howard Street under Alternative B would provide for about one-third of the space assumed under the draft Plan. Under Alternative B, development of some other sites (described on EIR pp. 672 – 674) is still assumed to result in the loss of certain historic architectural resources, because some of the sites (e.g., 201 Second Street and 669 Howard Street) are either somewhat awkwardly configured and/or too small to incorporate full retention of all buildings and still provide for a viable development program that approaches that envisioned under the draft Plan.

Because it is not reasonable to conclude that no historical resources would be demolished over the lifetime of the draft Plan, if implemented, the EIR concludes, on p. 266, that "it is presumed that the demolition of one or more contributing resources to the existing and potential historic districts would occur during the lifetime of the Plan." Therefore, the EIR properly considers effects of the draft Plan on historic architectural resources to be significant and unavoidable, and does not identify an alternative that would preclude such effects for the reasons discussed above.

Concerning the Palace Hotel, as stated in the description of Alternative B, the Reduced Project Alternative (p. 673), it is presumed under this alternative "that development at five sites in the Plan area that contain identified or potential historic architectural resources would generally be

undertaken consistent with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*[footnote omitted] (or otherwise determined by Planning Department preservation staff to result in less-than-significant impacts under CEQA, to the maximum extent feasible) in order that historical resources on these sites are minimally affected." This presumption applies to the Palace Hotel, among other buildings and sites. The Reduced Project Alternative would entail development of a 365-foot-tall tower at the southwestern corner of the Palace Hotel, compared to a 600-foot tower assumed under the draft Plan. As noted on pp. 234 – 235 of the EIR, the Palace Hotel is one of two Category II Significant Buildings under *Planning Code* Article 11 in the Plan area. Category II Buildings "permit additional height to be added, but only on certain portions and generally with reference to nearby buildings" (p. 234).

In the case of the Palace Hotel, the reference for additional height is the existing hotel building. Article 11 states that "a new structure or addition, including one of greater height than the existing building, may be permitted on that portion of the lot not restricted … even if such structure or addition will be visible when viewing the principal facades at ground level, provided that the structure or addition does not affect the appearance of the retained portion as a separate structure when so viewing the principal facades and is compatible in form and design with the retained portion" (Sec. 1111.6(a)(7)). As noted, the description of the Reduced Project Alternative assumes that development on sites containing historical resources would result in less-than-significant impacts on those resources under CEQA. It is noted that compliance with *Planning Code* Article 11 can involve the application of different standards (such as those quoted above) than the standard for significant effect under CEQA, which, as stated on EIR p. 238, is whether a project would cause "a substantial adverse change in the significance of a historical resource"; that is, whether the project "'demolishes or materially alters, in an adverse manner, those physical characteristics"' of the resource that 'convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or account for its inclusion in a local register of historical resources….'"

As stated in the EIR on p. 264, the proposed Palace Hotel tower is subject to project-specific CEQA evaluation that, among other things, will consider that project's effects on the historic Palace Hotel (City Landmark No. 18). While the description of Alternative B assumes no significant impact on the Palace Hotel, if it were determined through further review that a shorter addition to the Palace Hotel is required to avoid a significant impact under CEQA, the effects of Reduced Project Alternative would be less than those described in the EIR.

It is also noted that the EIR includes the required No Project Alternative (Alternative A), which would entail no increase in height limits or other *Planning Code* revisions, nor adoption of the draft Plan, and which would result in lesser effects on historical resources. As stated on EIR p. 668, however, even under existing land use controls, significant adverse effects would be expected on one or more historical resources in the Plan area as a result of future development projects. Therefore, as with the proposed project, the No Project Alternative would have a significant and unavoidable impact on cultural resources.

Comment ALT-2: The EIR should analyze a taller alternative for the Transit Tower.

"After carefully viewing and reading your current EIR proposal of the height design for the Transbay Tower and comparing it with the original design of 80 stories and 1,200 feet, I deeply feel your original design is way superior than your current shortened design that you are currently proposing. In shortening the tower, you are defeating your own original vision for a much bolder, iconic tower that would truly stand out on the San Francisco skyline. Your renderings of the shortened tower around the city just doesn't look or feel like it dominates the skyline. From the different vistas it falls way flat. A 1,200 foot tower fulfills every aspect of an iconic tower. Your excuse of shadows doesn't make sense. When you plan to build to 1,000 feet or over, you are going to have shadows regardless what people estimate you are going to have. To say by going up to 1,200 feet you are casting more shadows and not build this tower at that height is ridiculous and hypercritical. San Francisco does not deserve a shortened down tower on its skyline. Its shortened stale skyline of the past 40 years needs a break out of its tired conservative chains that has stalled progress of any future iconic towers in this city that are talked about, but never truly realized or built because of selfish politics that go on in this city. San Francisco needs visionary pioneers that have the foresight and bold daring that aren't afraid of change.

"San Francisco needs … Pelli, Clarke, Pelli's original design of 1,200 feet to rise to a soaring iconic breath taking height that will certainly do justice to our beautiful skyline for all the world to enjoy and visit. Also, one other negative aspect is that the shortened design of the tower would not have an observation deck or an entertaining restaurant for the visiting public to enjoy of the higher vistas it would see of the surrounding Bay Area. Remember, all great cities have one or more shadows, but does that stop you from visiting them? In our present day, shadows are more welcomed by the millions of people who suffer from skin cancer than in the past. Going with the 1,200 foot tower will not only put more people to work and create more jobs, but it would also raise rent prices higher in the upper floors of the tower. It would be more breathtaking on the skyline, which would draw more millions of tourists to the city, which would make more money for the San Francisco economy.

"Such as restaurants, hotels, and tourist attractions. It's a no brainer to go with the 1,200 foot tower design over the shortened 1,070 foot tower. For this one special time, and truly special iconic tower, cannot the board of the Planning Department bend the shadow zone rules for the higher more truly beautiful deserving 1,200 foot tower design for San Francisco to really shine as a world class city for the world to see?" *(Ruben Santiago)*

"I was in agreement to some degree with the gentleman who talked about the 1,200-foot tower. I don't see it analyzed here, I'm not saying it needs to be, but I guess, you know, my question is why it is not part of the analysis as an alternative. I'm not saying it needs to be, I think we have plenty of preferred option and, then, the other options that are presented being lower, but that was something that was brought in and maybe it could be answered in terms of a response." *(Commissioner Michael Antonini)*

Response

In general, "an EIR is required to consider '…a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project…,'" as stated on EIR p. 662. Although the EIR does analyze a Developer Scenario (Alternative D, p. 687) that would include some taller buildings than proposed under the draft Plan, this alternative

reflects actual project applications on file with the Planning Department. The draft Plan does not propose a height limit of up to 1,200 feet, because there is no application on file for a building of that height and, therefore, a 1,200-foot-tall Transit Tower is not considered reasonably foreseeable. It is noted that an earlier proposal for the Transit Tower contemplated a 1,200-foot building. However, this was not a part of the draft Plan released in November 2009 and is not currently proposed by the Transbay Joint Powers Authority, as reflected in its application on file with the Planning Department, or by the developer selected by the Authority to build the Transit Tower, as reflected in applications recently filed in March 2012.

Comment ALT-3: A Reduced Height Alternative is Not Appropriate.

"The Transbay Transit Center program lies at the heart of the plan area and was a catalyst for the plan. When the Transbay Program was approved in 2004, the primary funding for the project was proceeds from the former Embarcadero Freeway parcels along Folsom Street, tax increment, bridge toll revenues, and San Francisco half-cent sales tax, but the program still had a significant funding shortfall.

"In 2006, Mayor Newsom and then Chair of the San Francisco Transportation Authority, Jake McGoldrick, convened a working group to ensure the entirety of the Transbay Program could be constructed as soon as possible. The working group recommended the creation of a special zoning district around the transit center permitting a limited number of tall buildings, including two on public parcels. This zoning district, developed in the plan and analyzed in the Draft EIR, would generate additional revenues for the Transbay Program in three ways, first, the sale of the two public properties rezoned the plan, the Transit Tower site, and the land between Natoma and Howard Streets known as Parcel F, will produce revenues for the Transbay Program.

"The manner of that revenue, however, hinges on the value for development and that flows directly from the zoning heights. While we are all concerned about shadows produced by the buildings of the heights proposed in the plan, we were pleased to see that the shadows from buildings on Parcels T and F will cast minimal additional shadow on City parks and that shadows will be diffuse due to the distance of the parks from the new buildings. Given the significance of the revenues from these property sales, the Transbay Program, and the importance of the Transbay Program to the City and the region, we do not believe that the shadows warrant a reduction of proposed heights for the Transit Tower and Parcel F of 1,070 and 750 feet, respectively." *(Robert Beck, Transbay Joint Powers Authority)*

Response

The commenter's support for the height limits as proposed under the draft Plan is noted, and will be considered by the decision-makers (Planning Commission, Board of Supervisors, and other bodies noted on EIR pp. 49 – 50) in their consideration of the draft Plan and the proposed Transit Tower.

Comments on the Merits of the Proposed Project

Comment PR-1: Comments on the merits of the proposed Transit Center District Plan and Transit Tower.

"In an article dated 9/23/11, Forbes Magazine ranked San Francisco as the 7th most stressful city in the U.S. The reasons given were 'Residents here deal with a 10.1% unemployment rate, the nation's second least affordable housing and a high cost of living – not to mention the country's sixth worst traffic congestion and the second highest population density.'

"Forbes Magazine ranked New York City as the second most stressful city in the U.S., in part, because it has the 'most extreme population density'.

"Over the past twenty-five years, San Franciscans have opposed the 'Manhattanization' of this city. San Franciscans have opposed the Manhattan model of development with its extreme density, in part, as this extreme density contributes to elevated levels of stress.

"With the proposed Transbay project expanding very tall buildings to this extent, the result will likely contribute to stress levels being elevated even further." *(Eileen Boken)*

"In Europe transit centers are built to low heights of four to ten stories. So if there is any national conflict there it will affect a decongested low built area. This was the thinking before the second World War. This is not what the Italians have been planning for the city of San Francisco, which has seismic sensitivities. Italian designers of the downtown plan are planning to construct six or more buildings at the transit center which would allow a 500 foot, a 700 foot, and a 1,000 foot height. A typical height per floor is eleven feet. This is a reckless and irresponsible plan and is totally unnecessary. Many office buildings in this area are under utilized now. There is a second 60 story building, an office tower, now completed across the street.

…

"The original plan for a nine story transit building here was better. I have seen such a nine story building in California which was a NUISANCE for waiting passengers. The old transit center building which has been demolished was eight stories high.

"There is no city in the world that has such a tall building at the transit center. This is very bad planning. Shanghai, China, and Japan both allowed buildings in excess of twenty stories at the transit center. Shanghai is over-built. San Francisco is becoming over-built in the downtown area. *(Lloyd Schloegel)*

"Very much looking forward to the construction progressing for all the different aspects of the Transbay Area and Rincon Hill, and I'm happy to say that construction cranes are starting to appear again in my neighborhood at 333 Harrison. I think 45 Lansing is probably going to start digging some dirt soon. It's exciting to see people moving in. Hopefully, neighborhood servicing businesses will come.

"…I'm totally supportive of the building heights and supportive of the Transbay JPA. I complimented them in the past; I think they've done a great job of keeping us informed every week. Every Friday, we get an email telling us, 'Here's the construction that's going to be happening for the next 10 days,' and that's commendable." *(Jamie Whitaker)*

Response

The comments do not address the adequacy or accuracy of the EIR, but rather speak to the assumptions underlying the draft Transit Center District Plan itself. Therefore, no response is required. The comments will be considered by the decision-makers (Planning Commission, Board of Supervisors, and other bodies noted on EIR pp. 49 – 50) in their consideration of the draft Plan and the proposed Transit Tower.

Concerning the prior Transbay Terminal that was demolished in 2011, that building was not eight stories tall, as stated by one commenter. It was a three-story building with basement, approximately 50 feet tall at its highest point. The new Transit Center currently under construction will be approximately 70 feet in height.

E. Revisions to the Draft EIR

Changes to DEIR Text

The following changes to the text of the Draft EIR are made in response to comments on the DEIR or are included to clarify the DEIR text. In each change, new language is double underlined, while deleted text is shown in ~~strikethrough~~; where text is added without any deletion, double-underlining is not used for ease of reading.

On page S-5, the second sentence of the second paragraph under "Transit Tower" is revised as follows to correct an editorial error:

> The building would have ~~about~~ retail space and a lobby on the ground floor, additional retail space on a portion of the fourth floor (connected by a footbridge to the planned City Park atop the new Transit Center), and 58 floors of office space, along with two mechanical floors.

On page S-10, a component is added to Mitigation Measure M-CP-3 in Table S-1, Summary of Impacts and Mitigation Measures for the Proposed Transit Center District Plan, and the same component is referenced in Mitigation Measure M-C-CP, on pages S-10 and S-47 (see text change for page 268, below).

On page S-11, Mitigation Measure M-TR-1c in Table S-1 is revised to correct a typographical error (see text change for page 292, below).

On page S-20, Mitigation Measure M-NO-1a in Table S-1 is revised to allow subsequent review of individual development projects to be tailored to project- and site-specific conditions (see text change for page 358, below).

On page S-21, Mitigation Measure M-NO-1e in Table S-1 is revised to clarify the requirements for analysis of noise from building mechanical equipment (see text change for page 358, below).

Also on page S-21, the references to cultural resources mitigation measures for construction vibration in Mitigation Measure M-NO-3 in Table S-1 are revised to correct an editorial error (see text change for page 363, below).

On page S-22, Mitigation Measure M-AQ-2 in Table S-1 is revised to conform to the Planning Department's current approach to health risk analysis (see text change for page 403, below).

On page S-23, Mitigation Measure M-AQ-3 in Table S-1 is revised to conform to the Planning Department's current approach to health risk analysis (see text change for page 405, below).

On page S-24, Mitigation Measure M-AQ-5 in Table S-1 is revised to conform to the Planning Department's current approach to health risk analysis (see text change for page 411, below).

On page S-37, Mitigation Measure M-HZ-2c in Table S-1 is revised to reflect the state's Final Vapor Intrusion Guidance that was released after publication of the DEIR (see text change for page 642, below).

On page S-51, Mitigation Measure M-AQ-7 in Table S-1 is revised to conform to the Planning Department's current approach to health risk analysis (see text change for page 417, below).

On page S-67, the section title at the top of the page is revised as follows to correct an editorial error:

> C. Significant Environmental Impacts That Cannot Be Avoided ~~in~~ if the Project Is Implemented

On page 6, Figure 1 has been revised to enlarge the street names enlarged. (The revised figure appears following p. C&R-139.)

On page 14, in Figure 3, the proposed height limit for the site at 41 Tehama Street is revised from 400 feet to 360 feet and proposed height limit for the Transbay Transit Center site is revised to 100 feet, from 80, 450, and 550 feet at present, to incorporate April 2012 revisions to the November 2009 Draft Plan. The revised Figure 3 appears following p. C&R-139.

On page 16, the second bulleted paragraph is revised as follows to incorporate an April 2012 revision to the November 2009 draft Plan:

> On development sites larger than 15,000 square feet within a prescribed sub-area of the C-3-O (SD) district, new construction greater than 6:1 FAR would be required to have at least ~~three~~ two square feet of commercial space for every one square foot of residential~~, hotel, or cultural~~ space. (November 2009 Draft Plan, p. 19; April 2012 Plan Supplement, p. 3)

On page 17, the following paragraph is added immediately preceding the heading "Urban Form: Building Height and Design" to clarify that, under the draft Plan, both residential and non-residential density would be limited only by building height and bulk restrictions, and not by limits on floor area ratio or dwelling unit density:

> In addition to the elimination of limit on FAR, the draft Plan would also eliminate the existing maximum dwelling unit density in the C-3-O (SD) use district. Thus, both residential and non-residential density would be limited only by building height and bulk restrictions. The Draft Plan also proposes elimination of the requirement for Conditional Use authorization for residential densities greater than 1 unit per 125 square feet of lot area.

On page 18, the following text is added to the second full paragraph to incorporate an April 2012 revision to the November 2009 draft Plan:

> The Plan also states that, if the Transit Tower is ultimately constructed to a height less than 900 feet, the City should consider creating a 1,000-foot height zone near First and Mission Streets to ensure creation of "a new crown to the skyline adjacent to the Transit Center" (April 2012 Plan Supplement).

Also on page 18, the following text is added prior to the last paragraph to incorporate an April 2012 revision to the November 2009 draft Plan:

> The April 2012 Supplement to the draft Plan proposes to limit shadow effects from buildings taller than the existing maximum height limit of 550 feet, stating:
>
> > The typical height limit rules that apply to buildings in the S bulk districts which allow tower extensions and that govern architectural elements at the tops of buildings should not apply to

> buildings taller than 550 feet. Instead, a new bulk district, S-2, with specific rules should be crafted to apply to such tall buildings to reflect their central and iconic positions on the skyline in order to enhance their appearance while minimizing potential visual and shadow impacts.

Under existing zoning, *Planning Code* Section 263.9 allows a building to have additional height up to 10 percent above the height limit if the bulk of the building's "upper tower" (approximately the upper one-third) is reduced by a specified percentage (defined in Section 271), compared to the bulk that would result from a vertical extension of the lower tower. As a condition of the additional height, the Planning Commission must find, pursuant to the Section 309 approval process, that "the upper tower volume is distributed in a way that will add significantly to the sense of slenderness of the building and to the visual interest to the termination of the building, and that the added height will improve the appearance of the sky-line when viewed from a distance, will not adversely affect light and air to adjacent properties, and will not add significant shadows to public open spaces."

The draft Plan, as amended, proposes that, in the proposed new S-2 bulk district, buildings greater than 550 feet in height may gain approval for additional height only to accommodate unoccupied building features, including mechanical/elevator penthouses, enclosed and unenclosed rooftop screening, and "unenclosed architectural features." The Planning Commission would have to review and approve such additional height pursuant to *Planning Code* Section 309, and would have to determine that three specific criteria are met: 1) the additional building elements would "not add more than insignificant amounts of additional shadow compared to the same building without such additional elements on any public open space"; 2) other than a spire limited to 50 feet in height and 18 feet in maximum plan dimension, the additional height would be limited to 7.5 percent of the roof height of the highest occupied floor (except that no limit would apply to a building in the 1,000-foot height district—which is to say that the proposed Transit Tower would not be limited in the height of its rooftop sculptural feature); and 3) the additional rooftop building elements "are designed as integral components of the building design, enhance both the overall silhouette of the building and the City skyline as viewed from distant public vantage points by producing an elegant and unique building top, and achieve overall design excellence" (April 2012 Plan Supplement, p. 6)

On page 19, in Table 1, the proposed height limit for the site at 41 Tehama Street is revised from 400 feet to 360 feet to incorporate an April 2012 revision to the November 2009 Draft Plan.

On page 21, the second sentence of the fifth paragraph is revised as follows to incorporate an April 2012 revision to the November 2009 draft Plan:

> A ~~10~~ 12.5-foot setback would be required along the south side of Mission Street between First and Fremont Streets (location of the Transit Tower site).

On page 27, the following text is added prior to the heading "Streets and Circulation" to incorporate an April 2012 revision to the November 2009 draft Plan:

> Regarding off-street freight loading, the draft Plan states:
>
> - *Amend Section 155.2 to establish six as the maximum number of required off-street loading spaces for non-residential buildings (April 2012 Plan Supplement, p. 8).*

On page 29, Figure 6 has been revised to depict bicycle lanes proposed on Fremont, Main, and Beale Streets, to incorporate an April 2012 revision to the November 2009 draft Plan. (The revised figure appears following p. C&R-139.)

On page 31, the second sentence of the last (partial) paragraph, continuing onto page 32, is revised as follows to incorporate an April 2012 revision to the November 2009 draft Plan:

> The Plan ~~does not~~ proposes new bicycle lanes on ~~existing streets, but does propose that lane configurations on~~ Fremont, Beale, and Main Streets ~~"maintain flexibility for consideration of future bicycle improvements"~~ (see Figure 6).

On page 35, the four bullets in the center of the page concerning Planning Code changes to implement the draft Plan's historic resources policy direction are revised as follows to incorporate an April 2012 revision to the November 2009 draft Plan:

- *Based on the District Plan proposal to rezone all of the Plan area to C-3-O (SD) with a base FAR of 6:1, modify the TDR rules in the Planning Code for the Plan area to require that development purchase TDR for all gross square footage between 6:1 and 9:1 FAR. For development projects that have been entitled prior to January 1, 2012 and purchased TDR prior to 2012 (as certified in a recorded transfer to that property by the Planning Department) in anticipation of needing it for entitlement based on prior TDR rules, allow use of those TDR units and provide partial waiver of new impact fees. (November 2009 Draft Plan, p. 100; April 2012 Plan Supplement, p. 9).*
- ~~*Modify the TDR rules for the C-3-O (SD) to enable eligible historic properties to sell TDR equivalent between the existing square footage of the lot and 9:1 FAR, rather than just to base FAR 6:1 (November 2009 Draft Plan, p. 100).*~~
- *Pursue expansion of the supply of available TDR to meet expected demand or provide flexibility for development in satisfaction of the TDR requirement by providing an in-lieu mechanism that directly benefits the preservation, rehabilitation, maintenance and public education of historic resources in the downtown. (November 2009 Draft Plan, Policy 5.8; April 2012 Plan Supplement, p. 9)*

~~Revision to the *Planning Code* proposed in connection with the above policies is as follows:~~

- ~~*Establish a Downtown Historic Preservation and Rehabilitation Fund and a TDR In-Lieu Fee, whose proceeds would be deposited in the Fund. Give project sponsors the option to pay into this Fund in lieu of purchasing TDR. The price of the fee shall be set at such a rate that it is more than the historical average market price for TDR, such that purchasing TDR continues to be the preferred option (November 2009 Draft Plan, p. 100).*~~

On page 36, the wording of Plan Policies 6.1 and 6.5 is revised as follows to incorporate April 2012 revisions to the November 2009 draft Plan:

- Create efficient, shared district-scale energy~~, heating and cooling~~ systems in the district (November 2009 Draft Plan, Policy 6.1; April 2012 Plan Supplement, p. 11).
- Identify and protect either suitable public sites or major development sites with the Plan area for locating renewable or CHP generation facilities (November 2009 Draft Plan, Policy 6.5; April 2012 Plan Supplement, p. 11).

On page 38, the same change (deletion of the word "about") as noted above on page S-5 is made to the second sentence of the second paragraph under "Transit Tower."

On page 48, to correct an error in the description of the proposed project at 181 Fremont Street, the fourth sentence in the first bulleted paragraph (entitled "177-187 Fremont Street") is revised as follows:

> As proposed, this project would ~~not~~ be consistent with the Plan's proposed 3:1 ratio of office to non-office space.

Also on page 48, the seventh sentence in the first bulleted paragraph (entitled "177-187 Fremont Street") is revised as follows to incorporate an April 2012 revision to the November 2009 Draft Plan:

> The draft Plan states, in the context of the proposed Transit Tower, "Building elements (e.g. mechanical penthouses) above ~~that height~~ 1,000 feet should be set back considerably from the building's façade or limited in bulk and enclosure such that they would not cast additional significant shadows…."

On page 66, to correct a typographical error, the following revision is made to the first sentence under the heading, "Planning Code Section 295":

> Section 295 of the Planning Code, the Sunlight Ordinance, was adopted through voter approval of Proposition K in November 1984 ~~1994~~ to protect certain public open spaces from shadowing by new structures.

On page 74, in Table 3, the proposed height limit for the site at 41 Tehama Street is revised from 400 feet to 360 feet to incorporate an April 2012 revision to the November 2009 Draft Plan.

On page 128, Figure 30B has been revised to include the approved design for the Museum of Modern Art expansion project. (The revised figure appears following p. C&R-139.)

On pages 137 and 138, Figures 34A and 34B have been revised to add identifying labels to the towers of the Bay Bridge West Span. (The revised figures appear following p. C&R-139.)

On page 235, the last paragraph is revised as follows to correct the number of historical resources in the Plan area individually listed on the National Register of Historic Places:

> There are ~~two~~ three individually listed National Register properties within the Plan area: the Matson Building and Annex, at 215 Market Street; ~~and~~ the PG&E Office Building and Annex, at 245 Market Street; and the J.A. Folger & Co. Building at 101 Howard Street.

On page 236, comparable edits are made to the fourth sentence in the paragraph under "California Register of Historical Resources," as follows:

> The ~~two~~ three designated National Register-listed properties in the Plan area described above, the Matson Building and Annex, at 215 Market Street; ~~and~~ the PG&E Office Building and Annex, at 245 Market Street; and the Folger Building at 101 Howard Street, as well as the Second and Howard Streets Historic District, are also listed in the California Register, as are three buildings formally determined eligible for listing on the National Register, at 76 First Street, 72 Tehama Street, and 85 Second Street.

On page 237, the third line is revised as follows to include the building at 145 Natoma Street in the list of buildings that were found to appear eligible for listing on the California Register of Historical Resources as part of the Plan area survey:

> … Street; 116, 145, and 147 Natoma Street; 111, 137, and 140 New Montgomery Street; 79 Stevenson Street; …

On page 267, the second sentence of the first paragraph is revised as follows to incorporate an April 2012 revision to the November 2009 draft Plan:

> Among other things, the draft Plan would reduce the square footage requirement for the purchase of development rights by each individual development project from all floor area greater than a floor area ratio (FAR) of 6:1 to floor area between6:1 and 9:1 FAR, seek to expand the supply of TDR through designation of eligible buildings, and potentially establish a Downtown Historic Preservation and Rehabilitation Fund and an in-lieu fee (whose proceeds would go to the fund) that developers could pay in lieu of purchasing transferrable development rights.

On page 268, the following mitigation component is added to Mitigation Measure M-CP-3 to provide for potential additional mitigation for adverse effects on historic architectural resources:

> **M-CP-3d:** **Salvage of Historical Resources.** Prior to demolition of historical resource(s) that are significant due to architecture (resource(s) that embody the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values), the project sponsor of a development project in the Plan area shall consult with a Planning Department Preservation Technical Specialist and/or other qualified parties regarding salvage of materials from the affected resource(s) for public information or reuse in other locations.

On page 270, the second full sentence of the first partial paragraph is revised as follows to correct the references to the mitigation measures that follow:

> Mitigation Measures M-CP-5a ~~3b~~ and M-CP-5b ~~3c~~ would require contractors to undertake best practices during construction and to conduct pre-construction surveys of historical resources within 125 feet of proposed construction (to allow for a 25 percent safety factor) and to conduct construction-period monitoring of these resources to ensure that potential construction impacts would be reduced to a less-than-significant level.

On page 273, Mitigation Measure M-C-CP is revised as follows to incorporate the new component of Mitigation Measure M-CP-3:

> **M-C-CP:** Implement Mitigation Measures M-CP-3a, **HABS/HAER Documentation**, ~~and~~ M-CP-3b, **Public Interpretive Displays**, ~~and~~ M-CP-3c, **Relocation of Historical Resources** and M-CP-3d, **Salvage of Historical Resources.**

On page 292, Mitigation Measure M-TR-1c is revised as follows to correct a typographical error:

> **M-TR-1c:** **Beale / Mission Streets Bulbs and Optimization:** At the intersection of Beale and Mission Streets, the Municipal Transportation Agency (MTA) and Department of Public Works (DPW) could install bulb-outs on the north and south crosswalks to reduce pedestrian crossing distances and times and optimize the signal timing plan at this intersection during the weekday p.m. peak hour by reallocating green time from the less-congested ~~westbound~~ eastbound / westbound Mission Street approaches to the southbound Beale Street approach.

On page 304, the last sentence of the second paragraph is revised as follows to clarify the impact on Golden Gate Transit:

> Plan ridership would ~~cause~~ add less than 5 percent to Golden Gate Transit capacity utilization in the p.m. peak hour, and therefore would have a less-than-significant impact on p.m. peak-hour Golden Gate Transit bus service.

Also on page 304, the fourth sentence of the last paragraph is revised as follows to correct the date that Golden Gate Transit will relocate its mid-day bus storage yard:

> Golden Gate Transit buses also use portions of Howard Street and Folsom Street when heading to and from Golden Gate Transit's mid-day yard, at Eighth and Harrison Streets, although they will relocate to a new storage yard beneath the Bay Bridge west approach in 2013.

On page 307, footnote 174 is revised as follows to correct the date that Golden Gate Transit will relocate its mid-day bus storage yard:

> [174] It is anticipated that Golden Gate Transit will move midday bus storage to the area beneath the elevated I-80 freeway at Fourth Street in connection with the operation of the Transit Center, in 2013 ~~by 2017~~.

On page 312, the paragraph immediately preceding Impact TR-5 is revised as follows to clarify the conclusion regarding pedestrian congestion at street corners:

> It is noted that the street corner congestion that would occur at First/Mission Streets, New Montgomery/Howard Streets, and Beale/Howard Streets, ~~although not~~ a significant impact due to Plan growth only but not with the inclusion of the public realm improvements, would be resolved by the sidewalk improvements (bulbs and widening) proposed as part of the draft Plan's public realm improvements. Therefore, no further improvement is required to mitigate impacts of the overall Plan.

On page 317, the parenthetical statement in the last line is revised as follows to correct an editorial error:

> … (mid-block between Howard Street and ~~Fremont~~ Folsom Street) …

On page 358, Mitigation Measure M-NO-1a is revised as follows to allow subsequent review of individual development projects to be tailored to project- and site-specific conditions:

> **M-NO-1a: Noise Survey and Measurements for Residential Uses.** For new residential development located along streets with noise levels above 70 dBA Ldn, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within two blocks of the project site, and including at least one 24-hour noise measurement (with average and maximum noise level readings taken so as to be able to accurately describe maximum levels reached during nighttime hours ~~computed every 10 seconds~~), prior to completion of the environmental review for each subsequent residential project in the Plan area. The analysis shall be completed by person(s) qualified in acoustical analysis and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Department may require the

completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.

Also on page 358, continuing onto page 359, Mitigation Measure M-NO-1e is revised as follows to clarify the requirements for analysis of noise from building mechanical equipment:

M-NO-1e: Interior Mechanical Equipment. The Planning Department shall require, as part of subsequent project-specific review under CEQA, that effects of mechanical equipment noise on adjacent and nearby noise-sensitive uses be evaluated by a qualified acoustical consultant and that control of mechanical noise, as specified by the acoustical consultant, be incorporated into the final project design ~~and that design~~ of ~~commercial~~ new buildings ~~that incorporates~~ to achieve the maximum feasible reduction of building equipment noise, consistent with *Building Code* and Noise Ordinance requirements and CEQA thresholds, such as through the use of fully noise-insulated enclosures around rooftop equipment and/or incorporation of mechanical equipment into intermediate building floor(s).

On page 363, the references to cultural resources mitigation measures for construction vibration are revised as follows to correct an editorial error:

Implement Mitigation Measure M-CP-5a ~~3b~~, Construction Best Practices for Historical Resources, p. 270, and Mitigation Measure and M-CP-5b ~~3c~~, Construction Monitoring Program for Historical Resources, p. 270.

Level of Significance after Mitigation

Implementation of Mitigation Measures M-NO-2a, M-CP-5a ~~3b~~ and M-CP-5b ~~3c~~ would reduce the vibration impact from future construction throughout most of the Plan area to a less than significant level.

On page 367, the following revisions are made to the text at the top of the page to ensure that potential impacts to historical resources from vibration during construction of the Transit Tower are reduced to a less-than-significant level:

Concerning vibration, because there are no sensitive uses closer than across the street (i.e., greater than 82.5 feet) from the Transit Tower site, vibration impacts would be anticipated to be less than significant, as described in Impact NO-3, except for potential impacts to historical resources, for which Mitigation Measures M-CP-5a and M-CP-5b would reduce impacts to a less-than-significant level.

Mitigation Measures

Implement Mitigation Measure M-NO-2a, Noise Control Measures for Pile Driving, ~~and~~ Mitigation Measure M-NO-2b, General Construction Noise Control Measures, Mitigation Measure M-CP-5a, p. 270, Construction Best Practices for Historical Resources, and Mitigation Measure and M-CP-5b, Construction Monitoring Program for Historical Resources, p. 270.

Level of Significance after Mitigation

With implementation of Mitigation Measures M-NO-2a, ~~and~~ M-NO-2b, M-CP-5a, and M-CP-5b, project-specific construction noise and vibration impacts would be reduced to a less-than – significant level.

On page 372, the first full sentence of the first (partial) paragraph is revised as follows to correct a transcription error:

As shown in Table 31, no exceedances of state CO standards were recorded between ~~2004~~ 2006 and ~~2008~~ 2010.

Also on page 372, the last paragraph (continuing onto p. 373) is revised as follows to correct a transcription error:

Table 31 shows that exceedances of the state PM_{10} standard have occurred periodically in San Francisco. The state 24-hour PM_{10} standard is estimated to have been exceeded between 3 and 21 days in 2006, and 2 and 14 days in 2007, but not exceeded in ~~2005 and~~ 2008 through 2010. The BAAQMD began monitoring $PM_{2.5}$ concentrations in San Francisco in 2002.[23] The federal 24-hour $PM_{2.5}$ standard was exceeded on three days in 2006 and five days in 2007, but not exceeded in 2008. It was exceeded on one day in 2009 and about 3 days in 2010. The state annual average standard was not exceeded between ~~2004~~ 2006 and ~~2008~~ 2010.

On page 393, the last sentence of the first (partial) paragraph is revised as follows to incorporate an April 2012 revision to the November 2009 draft Plan:

For example, the draft Plan proposes that "all major development in the Plan Area to produce a detailed Energy Strategy document outlining how the design of the building minimizes its use of fossil fuel driven heating, cooling and power—through energy efficiency, efficient supply, and no or low carbon generation" (November 2009 Draft Plan, Policy 6.8); that all new buildings in the Plan area be "of leading edge design in terms of sustainability" (Objective 6.4); and that "all major buildings in the Plan Area … achieve the minimum LEED levels established in the SF Green Building Ordinance, not including credits for the given inherent factors of location, density, and existing City parking controls, in order to achieve high-performance buildings" (Policy 6.12).~~and "should exceed the minimum credits required by the SF Green Building Ordinance under the Energy and Water categories of the LEED schemes" (Policy 6.13)~~.

On page 399, the first sentence of the last paragraph is revised as follows to clarify the requirements of Mitigation Measure M-AQ-2:

These potential significant air-quality impacts due to exposure to roadway pollutants and stationary source risks, including $PM_{2.5}$ concentrations and cancer and non-cancer health risks, would be reduced with implementation of Mitigation Measure AQ-2, which would require that the final Transit Center District Plan provide that the entire Plan area be encompassed within an ~~overlay zone~~ area in which site-specific analysis or refined modeling would be required in advance of the approval of subsequent development projects that would include sensitive receptors, and that the Transit Center District Plan include "goals, policies, and objectives to minimize potential impacts."[fn242]

[23] PM concentrations are not measured daily; hence, the number of annual exceedances is estimated by extrapolating sampling data for approximately 60 days per year.

[fn242] BAAQMD, *CEQA Air Quality Guidelines* (see footnote 205, p. 373); p. 9-7.

On page 403 and continuing on to page 404, Mitigation Measure M-AQ-2 is revised as follows to conform to the Planning Department's current approach to health risk analysis:

M-AQ-2 **Implementation of Risk and Hazard Overlay Zone and Identification of Health Risk Reduction Policies:** To reduce the potential health risk resulting from exposure of new sensitive receptors to health risks from roadways, and stationary sources, and other non-permitted sources $PM_{2.5}$ and TACs, the ~~final Transit Center District Plan shall provide that the entire Plan area shall be included in an overlay zone, as recommended by BAAQMD, that would~~ Planning Department shall require analysis of potential site-specific health risks ~~(lifetime cancer risk, chronic and acute hazard index, and $PM_{2.5}$ concentration)~~ for all projects that would include sensitive receptors, ~~and implementation of measures to reduce exposure to such risks that are in excess of the BAAQMD significance thresholds (or any future superseding~~ based on criteria as established by the Planning Department~~)~~, as ~~they~~ such criteria may be amended from time to time. For purposes of this measure, sensitive receptors are considered to include dwelling units; child-care centers; schools (high school age and below); and inpatient health care facilities, including nursing or retirement homes and similar establishments. Parks and similar spaces are not considered sensitive receptors for purposes of this measure unless it is reasonably shown that a substantial number of persons are likely to spend three hours per day, on a daily basis, at such facilities.

Development projects in the Plan area that would include sensitive receptors shall undergo, during the environmental review process and no later than the first ~~prior to~~ project approval action, a screening-level health risk analysis, consistent with methodology approved by the Planning Department, to determine if ~~cancer~~ health risks~~, hazard index, and/or $PM_{2.5}$~~ from pollutant concentrations would exceed BAAQMD thresholds or other applicable criteria as determined by the Environmental Review Officer. If one or more thresholds would be exceeded at the site of the subsequent project where sensitive receptors would be located, the project (or portion of the project containing sensitive receptors, in the case of a mixed-use project) shall be equipped with filtration systems with a Minimum Efficiency Reporting Value (MERV) rating of 13 or higher, as necessary to reduce the outdoor-to-indoor infiltration of air pollutants by 80 percent ~~health risk(s) to the maximum extent feasible~~. The ventilation system shall be designed by an engineer certified by the American Society of Heating, Refrigeration and Air-Conditioning Engineers, who shall provide a written report documenting that the system offers the best available technology to minimize outdoor to indoor transmission of air pollution. The project sponsor shall present a plan to ensure ongoing maintenance of ventilation and filtration systems and shall ensure the disclosure to buyers and/or renters regarding the findings of the analysis and inform occupants as to proper use of any installed air filtration.

On page 405 and continuing on to page 406, Mitigation Measure M-AQ-3 is revised as follows to conform to the Planning Department's current approach to health risk analysis:

M-AQ-3 **Siting of Uses that Emit DPM and Other TACs:** To minimize potential exposure of sensitive receptors to diesel particulate matter (DPM), for new development including warehousing and distribution centers, and for new development including commercial, industrial or other uses that would be expected to generate substantial levels of toxic air contaminants (TACs) as part of everyday operations, whether from stationary or mobile sources, the Planning Department shall require, during the environmental review process but no later than the ~~prior to~~ the first project approval action, the preparation of an analysis that includes, at a minimum, a site survey to identify residential or other sensitive uses within 1,000 feet of the project site, and ~~dispersion modeling~~ an assessment

of the health risk from ~~all~~ potential stationary and mobile sources of TACs generated by the project. ~~The analysis shall include estimated lifetime cancer risk, and chronic and acute hazard index at the nearest sensitive receptor and at other nearby receptor(s) as determined necessary by the Planning Department.~~ If risks to nearby receptors are found to exceed applicable significance thresholds, then emissions controls ~~reduction or other comparable measures~~ would be required prior to project approval to ensure that health risks would not be significant. ~~This measure shall be applicable, at a minimum, to the following uses: backup generators (whether diesel- or propane-fueled); dry cleaners; drive-through restaurants; gas dispensing facilities; auto body shops; metal plating shops; photographic processing shops; textiles; apparel and furniture upholstery; leather and leather products; appliance repair shops; mechanical assembly cleaning; printing shops; hospitals and medical clinics; biotechnology research facilities; warehousing and distribution centers; and any use served by at least 100 trucks per day or 40 refrigerated trucks per day, and any project for which a stationary source is proposed (e.g., a generator). Should the results of this analysis conclude that the project would exceed the BAAQMD significance thresholds, the project sponsor shall be required to identify and implement all feasible mitigation measures to reduce health risks impacts below BAAQMD significance thresholds. If it is determined that identified mitigation measures are not feasible, the project sponsor shall document, to the satisfaction of the Environmental Review Officer, that the project sponsor has complied with this mitigation measure to the extent feasible and why full compliance with the mitigation measure is infeasible.~~

On page 411 and continuing on to page 412, Mitigation Measure M-AQ-5 is revised as follows to conform to the Planning Department's current approach to health risk analysis:

M-AQ-5 **Construction Vehicle Emissions Evaluation and Minimization:** To reduce the potential health risk resulting from project construction activities, the project sponsor of each development project in the Plan area shall undertake a project-specific health risk analysis, or other appropriate analysis as ~~appropriate and~~ determined by the Environmental Planning Division of the Planning Department, for diesel-powered and other applicable construction equipment, using the methodology recommended by the ~~BAAQMD and/or the~~ Planning Department. If the ~~health risk~~ analysis determines that construction emissions would exceed applicable health risk significance threshold(s) identified by ~~BAAQMD and/or~~ the Planning Department, the project sponsor shall include in contract specifications a requirement that the contractor use the cleanest possible construction equipment and exercise best practices for limiting construction exhaust. Measures may include, but are not limited to, ~~for~~ the following ~~BAAQMD-recommended measures~~:

- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes;
- The project shall develop a Construction Emissions Minimization Plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would be reduced to the maximum extent feasible ~~achieve a project wide fleet-average 20 percent NOx reduction and 45 percent PM reduction compared to the most recent project-modeled fleet-wide average~~. Acceptable options for reducing emissions include, as the primary option, use of Interim Tier 4 equipment where such equipment is available and feasible for use, use of equipment meeting Tier 2/Tier 3 or higher emissions standards ~~equipment retrofitted with CARB Level 3 Verified Diesel Emissions Control System (VDECS, which includes diesel particulate filters)~~, the use of other late model engines, low-emission diesel products, alternative fuels,

engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available;

- All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM, including Tier 2/3 or alternative fuel engines where such equipment is available and feasible for use;
- All contractors shall use equipment that meets ARB's most recent certification standard for off-road heavy duty diesel engines; and
- The project construction contractor shall not use diesel generators for construction purposes where feasible alternative sources of power are available.

During the environmental review process, the project sponsor shall submit a Construction Emissions Minimization Plan demonstrating compliance with the requirements of this mitigation measure.

On page 417 and continuing on to page 418, Mitigation Measure M-AQ-7 is revised as follows to conform to the Planning Department's current approach to health risk analysis:

M-AQ-7 **Construction Vehicle Emissions Minimization:** To reduce the potential health risk resulting from project construction activities, the project sponsor shall include in contract specifications a requirement for the following BAAQMD-recommended measures:

- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes;
- The project shall develop a Construction Emissions Minimization Plan demonstrating that emissions from the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would be reduced to a less-than-significant level, if feasible. Acceptable options for reducing emissions include, as the primary option, use of Interim Tier 4 equipment where such equipment is available and feasible for use, use of equipment meeting Tier 2/Tier 3 or higher emissions standards, the use of other late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available; ~~All off-road construction equipment shall be equipped with Tier 3 (Tier 2 if greater than 750 horsepower) diesel engines or better. The following types of equipment are identified as candidates for retrofitting with CARB-certified Level 3 verified diesel emission controls (Level 3 Verified Diesel Emissions Control Devices, or VDECS, which are capable of reducing DPM emissions by 85 percent or more), due to their expected operating modes (i.e., fairly constant use at high revolution per minute):~~

  - ~~Excavators~~
  - ~~Backhoes~~
  - ~~Rubber-Tired Dozers~~
  - ~~Concrete Boom Pumps~~
  - ~~Concrete Trailer Pumps~~
  - ~~Concrete Placing Booms~~
  - ~~Soil Mix Drill Rigs~~
  - ~~Soldier Pile Rigs~~
  - ~~Shoring Drill Rigs;~~

- All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM, including Tier 2/3 or alternative fuel engines where such equipment is available and feasible for use;
- All contractors shall use equipment that meets ARB's most recent certification standard for off-road heavy duty diesel engines; and
- The project construction contractor shall not use diesel generators for construction purposes where feasible alternative sources of power are available. All diesel generators used for project construction shall meet Tier 4 emissions standards.

~~The equipment listed above may or may not be used for the project. To the extent that the above-listed (or reasonably comparable) equipment is used for project construction, those equipment types shall meet DPM emission standards equivalent to Tier 3 (Tier 2 if greater than 750 horsepower) engines with Level 3 VDECS, if feasible.~~ For the purposes of this mitigation measure, "feasibility" refers to the availability of newer equipment in the contractor's or a subcontractor's fleet that meets these standards, or the availability of older equipment in the contractor's or a subcontractor's fleet that can be feasibly retrofitted ~~modified to incorporate Level 3 VDECS~~. It should be noted that for specialty equipment types (e.g. drill rigs, shoring rigs and concrete pumps) it may not be feasible for construction contractors to modify their current, older equipment to accommodate the particulate filters, or for them to provide newer models with these filters pre-installed. Therefore, this mitigation measure may be infeasible.

Should it be determined by the construction contractor or its subcontractor(s) that compliance with the emissions control requirements of this mitigation measure is infeasible for any one of the above listed construction equipment, the construction contractor must demonstrate an alternative method of compliance that achieves an equivalent reduction in the project's fleet-wide DPM and other TAC emissions. If alternative means of compliance with the emissions exhaust requirements are further determined to be infeasible, the construction contractor must document, to the satisfaction of the Environmental Review Officer, that the contractor has complied with this mitigation measure to the extent feasible and why full compliance with the mitigation measure is infeasible.

On page 423, the third sentence of the second paragraph under Impact C-AQ is revised as follows to correct the reference to a prior impact discussion:

> As noted under Impact AQ-5 ~~7~~, construction on multiple projects in the Plan area could result in emissions at sensitive receptors proximate to several future project sites that would exceed the BAAQMD's significance criteria for cumulative impacts, which are 100 in one million cancer risk, non-cancer hazard index of 10, and a $PM_{2.5}$ concentration of 0.8 micrograms per cubic meter.

On page 439, the wording of Policy 6.1 is revised as follows to incorporate an April 2012 revision to the November 2009 draft Plan:

> **Policy 6.1:** Create efficient, shared district-scale energy~~, heating and cooling~~ systems in the district.

On page 440, Policy 6.13 is deleted to reflect an April 2012 revision to the November 2009 draft Plan.

Also on page 440, the wording of Policy 6.15 is revised as follows to incorporate an April 2012 revision to the November 2009 draft Plan:

> **Policy 6.15:** Pursue a variety of potential sources of non-potable water, including municipally-supplied recycled water and district-based gra~~e~~ywater, blackwater, stormwater, and ~~building de-watering~~ foundation drainage water.

Also on page 440, the wording of Policy 6.19 is revised as follows to incorporate an April 2012 revision to the November 2009 draft Plan:

> **Policy 6.19:** All new and large redevelopment projects in the city should adhere to the following hierarchical approach to maximize resources and minimize use of potable water:
>
> - Reduce demands by installing efficient water fixtures and behaviors;
> - ~~Design sites to reduce the total amounts of stormwater generated on site; through the use of alternative surfaces and collection and treatment devices;~~
> - Identify all on-site sources (rainwater, cooling tower blow down, fog, gra~~e~~ywater, blackwater, stormwater, and ~~diverted sump~~ foundation drainage water);
> - Install appropriate on-site collection, treatment, storage and conveyance systems for ~~non-potable needs~~ toilet flushing, irrigation and additional identified nonpotable applications;
> - Meet ~~all other unmet~~ surplus non-potable demands using district non-potable water or municipal recycled water; and
> - Meet all other ~~unmet~~ remaining demands using potable water.

On page 466, to correct a typographical error, the following revision is made to the first sentence under the heading, "Sunlight Ordinance":

> Section 295 of the Planning Code, the Sunlight Ordinance, was adopted through voter approval of Proposition K in November 1984 ~~1994~~ to protect certain public open spaces from shadowing by new structures.

On page 470, the last paragraph is revised as follows to correct the text and ensure consistency with pages 509 – 515 and Table 41, page 508:

> With one exception, shadow from any given potential building would cover part of any affected Section 295 park for less than ~~45~~ 90 minutes per day over a period of time ranging from ~~4 to 12~~ 2 to 16 weeks (one-half to ~~three~~ almost four months) per year; the exception would be that Union Square would be newly shaded by up to about one hour per day, over a period of six months, by a 600-foot tower addition to the southwest corner of the Palace Hotel on New Montgomery Street.[footnote omitted] Most new shadow on Section 295 parks would be in the early morning hours, except that Justin Herman Plaza would be newly shaded in the early afternoon in late fall and early winter.

On page 508, revisions are made to Table 41 to correct the amount of Plan shadow on Union Square (0.19%, not 0.24% as stated in the DEIR), Portsmouth Square (0.41%, not 0.24% as stated in the DEIR, and Who Hei Yuen Park (less than 0.01%, not 0.07% as stated in the DEIR). Also corrected are the times and/or dates of Plan shadow on Union Square, St. Mary's Square and Portsmouth Square, and the existing remaining portion of the Absolute Cumulative Limit for Union Square. A revised Table 41 is presented at the end of this section, following p. C&R-139.

On page 510, to correct the duration of shadow on Portsmouth Square, the third sentence of the first paragraph under the heading "Portsmouth Square" is revised as follows:

> New shadow would reach Portsmouth Square between ~~mid-~~ late October and ~~early December, and between early January~~ and ~~late~~ mid-February (almost 4 months in all), from about 8:00 a.m. until just after 9:00 a.m.

Also on page 510, to correct the amount of new shadow on Portsmouth Square from buildings in the Plan area, the last paragraph (continuing onto page 513) is revised as follows:

> New shadow from potential Plan area buildings would eliminate about ~~0.24~~ 0.41 percent of the theoretical annual available sunlight from Portsmouth Square, increasing the annual shadow load from approximately 39 percent to about ~~39.2~~ 39.4 percent. Under the criteria adopted by the Planning and Recreation and Park Commissions in 1989, Portsmouth Square has an Absolute Cumulative Limit of 0.0 percent, meaning that no additional shadow may be permitted. Therefore, in order for Plan area buildings that would add new shadow to Portsmouth Square to be approved, the Absolute Cumulative Limit would have to be increased—as part of individual building approvals—to approximately ~~0.24~~ 0.41 percent, if all Plan area buildings were to be approved.

On pages 512 and 514, Figures 64 and 65 are revised to depict maximum shadow from the proposed Transit Tower alone on Portsmouth Square and St. Mary's Square, respectively. (The revised figures appear following p. C&R-139.)

On page 515, to add a reference to the building that would cast the greatest amount of new shadow on "Willie 'Woo Woo' Wong Playground," the third sentence of the first paragraph beneath the heading, "Willie 'Woo Woo' Wong Playground" is revised as follows:

> The greatest area of new shadow at any one time would be approximately 4,000 square feet (about 15 percent of the total area of Willie Wong Playground), at 8:15 a.m. in late November and mid-January, from the building on TJPA Parcel F; at these times, shadow on the playground would increase from about 80 percent to about 97 percent shadow coverage (see **Figure 67**).

On page 518, the paragraph under the heading "Other Section 295 Parks" is revised as follows to correct downward the amount of net new shadow from Plan area buildings on Woh Hei Yuen Recreation Center and Park:

> Development pursuant to the draft Plan would also result in net new shadow falling on Maritime Plaza (about 0.004 percent of theoretical annual available sunlight), Chinese Recreation Center (about 0.008 percent of theoretical annual available sunlight; see Figure 67), Boeddeker Park (about 0.003 percent of theoretical annual available sunlight), and Woh Hei Yuen Recreation Center and Park (about ~~0.07~~ 0.001 percent of theoretical annual available sunlight). The first three of these parks have an Absolute Cumulative Limit of 0.0 percent, meaning that no additional shadow may be permitted; no Absolute Cumulative Limit has been established for Woh Hei Yuen Park, as this facility was developed subsequent to the 1989 action that set these limits for 14 downtown parks. Therefore, in order for Plan area buildings that would add new shadow to Maritime Plaza, Boeddeker Park, Chinese Recreation Center, or Woh Hei Yuen Park to be approved, the Absolute Cumulative Limit would have to be increased to between ~~.003~~ 0.001 percent and ~~0.07~~ 0.008 percent, depending on the park. Because only the proposed Transit Tower would shade these parks, those shadows are discussed in detail under impact SH-2, below.

Also on page 518, to correct the EIR's description of the workings of the solar system, the third sentence of the second full paragraph is revised as follows:

> The reason for this is that the sun, when observed from earth at any given moment, is seen as a disk that occupies approximately one-half of one degree (0.53 degrees) of a 360-degree circle that represents the sun's path across the sky ~~orbit around the earth~~.

On page 523, Table 42 is revised the start time of Transit Tower shadow on St. Mary's Square, which is revised to 8:30 a.m. from 8:40 a.m. in the Draft EIR, as well as to correct the existing remaining portion of the Absolute Cumulative Limit for Union Square.

On page 524, the first full paragraph is revised as follows to correct downward the amount of net new shadow from Plan area buildings on Woh Hei Yuen Recreation Center and Park, to correct the reference to the approval process under Section 295 of the *Planning Code*, and to clarify that Woh Hei Yuen Park has no established Absolute Cumulative Limit:

> As can be seen in Table 42, the quantitative analysis found that the proposed Transit Tower would result in an increase in shadow on the eight affected open spaces of between 0.003 percent and 0.133 percent of the Theoretical Annual Available Sunlight (TAAS). The greatest impact would occur on Portsmouth Square (0.133 percent of TAAS), followed by ~~Woh Hei Yuen Recreation Center and Park (0.073 percent),~~ St. Mary's Square (0.048 percent of TAAS), Justin Herman Plaza (0.046 percent), Union Square (0.011 percent), Chinese Recreation Center (0.008 percent), Maritime Plaza (0.004 percent), ~~and~~ Boeddeker Park (0.003 percent), and Woh Hei Yuen Recreation Center and Park (0.001 percent). Approval of the proposed Transit Tower would require that the Absolute Cumulative Limit for ~~seven~~ six of these eight parks be increased to accommodate project shadow, in general by the amount of new shadow that would be cast by the Transit Tower.[24] Union Square has sufficient available shadow remaining within its Absolute Cumulative Limit to allow for the shadow from the Transit Tower, although approval would require a finding by the Planning Commission, upon the advice of the Recreation and Park Commission or General Manager, that project shadow would not adversely affect the use of Union Square. Woh Hei Yuen Park has no Absolute Cumulative Limit; however, effects on this park would also have to be found to not adversely affect its use.

On page 525, to add additional detail regarding effects of the Transit Tower on Chinese Recreation Center, the following text is added following the first partial sentence (continuing from p. 524):

> Likewise, the maximum one-time shadow on Chinese Recreation Center would occur for less than 15 minutes after the "first Proposition K minute" (8:23 a.m.) for one week in late February and one week in mid-October, when the Transit Tower would shade about 35 percent of the park's area (see **Figure 67**).

Also on page 525, to correct the reference to the approval process under Section 295 of the *Planning Code*, the third sentence of the first full paragraph is revised as follows:

> Therefore, given that approval of the Transit Tower would require that the Absolute Cumulative Limit be increased on ~~five~~ six downtown parks, the impact of the Transit Tower with respect to shading of Section 295 parks is considered adverse.

[24] Justin Herman Plaza has approximately 0.007 percent of theoretical available annual sunlight remaining to be allocated; thus, the Absolute Cumulative Limit for this par, would have to be increased to 0.167 percent in order for the Transit Tower to be approved.

On page 529, to correct an error in the setting portion of the EIR's Recreation and Public Space section, the second bullet beneath the heading "Plan Area Recreational Resources" is deleted and new text is added following the last bullet, as follows:

> The Port of San Francisco has jurisdiction over the following facility in the vicinity of the Plan area:
>
> - Embarcadero Promenade – extending along the length of much of the City's eastern waterfront, the Embarcadero Promenade is located about a block east of the Plan area's eastern boundary. The paved pathway is used for active and passive recreation by joggers, bikers and urban hikers to enjoy unobstructed views of the bay and the Bay Bridge.

On page 539, the first full sentence of the first partial paragraph is revised as follows to incorporate an April 2012 revision to the November 2009 draft Plan:

> Buildout pursuant to the Plan Policies 6.19 and 6.20—including the implementation of on-site collection, treatment, storage and conveyance systems for rainwater, fog, gr~~a~~eywater, blackwater, stormwater, and ~~diverted sump~~ foundation drainage water and Low-Impact Development techniques for public spaces—would reduce storm water flow as compared to existing conditions.

On page 540, the second sentence of the second paragraph is revised as follows to incorporate an April 2012 revision to the November 2009 draft Plan:

> Policies 6.8 through 6.12 ~~6.13~~ call for individual projects to be designed not only to meet LEED levels established in the San Francisco Green Building Ordinance, but also to take advantage of specific energy-saving measures, such as on-site renewable energy systems, natural ventilation, and passive solar heating and lighting. Adherence to such policies would lower overall energy demand.

On page 642, to reflect the fact that the Department of Toxic Substances Control has revised a final version of its Vapor Intrusion Guidance since publication of the DEIR (at which time only a draft version was available), Mitigation Measure M-HZ-2c, is revised as follows to reflect the final guidance document:

> **M-HZ-2c: Site Assessment and Corrective Action for All Sites.** The project sponsor shall characterize the site, including subsurface features such as utility corridors, and identify whether volatile chemicals are detected at or above risk screening levels in the subsurface. ~~If potential exposure to vapors is suspected,~~ If so, a screening evaluation shall be conducted in accordance with guidance developed by the DTSC[fn357] to estimate worst case risks to building occupants from vapor intrusion using site specific data and conservative assumptions specified in the guidance. If an unacceptable risk were indicated by this conservative analysis, then additional site data shall be collected and a site specific vapor intrusion evaluation, including fate and transport modeling, shall be required to more accurately evaluate site risks. Should the site specific evaluation identify substantial risks, then additional measures shall be required to reduce risks to acceptable levels. These measures could include remediation of site soil and/or groundwater to remove vapor sources, or, should this be infeasible, use of engineering controls such as a passive or active vent system and a membrane system to control vapor intrusion. Where engineering controls are used, a deed restriction shall be required, and shall include a description of the potential cause of vapors, a prohibition against

[fn357] California Department of Toxic Substances Control, *~~Interim~~ Final~~,~~ Guidance for the Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air (Vapor Intrusion Guidance)*. ~~December 15, 2004, revised February 7, 2005.~~October, 2011.

construction without removal or treatment of contamination to approved risk-based levels, monitoring of the engineering controls to prevent vapor intrusion until risk-based cleanup levels have been met, and notification requirements to utility workers or contractors who may have contact with contaminated soil and groundwater while installing utilities or undertaking construction activities. In addition, if remediation is necessary, the project sponsor shall implement long-term monitoring at the site as needed. The frequency of sampling and the duration of monitoring will depend upon site-specific conditions and the degree of volatile chemical contamination.

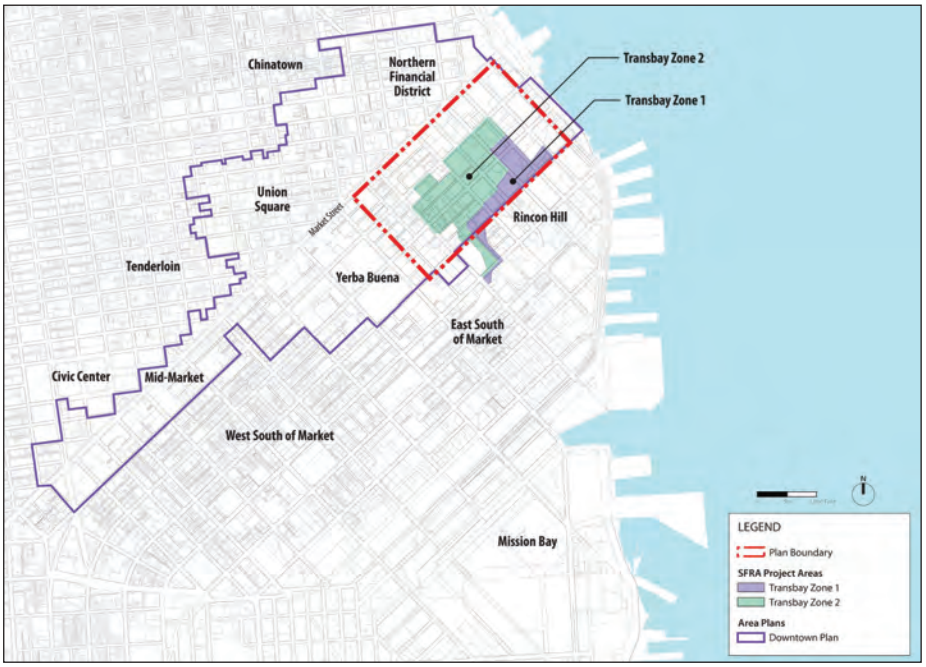
The screening level and site-specific evaluations shall be conducted under the oversight of DPH and methods for compliance shall be specified in the site mitigation plan prepared in accordance with this measure, and subject to review and approval by the DPH. The deed restriction, if required, shall be recorded at the San Francisco Office of the Assessor-Recorder after approval by the DPH and DTSC.

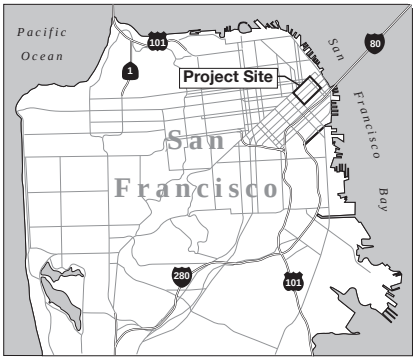
On page 654, the fifth sentence of the second paragraph under Impact ME-1 is revised as follows to incorporate an April 2012 revision to the November 2009 draft Plan:

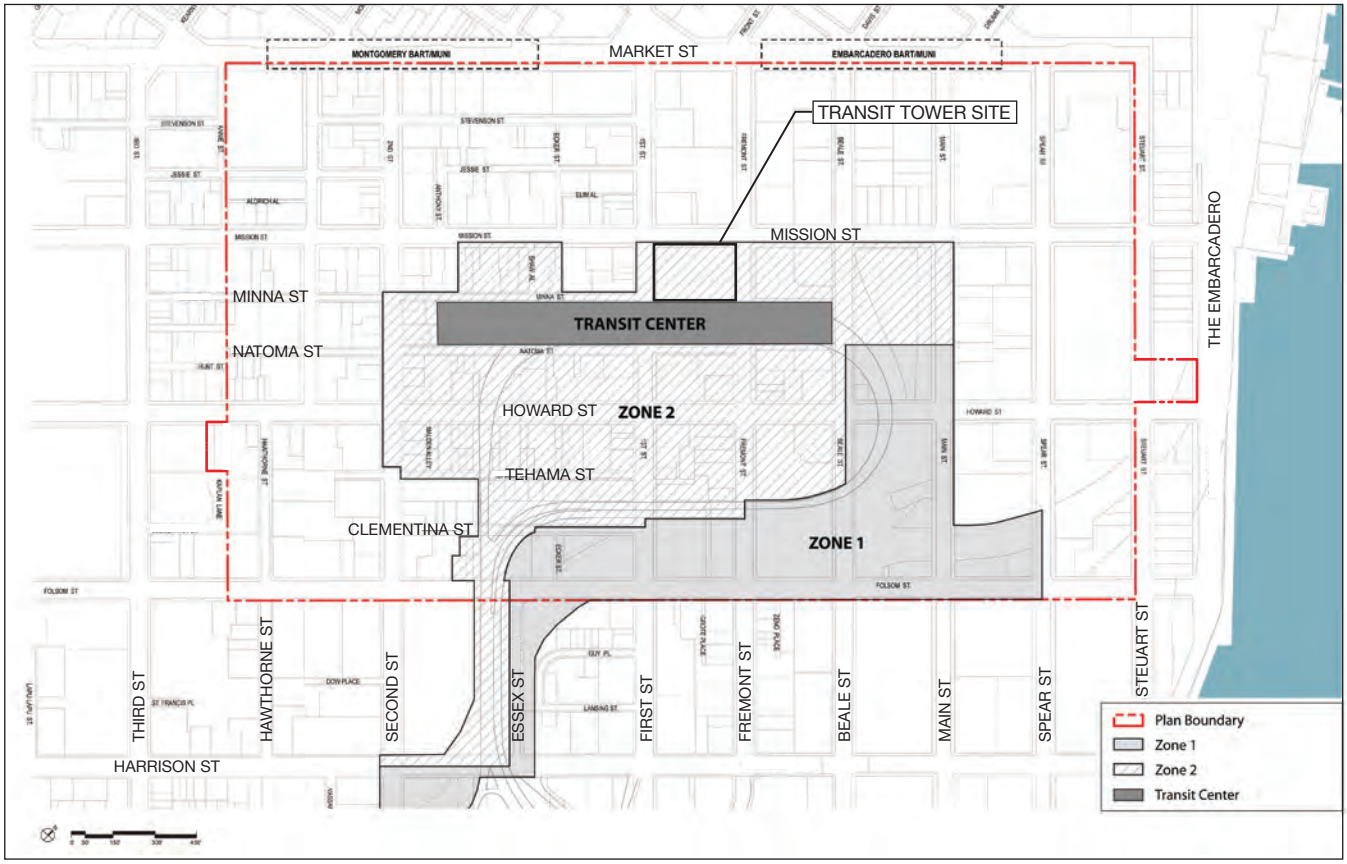
> And ~~Policies~~ Policy 6.12 ~~and 6.13~~ calls for new development to ~~exceed~~ achieve basic LEED (Leadership in Energy and Environmental Design) standards established in the Green Building Ordinance, without considering the benefits of location ~~both with respect to energy and water use~~.

On page 664, in Table 45, the proposed height limit for the site at 41 Tehama Street is revised—for the draft Plan, Reduced Project Alternative, and Reduced Shadow Alternative, from 400 feet to 360 feet to incorporate an April 2012 revision to the November 2009 Draft Plan.

Changes to DEIR Figures and Tables







SOURCE: San Francisco Planning Department

Case Nos. 2007.0558E and 2008.0789E: Transit Center District Plan and Transit Tower . 207439

● Figure 1 (revised)

Project Location and Plan Area Boundaries

Existing Height Limits

Proposed Height Limits

Areas Proposed for Increased Height Limits

Transbay Redevelopment Plan (Zone 1)

0 300 Feet

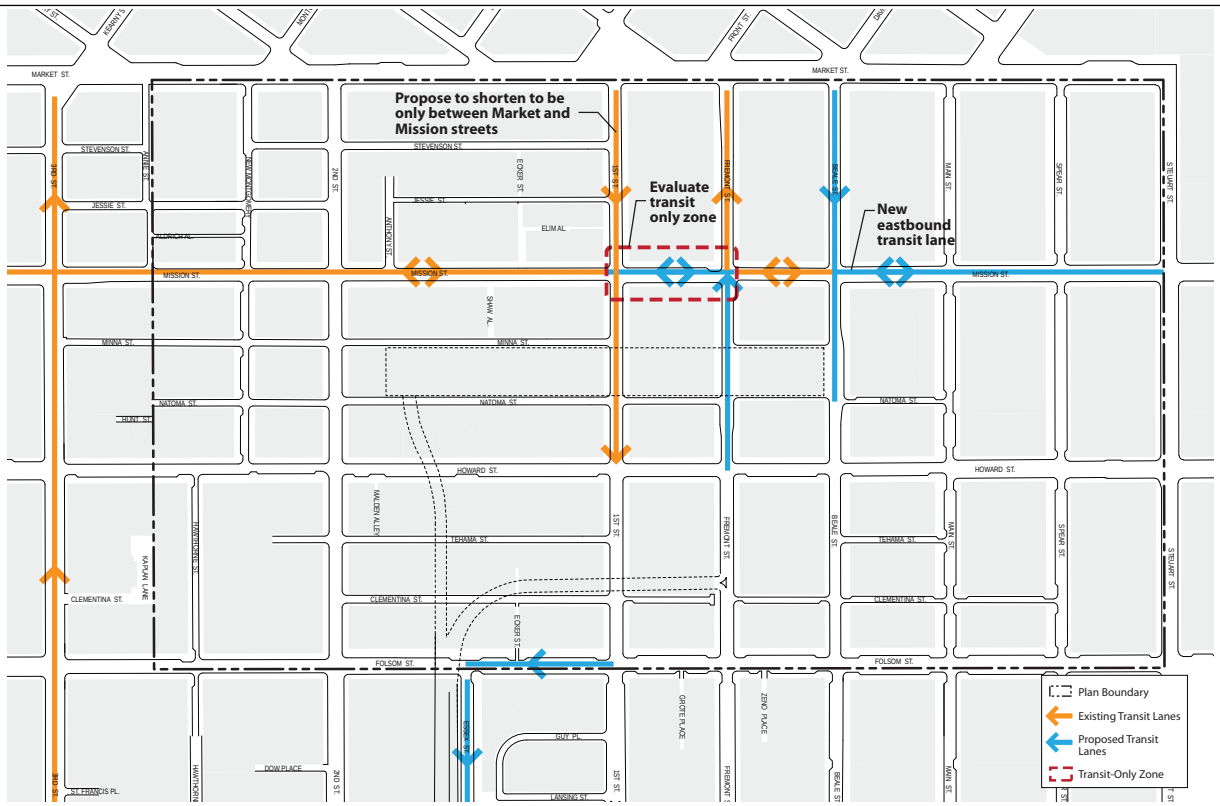
Note: Proposed height limits of 600 feet and greater would not include 10% additional height per Planning Code Sec. 263.9.

Case Nos. 2007.0558E and 2008.0789E: Transit Center District Plan and Transit Tower . 207439

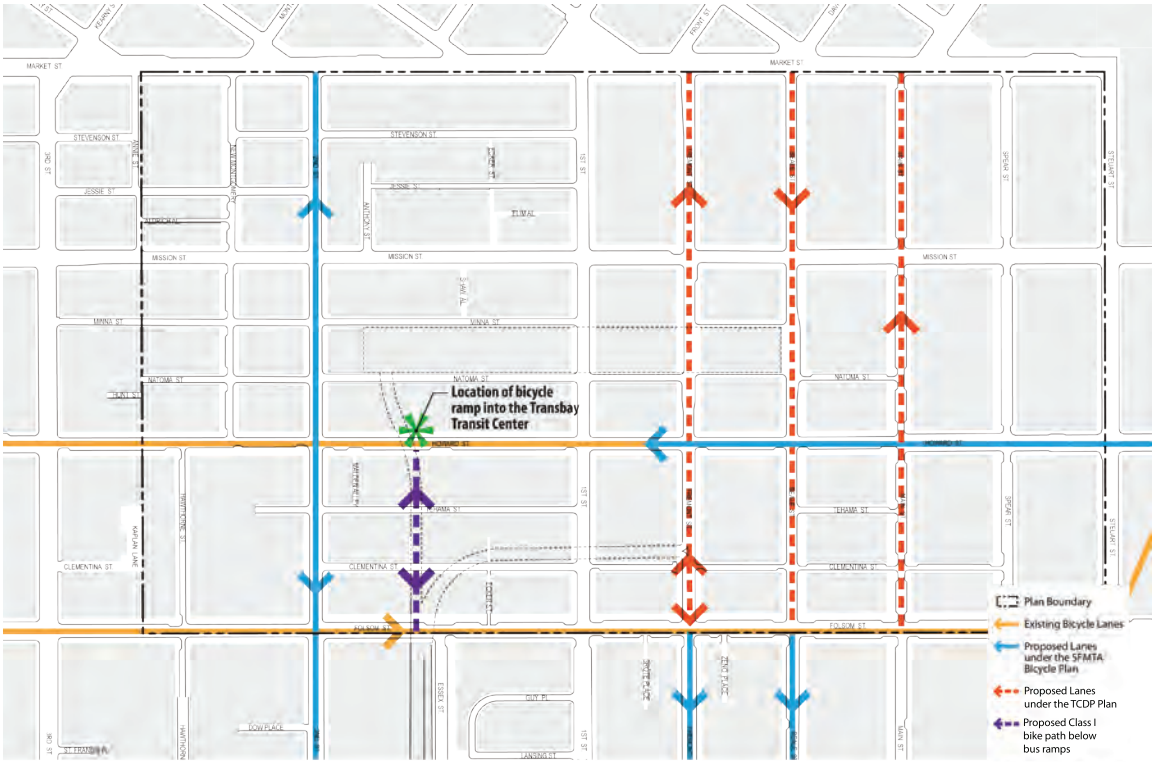
SOURCE: San Francisco Planning Department, 2009, 2012

● Figure 3 (revised)

Existing and Proposed Height Limits



Transit Lanes



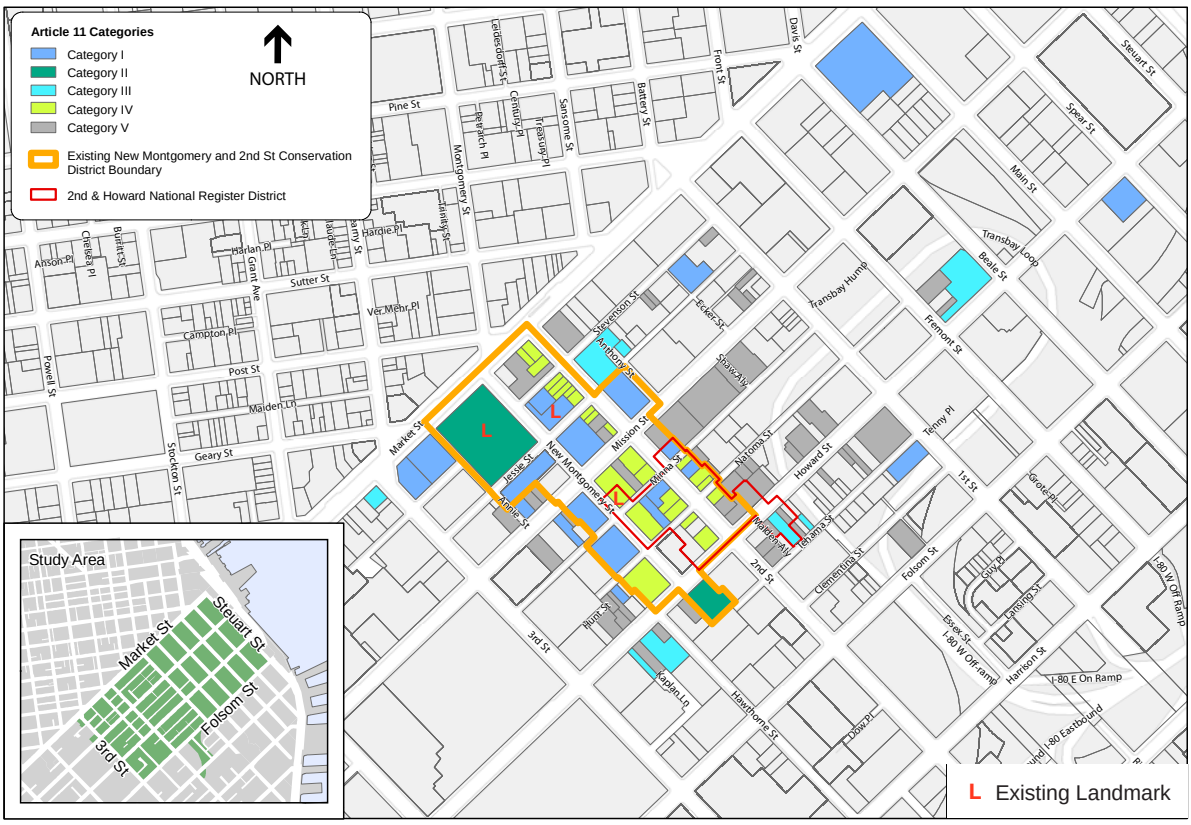
Bicycle Lanes

0 300
Feet

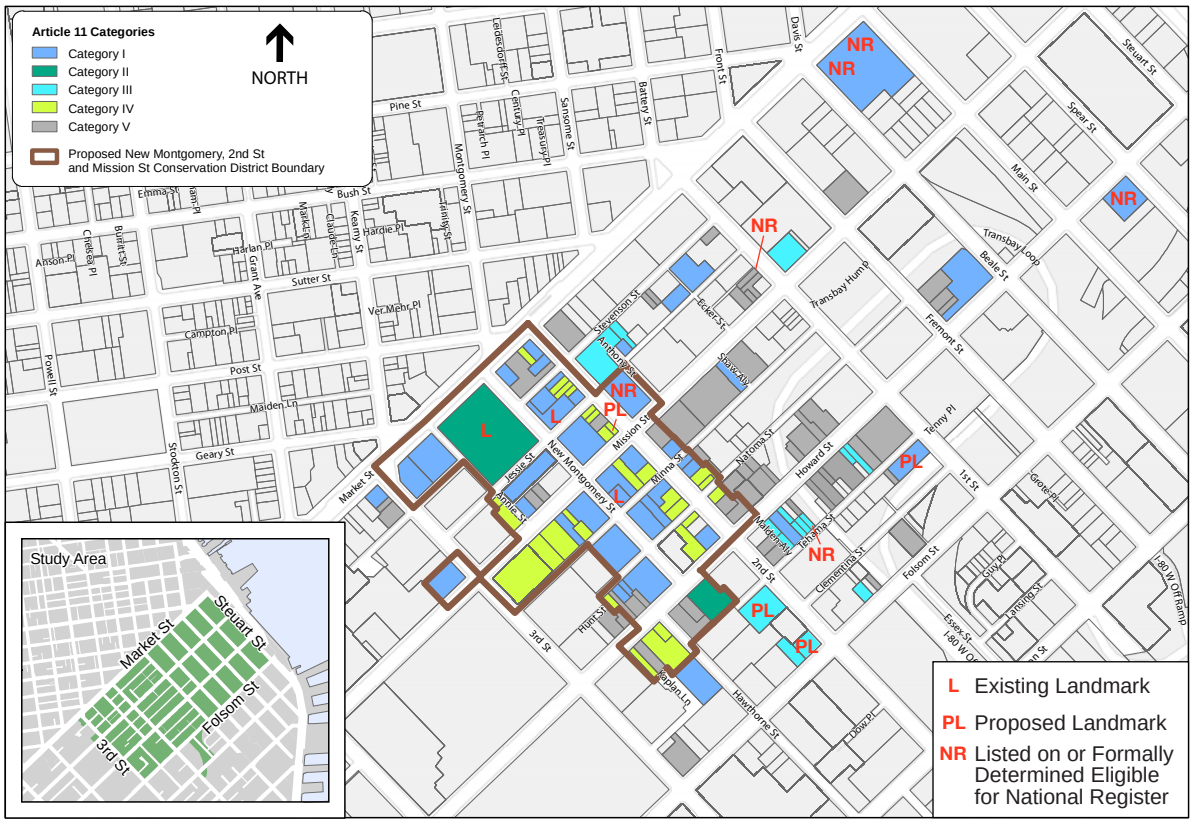
Case Nos. 2007.0558E and 2008.0789E: Transit Center District Plan and Transit Tower . 207439

SOURCE: San Francisco Planning Department, 2009

Figure 6 (revised)
Transit and Bicycle Lanes



Existing Article 11 Designations and Historic Districts



Proposed Article 11 Designations and Historic Districts

0 200
Feet

Case Nos. 2007.0558E and 2008.0789E: Transit Center District Plan and Transit Tower . 207439

SOURCE: San Francisco Planning Department, 2009, 2012

Figure 7 (revised)
Historical Resources

Cumulative

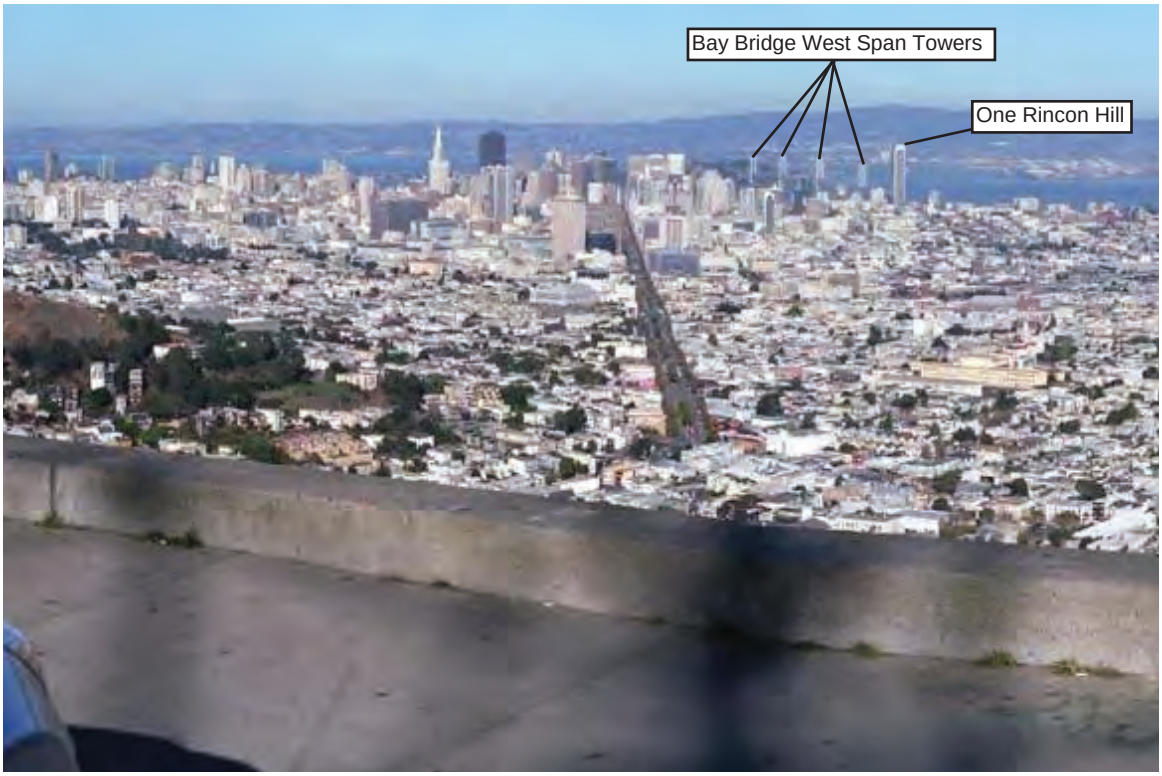
No Project plus Cumulative

SOURCE: Square One Productions

Case No. 2007.0558E: Transit Center District Plan and Transit Tower . 207439

● Figure 30B (revised)

Visual Simulations: Yerba Buena Gardens



Existing

Plan

SOURCE: Square One Productions

Case No. 2007.0558E: Transit Center District Plan and Transit Tower . 207439

● **Figure 34A (revised)**

Visual Simulation: Twin Peaks

Cumulative

No Project plus Cumulative

SOURCE: Square One Productions

Case No. 2007.0558E: Transit Center District Plan and Transit Tower . 207439

● **Figure 34B (revised)**

Visual Simulation: Twin Peaks

Maximum Extent of New Shadow on Portsmouth Square - January 10 / November 29, 8:30 a.m.

Maximum Extent of New Shadow on Portsmouth Square - January 31 / November 8, 8:15 a.m.

Net New Shadow | Shadow Outline from New Buildings | Existing Shadow

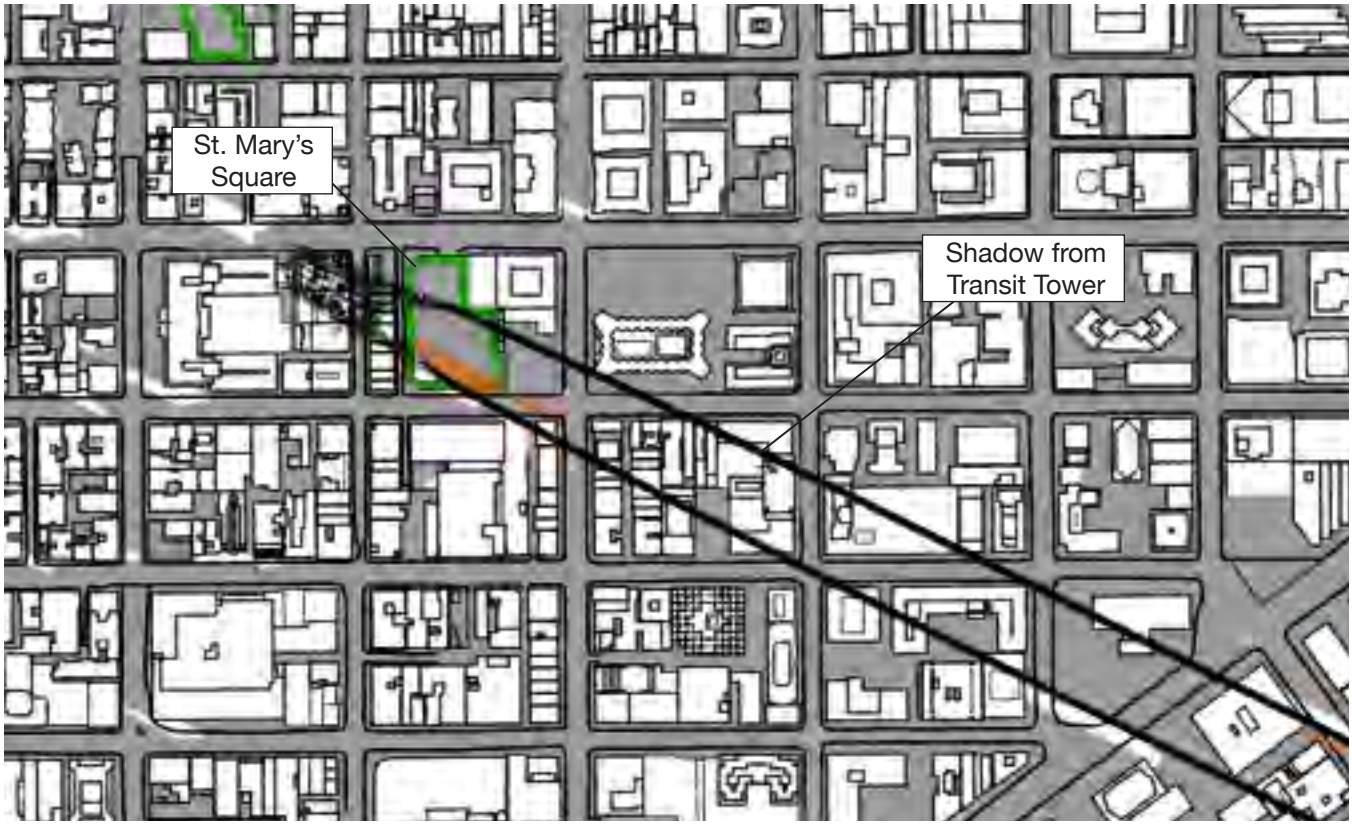
Case No. 2007.0558E: Transit Center District Plan and Transit Tower . 207439

SOURCE: CADP

●Figure 64 (revised)

Maximum Extent of New Shadow on Portsmouth Square

Maximum Extent of New Shadow on St. Mary's Square - March 15 / September 27, 8:45 a.m.



Maximum Extent of New Shadow on St. Mary's Square - March 15 / September 27, 8:45 a.m.

Net New Shadow | Shadow Outline from New Buildings | Existing Shadow

Case No. 2007.0558E: Transit Center District Plan and Transit Tower . 207439

SOURCE: CADP

● Figure 65 (revised)

Maximum Extent of New Shadow on St. Mary's Square

AECOM

Public Plan Bicycle Changes.ai

May 12, 2011

TRANSIT CENTER DISTRICT PLAN

Figure 3d

● PUBLIC REALM PLAN

Revised Bicycle Network Changes

TABLE 41 (REVISED)
SHADOW ON SECTION 295 PARKS FROM DEVELOPMENT IN THE PLAN AREA

Open Space	Existing Shadow[1]	Permitted Shadow[2]	Shaded By:[3]	Plan Shadow[4]	Shadow w/Plan[5]	Time/Date of Net New Shadow	Maximum Shadow[6]
Union Square[7]	38.30%	0.1% (0.08~~98~~%)	Pal., 50 F, TT, GGU, 181 Frmt.	0.19% ~~0.24%~~	38.5%	mid-March – late September– 7:10 - 8:40 a.m. ~~mid-July – late September; mid-March – late May – 7:20 – 8:50 a.m.~~	24.5% (8:00 am, early Apr. & early Sept.)
St. Mary's Square[8]	51.90%	0.0%	TT, 50 F, GGU	0.09%	52.0%	mid- Sep – mid-October; late February – late March – 8:10 ~~8:40~~ - 9:10 a.m.	26.3% (8:45 am, mid-Mar. & late Sept.)
Portsmouth Square	39.00%	0.0%	TT, 50 First	0.41% ~~0.24%~~	39.4% ~~39.2%~~	~~mid-~~ late October – ~~early December; early January – late~~ mid-February – 8:00 - 9:10 a.m.	42.5% (8:30 am, mid-Jan. & late Nov.)
Justin Herman Plaza[9]	37.60%	0.1% (0.007%)	TT, 50 F, 350 Msh.	0.09%	37.7%	early November - early February – 1:00 - 2:40 p.m.	10.1% (1:15 pm, early Jan. & early Dec.)
Willie "Woo Woo" Wong Plgrd.	52.80%	0.0%	P-F; GGU	0.03%	52.83%	early November. - early December; January – 8:00 - 8:20 a.m.	15.1% (8:15 am, mid-Jan. & late Nov.)
Maritime Plaza	68.40%	0.0%	Transit Tower	<0.01%	68.4%	early to mid-December; late December- early January – 10:40 to 11:05 a.m.	1.9% (10:45 am, late December)
Woh Hei Yuen Park[10]	n/a	n/a	Transit Tower	<0.01% ~~0.07%~~	n/a	Early November and early February, approximately 7:45 a.m.	~~87.7~~ 1.9% (7:44 am,* late Jan. & early Nov.)
Chinese Recreation Ctr.	n/a	0.0%	Transit Tower	<0.01%	n/a	Mid-October and mid-February, approximately 8:25 a.m.	36.5%(8:23 am,* late Feb. & mid-Oct.)
Boeddeker Park[11]	37.70%	0.244% (0.000%)	Transit Tower	<0.01%	37.70%	early June – early July, from 6:50 to 7:00 a.m.	2.9% (6:47 am,* late June)

1 Existing Shadow is the existing amount of shadow cast by existing buildings, measured by the percentage of theoretical annual available sunlight (TAAS) that would be available if no existing buildings were present (based on 1989 Planning Department analysis). TAAS is computed by multiplying the area of each park by 3,721.4 (number of hours covered by Sec. 295). n/a – Not Available

2 Permitted Shadow is the additional amount of **net new** shadow allowed (the Absolute Cumulative Limit) under Sec. 295 for each park. This includes any changes that have occurred since 1989. Bottom figure (in parentheses) indicates remaining budget available, if applicable.

3 Shaded By indicates Plan area buildings that would shade each park: TT – Transit Tower; Pal. – Palace Hotel tower addition; 50 F – 50 First Street; 181 Frmt. – 177 – 187 Fremont; GGU – Golden Gate University site tower; P-F – TJPA Parcel F; 350 Msh. – 350 Mission Street tower (at 700 feet, in accordance with the draft Plan height; this is taller than the 375-foot-tall approved project at this site).

4 Plan Shadow is the amount of net new shadow, given as an approximate percentage of the theoretical annual available sunlight, that would be cast on each park on an annual basis.

5 Shadow w/Plan is the percentage of theoretical annual available sunlight that would be shaded by existing building ***plus*** the proposed project, on an annual basis. Top number is entire Transit Tower; bottom number excludes rooftop element.

6 Maximum Shadow is the greatest amount of each park that would be newly shaded by Plan area buildings at any one moment. Percent of park area that would be shaded is given first column; dates and time in parentheses). Asterisk (*) indicates time is first minute subject to Section 295.

7 The shadow budget remaining within the Absolute Cumulative Limit (ACL) for Union Square has been partially reduced since 1989. In 2004, 69,540 square foot hours was allocated to a project at 690 Market Street, which rehabilitated and expanded the historic De Young (Chronicle) Building, now the Four Seasons Residences, reducing the 0.1 percent budget by 0.02 percent.

8 Existing sunlight and existing shadow coverage for St. Mary's Square, as calculated by the Planning Department, assumed future expansion of this park.

9 The shadow budget remaining within the Absolute Cumulative Limit (ACL) for Justin Herman Plaza has been reduced since 1989, when an ACL for this park was established at 0.1 percent, by the allocation of most of the shadow budget. In 2000, the Planning Commission allocated more than nine-tenths of the available shadow under the 0.1 percent ACL to the Hotel Vitale at Spear and Mission Streets, reducing the remaining available shadow to 0.008 percent of theoretical annual available sunlight. In 2008, the Commission allocated an additional 0.001 percent of the available shadow to a proposed vertical expansion of an office building at 100 California Street (Case No. 2006.0660K), reducing the remaining available shadow to 0.007 percent of theoretical annual available sunlight. This latter project has not been constructed.

10 No Absolute Cumulative Limit has been established for Woh Hei Yuen Park.

11 The Absolute Cumulative Limit (ACL) for Boeddeker Park has been adjusted three times since 1989, to accommodate the Emporium/Bloomingdales project (amendment to the Yerba Buena Center Redevelopment Project, for which the ACL was increased from 0.0%to 0.007%); the Tenderloin Neighborhood Development Center (TNDC) Curran House residential project at 145 Taylor Street (0.087%); and, most recently, in 2009, the TNDC Eddy & Jones Family Housing Project (0.244%). This latter project has not yet been constructed.

SOURCE: San Francisco Planning Department; CADP; Environmental Science Associates

Attachment 1: Comment Letters

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY EDMUND G. BROWN JR., Governor

DEPARTMENT OF TRANSPORTATION
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PLANNING DEPARTMENT

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November 28, 2011

SF080134
SF-80-5.56
SCH#2008072073

Mr. Bill Wycko
Planning Department
City and County of San Francisco
1650 Mission, Suite 400
San Francisco, CA 94103

Dear Mr. Wycko:

Transit Center District and Transit Tower – Draft Environmental Impact Report and Traffic Impact Study

Thank you for continuing to include the California Department of Transportation (Department) in the environmental review process for the Transit Center District and Transit Tower. The following comments are based on the Draft Environmental Impact Report (DEIR) and Traffic Impact Study (TIS). The Department is specifically concerned with traffic queuing onto through lanes of Interstate (I-) 80, resulting in potentially significant impacts to traffic safety. We are also concerned with traffic mode splits, impacts to freeway off ramps and mainlines, and access to the proposed San Francisco Oakland Bay Bridge Westspan multi-use path.

Traffic Forecasting
Table 29 on page 12 of the TIS states that the proposed project would generate approximately 9,661AM and 9,543PM peak hour person trips that includes 2,660 AM and 2,600 PM peak hour vehicle trips. From this Table, the analysis estimates that only approximately 30-33% of person trips will use auto as the mode of transport. Although there is a large number of transit services within the area, the Department believes that the mode split for vehicles is relatively low since residents living within the proposed area may not necessary work within the planned site. To provide a better representation of the mode split within the planned area, the Department recommends the City to survey the travel patterns of existing residents within the plan area. TR-1

Impacts to State Facilities
The project proposes to convert Howard Street west of Fremont Street, which is currently an one-way street, into a two-way street. The queue forming at the Howard Street and Fremont Street intersection currently backs up onto the Fremont Street off-ramp and causes the queue to spill onto the mainline freeway. Furthermore, both north and south side of Howard Street are currently being used as causal carpool drop off locations. If this section of the Howard Street is converted to a two-way street, it will force all carpool drop offs to one side of the street. This will further reduce the throughput capacity of the Howard Street and exacerbate the existing Fremont off-ramp queue onto the freeway mainline, and will exacerbate existing safety concerns. From TR-2

Tables 17 and 18, the TIS does not adequately show the impact of project on Fremont off-ramp traffic since it does not capture delay greater than 80 seconds. Please include a section that includes the queue length on the Fremont off-ramp and Freeway mainline resulting and necessary mitigation measures to reduce this impact. TR-2 (cont'd.)

San Francisco Oakland Bay Bridge Westspan Multi-use Path
In the DEIR, it references that a new multi-use pedestrian and bicycle path proposed between Howard Street and Folsom Streets, near Essex Street and beneath the ramp that links the Transit Center to the Bay Bridge. However, please be advised that this is only one alternative of the Westspan multi-use path project. TR-3

Should you have any questions regarding this letter, please call Yatman Kwan of my staff at (510) 622-1670.

Sincerely,

GARY ARNOLD
District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse

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PLANNING DEPARTMENT

Department of Toxic Substances Control

Matthew Rodriquez
Secretary for
Environmental Protection

Deborah O. Raphael, Director
700 Heinz Avenue
Berkeley, California 94710-2721

Edmund G. Brown Jr.
Governor

October 28, 2011

Ms. Sarah B. Jones
San Francisco Planning Department
Environmental Planning
1650 Mission Street, Suite 400
San Francisco, California 94103

Dear Ms. Jones:

Thank you for the opportunity to comment on the Draft Environmental Impact Report for Transit Center District Plan and Transit Tower (SCH# 2008072073). As you may be aware, the California Department of Toxic Substances Control (DTSC) oversees the cleanup of sites where hazardous substances have been released pursuant to the California Health and Safety Code, Division 20, Chapter 6.8. As a potential Responsible Agency, DTSC is submitting comments to ensure that the environmental documentation prepared for this project to address the California Environmental Quality Act (CEQA) adequately addresses any required remediation activities which may be required to address any hazardous substances release.

Based on historic use of the project site (i.e. the now-demolished Transbay Terminal), we strongly recommend that sampling should be conducted to determine whether there is an issue which will need to be addressed in the CEQA compliance document. If hazardous substances are present, they will need to be addressed as part of this project.

For example, if the remediation activities include the need for soil excavation, the CEQA document should include: (1) an assessment of air impacts and health impacts associated with the excavation activities; (2) identification of any applicable local standards which may be exceeded by the excavation activities, including dust levels and noise; (3) transportation impacts from the removal or remedial activities; and (4) risk of upset should there be an accident at the Site. HZ-1

DTSC and the Regional Water Quality Control Boards (Regional Boards) signed a Memorandum of Agreement, March 1, 2005 (MOA) aimed to avoid duplication of efforts among the agencies in the regulatory oversight of investigation and cleanup activities at brownfield sites. Under the MOA, anyone requesting oversight from DTSC or a

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Regional Board must submit an application to initiate the process to assign the appropriate oversight agency. The completed application and site information may be submitted to either DTSC or Regional Board office in your geographical area. The application is available at http://www.calepa.ca.gov/brownfields/MOA/application.pdf.

Please contact me at (510) 540-3775 if you have any questions or would like to schedule a meeting. Thank you in advance for your cooperation in this matter.

Sincerely,

Ryan Miya

Ryan Miya
Senior Hazardous Substances Scientist
Northern California - Coastal Cleanup
Operations Branch

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95814-3044

CEQA Tracking Center
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

BART

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Lynette Sweet
7TH DISTRICT

James Fang
8TH DISTRICT

Tom Radulovich
9TH DISTRICT

November 23, 2011

Bill Wycko, Environmental Review Office
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, Ca 94103

Re: Transit Center District Plan and Transit Tower
Comments on Draft Environmental Impact Report
Case No 2007.0558E and 2008.0789E
State Clearinghouse No. 2008072073

Dear Mr. Wycko:

This letter provides the comments of the San Francisco Bay Area Rapid Transit District ("BART") on the draft Environmental Report ("DEIR") prepared for the Transit Center District Plan and Transit Tower ("TCDP") by the City and County of San Francisco (City) as lead agency under the California Environmental Quality Act ("CEQA").[1] BART appreciates the opportunity to continue to participate in this process and provides the below comments on the DEIR.

Comment 1 – BART Supports High Quality Transit-Oriented Development.
Initially, BART notes that, as described, the Project addresses development of an area comprising approximately 145 acres and a Transit Tower, proposed by the Transbay Joint Powers Authority that would rise 61 stories, in a 1,070-foot-tall office building located on the northern third of the block bounded by First, Mission, Fremont, and Howard Streets. The Transit Tower would include approximately 1.3 million square feet provide 1.47 million square feet of office space and 16,500 square feet of retail space. The plan area abuts both the Embarcadero and the Montgomery BART Stations.

The vision of the 2008 BART Strategic Plan identifies that "BART is a high-quality transit service that supports a sustainable region." In that spirit, BART is supportive of new infill development projects near BART stations. As provided in BART's 2005 Transit-Oriented Development (TOD) Policy, BART believes that by "promoting high quality, more intensive development on and near BART-owned property, [BART] can increase ridership, support long-term system capacity and generate new revenues for transit." At the same time, the BART system was designed in the 1950's and 60's, initiated operations in 1972, TR-7

[1] Public Resources Code § 21000 et seq. CEQA is implemented through the State CEQA Guidelines ("Guidelines"), 14 Cal. Code Regs. § 15000 et seq.

and is approaching 40 years of serving downtown San Francisco, and the region. The planning horizon of the original BART system has been surpassed by a decade, and system capacity improvements will eventually be needed to alleviate constraints on projected ridership. The Metropolitan Transportation Commission's (MTC's) Transportation 2035 (T2035) regional transportation plan does not include any significant funding to enable BART to address emerging capacity constraints (as identified in the DEIR), even as BART develops plans to increase capacity and throughput. To this end, BART looks forward to collaborating with the City, and other funding partners, to develop a successful Project with substantial benefits for the public.

We note that the plan contains many objectives which support transit including enhanced funding of capacity for regional transit service (Objective 4.13), demand management strategies to reduce automobile use (Objective 4.15), a parking plan to encourage transit (Objective 4.16), Increased incentives to take transit (Objective 4.17), and encouragement of non-auto modes of transportation (Objective 4.18).

However, while these stated objectives are laudable and appropriate, we are concerned that erroneous assumptions in the DEIR may understate significant impacts. In addition, the DEIR does not contain a strategy to monitor transit capacity, particularly on BART and at the Montgomery and Embarcadero Stations, over the life of the plan. Finally the DEIR does not provide adequate mitigation, in the form of a clear strategy to address the need for operating or capital improvements to mitigate impacts that the DEIR acknowledges to be attributable to the Project.

These issues should be acknowledged and appropriately addressed in the Final EIR for the Project. TR-7 (cont'd.)

Comment 2 – Error in BART Service Assumptions.
The assumptions regarding BART service in 2030, which are the basis for the TCDP DEIR analysis, are not consistent with BART's own service plans. This is existing information, readily available in public documents including the BART Fleet Management Plan (2010) and BART service expansion assumptions contained in environmental documents such as the Silicon Valley Rapid Transit Corridor Final EIS (2010), BART to Livermore Final Program EIR (2010), eBART Final EIR (2009). Relying on erroneous assumptions, the TCDP DEIR incorrectly analyzes BART's service frequency and Transbay capacity constraints and understates our year 2030 train capacity limits. Peak hour / peak direction train throughput at the Transbay screen line should total 31 trains and be based on the following service plan:

- Warm Springs/Berryessa to Daly City = 5 trains peak hour/direction
- South Hayward to Daly City = 3 trains peak hour/direction
- Pittsburg/Bay Point to SFO = 5 trains peak hour/direction
- Pittsburg/Bay Point to Daly City = 1 train peak hour/direction
- Pleasant Hill to Montgomery = 4 trains peak hour/direction
- Dublin Pleasanton to Daly City = 5 trains peak hour/direction
- Richmond to Daly City/Millbrae = 8 trains peak hour/direction

Comment 3—Need to Provide Ridership Analysis Results.
On pages 302 - 305, Impact TR-3, the DEIR identifies two potential transit impacts, but with different significance conclusions:

- Transit ridership related to the Draft Plan, including street changes, would cause substantial increase in transit demand that could not be accommodated by adjacent transit capacity, resulting in unacceptable levels of transit service; and would cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service levels could result (Significant and Unavoidable with Mitigation). DEIR, p. 302.
- Plan induced growth would contribute almost 3 percent additional ridership to conditions on BART and AC Transit, both of which would operate with ridership in excess of capacity under 2030 without project conditions, and 6 to 7 percent additional ridership on BART Peninsula service. However, the DEIR concludes that this impact is less than significant. DEIR, p. 304.

It is difficult for the non-expert reader to interpret these conclusions. In particular, the DEIR reports transit demand changes attributable to the Project as percentages only, rather than reporting specific ridership projections as is typical in EIR analyses of transit impacts. See Table 22, Regional Transit Peak-hour Capacity Utilization (p. 301). The Transit Center District Plan *Transportation Impact Study Technical Appendix*, v.1, dated September 22, 2011 is apparently the source of these percentages. However, reporting the results as percentages has the effect of understating the impacts, by depriving the reader of necessary context. For example, where total ridership on the different transit systems may be very different, expressing the results in percentages only tends to downplay large ridership increases on systems with large ridership to begin with. Relevant transit ridership and mode share information from the *Technical Appendix* should be incorporated into the Final EIR for the benefit of the public and decision-makers. TR-8

BART's analysis of the data provided in the *Technical Appendix* (see Attachment 1), indicates that BART is forecast to carry 55% of AM Peak Hour riders across Regional Screenlines, when comparing Existing Conditions to the 2030 Baseline, and 44% of riders across All Regional and SFMTA Screenlines. When comparing the 2030 Baseline to 2030 plus Project Conditions, BART is forecast to carry 77% of AM Peak Hour riders across Regional Screenlines, and nearly 31% of across All Regional and SFMTA Screenlines. Table 22 on p. 301 indicates that demand on BART's East Bay routes will exceed capacity. Mitigations for addressing BART capacity should be identified and a strategy set forth to achieve them.

Comment 4—Improper Conclusion of Insignificance Based on "Proportionality."
The DEIR concludes that the impacts of 3 percent additional BART ridership generally, and 6 to 7 percent additional ridership on BART Peninsula service, are less than significant because these increases represent less than 5 percent of total future BART ridership. DEIR, p. 304. For the cumulative impacts shown in Table 25, p. 331, the DEIR asserts that project ridership is insignificant because it would be less than 0.75% of the total growth in 2030. This "proportionality" argument has been rejected by the courts. See *Kings County Farm Bureau v. City of Hanford*, 221 Cal. App. 3rd 692 (1990) and *Communities for a Better Environment v. Resources Agency*, 103 Cal.App.4th 98 (2002). These cases hold that a project's incremental contribution to an impact cannot be dismissed because it is small in proportion to the

contributions of other sources. On the contrary, the courts concluded, the "proportionality" approach violates CEQA because the more serious conditions are due to other sources, the greater the consequences may be of adding yet another increment. Therefore, the project's small contributions should be more closely scrutinized, not less, when other sources are already creating a problem. In this case, BART's expected increase in demand without the project, in the context of capacity constraints, give rise to greater concern over the additional contribution of the project. TR-8 (cont'd.)

Comment 5—Change from 2009 Analysis.
The transit ridership forecasts identified in the *Technical Appendix* (2011) differs from the earlier Transit Center District Plan – Transit Network Analysis memo (AECOM, Feb. 2, 2009) in terms of East Bay corridor transit mode allocation. Overall transit ridership increased as compared to the 2009 memo, but BART's ridership decreased. What explains the discrepancy? The FEIR should identify what has changed in the analysis. TR-7

Comment 6—Lack of Mitigation for Station Capacity Impacts.
While dismissing the increased percent ridership as insignificant, the DEIR does acknowledge peak-hour capacity constraints at two stations, the Montgomery Street and Embarcadero Stations (p305). The document concludes that increased ridership from Plan area development would almost all go through these two stations, and thus would cause a significant and unavoidable impact on regional transit.

A significant and unavoidable finding is not a "free pass" under CEQA. Impacts may only be found significant and unavoidable where mitigation to avoid or reduce the impacts to less than significant levels is infeasible as defined by CEQA.[2] The DEIR contains no discussion of potential mitigation or claims of infeasibility. Moreover, when feasible mitigation can partly reduce an impact, even though the remaining impact after such mitigation is still "significant and unavoidable", the EIR must address mitigation to reduce the impact to the extent feasible. TR-9

BART has developed preliminary plans to expand station capacity, improve the train control system to enable more frequent, expand the fleet of BART cars, and expand essential yards and shops. Because funding for these investments is scarce, a number of operational strategies could also alleviate capacity constraints on an interim basis. At a minimum, the plan should call for monitoring transit capacity over the life of the plan, and prioritize capacity investments to reduce and manage the safety of the traveling public. Even if the impact would remain significant and unavoidable, these are feasible mitigations which the Final EIR should consider.

Comment 7—Lack of Mitigation for Indirect Transit Impacts.
In addition to and beyond the impacts discussed above, the DEIR acknowledges that the project's parking supply limitations could secondarily result in further crowding and capacity issues on BART and other transit systems. DEIR, p. 324. This indirect impact is also characterized as significant and unavoidable. As stated above, the significant and unavoidable finding does not relieve the lead agency from addressing mitigation to the extent feasible. TR-10

[2] Pub. Res. Code §§ 21061.1, 21081; CEQA Guidelines §§ 15126.2, 15126.4.

Comment 8—Need for Clarification on Impact Fees.

The DEIR includes Mitigation Measure TR-3e, "Increased Funding of Regional Transit", as a proposed mitigation measure for Impact TR-3. DEIR, pp. 308-309. MM TR-3e provides that: "Sponsors of development projects within the Plan area could be subject to one or more fair share fees to assist in service improvements, such as through the purchase of additional transit vehicles and vessels or contributions to operating costs, as necessary to mitigate Plan impacts."

BART agrees with the conclusion that it is speculative at this time to presume that fees could fully offset project impacts, so that Impact TR-3 remains significant and unavoidable. However, as written in the DEIR, MM TR-3e is too vague and uncertain to satisfy the requirements of CEQA. First, it is not even clear that the impact fee will be imposed at all, as MM TR-3e is not stated as a commitment: "Sponsors. . . *could be* subject" to the fees (p. 308, italics added). Second, it is not clear which transit operators may share in the revenue if the fees are implemented: "These fee(s) *could be* dedicated to Golden Gate Transit, North Bay ferry operators, AC Transit, BART, *and/or* additional North Bay and East Bay transit operators" (p. 309, italics added). Most important, there is no discussion of standards for allocating fee revenues among recipients, not even a commitment to allocate revenues in proportion to the impacts identified in the EIR. The determination of the recipients, generation and allocation of fees is deferred to the future. However, CEQA does not allow the formulation of mitigation measures to be deferred to a future time, unless the EIR contains specific performance standards that will guide the future determination.[3] BART recognizes that a detailed fee program is not available at this stage. Nevertheless, once the DEIR put forward the fee proposal as a form of mitigation for Impact TR-3, decision-makers and the public must be provided with some reasonable, general description of the proposed fee program. In the Final EIR, MM TR-3e should be revised to clarify and commit to actions that meet the CEQA standard of mitigation to the extent feasible.

TR-11

We look forward to working with the City of San Francisco on this important project. If you have any questions, please contact me at 510.287.4794 or at VMenott@bart.gov.

Thank you again for the opportunity to provide input on this project

Sincerely,

Val Menotti
Planning Department Manager

[3] CEQA Guidelines § 15126.4(a)(1)(B).

Attachment 1: Transit Load Capacity (Peak Hour) A.M. Peak

	Existing Conditions (2007)			2030 Baseline (1B)			Change (2030 Baseline vs. 2007 Existing)	2030 plus Project Conditions (3A)			[illegible]
AM Peak Hour	Riders	Capacity	Util	Riders	Capacity	Util	Riders	Riders	Capacity	Util	Riders
SFMTA	20,191	30,218	67%	26,404	36,082	73%	6,213	29,592	36,082	82%	3,188
East Bay	19,391	24,150	80%	33,253	29,400	113%	13,862	34,198	29,400	116%	945
South Bay (w/ 16 St and south)	10,841	16,800	65%	11,828	21,000	56%	987	12,511	21,000	60%	683
BART	30,232	40,950	74%	45,081	50,400	89%	14,849	46,709	50,400	93%	1,628
East Bay (including BART)	21,728	28,394	77%	43,585	37,286	117%	21,857	44,824	37,286	120%	1,239
North Bay	2,459	4,355	56%	4,247	4,355	98%	1,788	4,338	4,355	100%	91
South Bay (including BART)	13,655	21,110	65%	17,197	28,760	60%	3,542	17,975	28,760	63%	778
All Regional Screenlines	37,842	53,859	70%	65,029	50,401	92%	27,187	67,137	70,401	95%	2,108
Regional + SFMTA Screenlines	58,033	84,077	69%	91,433	106,483	86%	33,400	96,729	106,483	91%	5,296
BART % of Ridership Growth in TCDP							55%				77%
of All Regional Screenlines							44%				31%
of Regional + SFMTA Screenlines											

Attachment 1: Transit Load Capacity (Peak Hour) P.M. Peak

	Existing Conditions (2007)			2030 Baseline (1B)			Change (2030 Baseline vs. 2007 Existing)	2030 plus Project Conditions (3A)			Change (2030 Project vs. 2030 Baseline)
PM Peak Hour											
	Riders	Capacity	Util	Riders	Capacity	Util	Riders	Riders	Capacity	Util	Riders
SFMTA	20,609	30,373	68%	27,628	35,074	79%	7,019	29,592	35,074	84%	1,964
East Bay	20,067	24,150	83%	32,225	29,400	110%	12,158	33,084	29,400	113%	859
South Bay (w/ 16 St and south)	10,202	16,800	61%	11,202	21,000	53%	1,000	11,907	21,000	57%	705
BART	30,269	40,950	74%	43,427	50,400	86%	13,158	44,991	50,400	89%	1,564
East Bay (including BART)	23,286	29,862	78%	41,819	38,719	108%	18,533	42,935	38,719	111%	1,116
North Bay	2,303	3,905	59%	4,135	3,905	106%	1,832	4,227	3,905	108%	92
South Bay (including BART)	12,763	20,990	61%	15,659	28,640	55%	2,896	16,453	28,640	57%	794
All Regional Screenlines	38,352	54,767	70%	61,612	71,264	86%	23,261	63,615	71,264	89%	2,002
Regional + SFMTA Screenlines	58,961	85,130	69%	89,241	106,338	84%	30,280	93,207	106,338	88%	3,966
BART % of Ridership Growth in TCDP											
of All Regional Screenlines							57%				78%
of Regional + SFMTA Screenlines							43%				39%

November 14, 2011

GOLDEN GATE BRIDGE
HIGHWAY & TRANSPORTATION DISTRICT

Mr. Bill Wycko
Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Transit Center District Plan and Transit Tower DEIR

Dear Mr. Wycko:

Golden Gate Bridge, Highway and Transportation District (GGBHTD) staff has completed a review of the DEIR for the Transit Center District Plan and Transit Tower project and the Transportation Impact Study for the Transit Center District Plan, and would like to offer the following comments for consideration in preparation of the final environmental document:

Transit Center District Plan and Transit Tower DEIR:

- **Pg. S-5**: Amount (number of units) missing from the second sentence of the third paragraph: "The building would have about (?) retail space…". Sum-1
- **Pg. S-67**: In the title of the section, the sentence should read "…*if* the Project is Implemented." Sum-2
- **Pg. 296, Mitigation M-TR-1m**: This mitigation states that as part of a RTSOP project, the MTA *could* conduct a study of Downtown-area traffic signal systems; however, it does not indicate what would trigger such a study. Can such a study be accomplished within the program limitations? TR-4
- **Pg. 300**: The ridership projections for Golden Gate Transit (GGT) buses is inconsistent with the preliminary analysis conducted by the Metropolitan Transportation Committee as part of the Transit Sustainability Project. TR-7
- **Pg. 304**: The second paragraph discusses ridership increases for regional carriers. Impacts on GGT ridership needs further clarification. It states that capacity utilization would increase from 2 to 7 percent for each carrier, with GGT exceeding the 100 percent capacity utilization standard in the AM peak, resulting in a significant impact. It then goes on to state that since plan ridership would "cause add less" (clarify?) than 5 percent to GGT capacity utilization, it would be a less-than-significant impact. Would GGT simultaneously experience significant *and* less-than-significant impacts? TR-8
- Also, the last paragraph states that "Golden Gate Transit buses also use portions of Howard Street and Folsom Street when heading to and from Golden Gate Transit's mid- TR-12

day yard at Eighth and Harrison Street." GGT's San Francisco bus yard will be relocated to a new location on Perry Street between Third and Fourth streets in 2013. Thus, any analyses concerning GGT operations in any scenario other than existing should take this into consideration. TR-12 (cont'd.)

- **Pg. 306, Mitigation M-TR-3a**: This mitigation discusses the installation of transit-only and queue-jump lanes as improvements for Muni operations, but GGT and SamTrans operations are not mentioned.

- **Pg. 307, Mitigation M-TR-3b**: This mitigation measure proposes that Muni buses have exclusive use of boarding islands on Mission Street while regional carriers use the curbside bus stops. Regional carriers could either use the transit-only center lanes between stops or use only the curb lane. It is acknowledged that using curbside stops "…may result in unsafe maneuvers for regional transit vehicles and increase the potential for collisions and conflict between buses and vehicles or bicycles," using only the curb lane would eliminate "…increased potential for collisions due to merging in and out of the transit-only lanes" and "subject regional transit vehicles to substantial travel time delays as a result of traveling in mixed-flow traffic." Both alternatives will have significant impacts to the safe and timely operation of GGT buses. While the possibility of regional carriers using the boarding islands was mentioned in the first paragraph on page 304, it was not adequately explored. It is not clear why having both Muni and regional buses in the boarding islands would be infeasible. TR-13

- **Mitigation M-TR-3c**: Footnote 174 refers to GGT's move from the Eighth and Harrison yard in 2017. In fact, the move will occur in 2013. TR-12

- **Pg. 308, Mitigations M-TR-3d and M-TR-3e**: These mitigations discuss the potential to establish a fair share fee to allow for the purchase of additional transit vehicles to mitigate impacts on transit travel time and calls for the funds include "costs to store and maintain the vehicle." How will the one-time fee be applied to the on-going costs to store and maintain the vehicles? TR-11

- **General comment on bulb-outs**: The DEIR cites the possibility of installing bulb-outs at intersection crosswalks. The District would like to assure that such modifications maintain turning radii to accommodate the minimum turning radius of GGT buses. TR-14

Comments on Transit Center District Plan Transportation Impact Study:

- **Pg. 26**: The second paragraph explains the origin of ridership projections used for the analysis. It appears that the projections from the SFCTA travel demand model and the MTC model are not consistent. Can/should this be resolved? TR-7

- **Pg. 53**: Figure 10 erroneously shows GGT buses on Howard Street between Beale and Main streets. TR-12

- **Pg. 102**: Figure 18 erroneously shows GGT buses on Howard Street west of Fourth Street and on Folsom Street west of Third Street. The GGT bus yard will be relocated to Perry Street between Third and Fourth streets in 2013, so buses will no longer operate in revenue service along these street segments in the Future Transit Network. TR-12 (cont'd.)

- **Pg. 444**: Mitigation Measure DA-TRANSIT-5 references "Mitigation Measure P-TRANSIT-e," but there is no such mitigation in the document. TR-15

- **General comment on bulb-outs**: While the TIS addresses concerns for heavy vehicles (i.e., tractor-trailers) and emergency vehicles relative to the installation of bulb-outs, it does not specifically address the need to maintain minimum turning radii requirements for buses, which may be significantly more than articulated vehicles such as tractor-trailer combo and ladder trucks. TR-14

Thank you for the opportunity to review the DEIR and TIS for the Transit Center District Plan and Transit Tower. If you have any questions regarding any of our comments, please contact Raymond Santiago, Senior Planner, at (415) 257-4443 or rsantiago@goldengate.org.

Sincerely,

Ron Downing

Ron Downing
Director of Planning

cc: Raymond Santiago
Maurice Palumbo
David Davenport

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November 30, 2011

Mr. Bill Wycko
Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Mr. Wycko,

On November 2, 2011, the Historic Preservation Commission (HPC) held a public hearing and took public comment on the Draft Environmental Impact Report (DEIR) for the proposed Transit Center District Plan and Transit Tower. After discussion, the HPC arrived at the comments below:

- The HPC does not believe the reduced scope project should be regarded as a preservation alternative. The DEIR should include a true preservation alternative that looks at not demolishing any historic resources.
- The HPC disagrees with the finding in the DEIR that the reduced scope project will have a reduced impact to the Palace Hotel. While the reduced scope project may have less shadow impacts, there will be no difference between the proposed project and the reduced scope project to the Palace Hotel from a preservation perspective. ALT-1
- The HPC suggests that the mitigation measure described in M-CP-3A should be modified to accurately reflect the historic resources needing HABS and HAER documentation.
- The HPC believes the HABS and HAER documentation should include aerial photography.
- The HPC suggests that the mitigation measure described in M-CP-3B be modified to include both written and photographic data in the public interpretative display and that the proposed display be presented to the HPC prior to finalization. CP-1
- Given the amount of demolition proposed, the HPC suggests inclusion of a salvage mitigation measure.
- The HPC would like to see impacts to the potential historic district at the intersection of 1st and Mission Streets be analyzed at the project level or reduced scope project.
- The HPC would like to see individual historic resources identified in the survey be formally designated and expansion to the existing Conservation District be implemented. CP-2
- The HPC would like to see the historic district identified at the intersection of 1st and Mission Streets be formally designated if the reduced scope project is implemented.

- The HPC believes an informational presentation or briefing prior to the DEIR hearing is warranted in order for the HPC to comment on the overall plan and proposed policies. CP-3
- The HPC disagrees with the statement made under M-CP-4 that the mitigations would result in less than a significant impact and would like to see more information on how that determination was made. CP-4
- Once developed, the HPC would like more information about the Downtown Rehabilitation Fund and In-Lieu Fee Program. CP-5
- The HPC believes the graphics and illustrations in the DEIR could be improved for consistency and clarify purposes. The DEIR should include the boundaries of the potential historic district at the intersection of 1st and Mission Streets. CP-6

The HPC appreciates the opportunity to participate in review of this environmental document.

Sincerely,

Charles Edwin Chase, President
Historic Preservation Commission

San Francisco
Water Power Sewer
Services of the San Francisco Public Utilities Commission

INTEROFFICE MEMORANDUM

EDWIN M. LEE
MAYOR

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ED HARRINGTON
GENERAL MANAGER

To: Bill Wycko, Environmental Review Officer
Attention: Sarah Jones, Senior Environmental Planner
Environmental Planning Division
San Francisco Planning Department

From: Irina P. Torrey, AICP, Manager
Bureau of Environmental Management

Date: November 10, 2011

Subject: Draft Environmental Impact Report
Transit Center District Plan and Transit Tower
Planning Department File Numbers 2007.0558E and 2008.0789E

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report for the Transit Center District Plan and Transit Tower. The San Francisco Public Utilities Commission staff has reviewed the draft document and offer the following comments.

Pages 35-37 (District Sustainability), 537-538 (Plan Impacts, *Water*), 598 (Recycled Water), and 610 (Recycled Water):

Recycled Water Systems - Recycled Water Ordinances 390-91, 391-91, and 393-94 require property owners (including municipal) to install recycled water systems for recycled water use within the designated recycled water use areas. All but the very northwest corner of the Plan area is located within the designated recycled water use area and the installation of a recycled water system(s) in the buildings/facilities/green spaces located within the designated ordinance area is required. Although the northwest corner of the Plan area is not located within the designated area, it is contiguous to the rest of the Plan area that is within the designated area and, therefore could be served recycled water. UT-1

The text of these ordinances can be found at the following webpage: http://sfwater.org/index.aspx?page=477

San Francisco
Water Power Sewer
Services of the San Francisco Public Utilities Commission

INTEROFFICE MEMORANDUM

Page 383 (San Francisco Dust Control Ordinance):

Non-potable Water Use for Dust Control and Soil Compaction - Non-potable water must be used for dust control and soil compaction activities during project construction as required by Ordinance 175-91. The SFPUC operates a recycled water truck-fill station at the Southeast Water Pollution Control Plant that provides recycled water for these activities at no charge. For more information please contact (415) 695-7358. Information on Ordinance 175-91 is available at the following webpage: http://sfwater.org/index.aspx?page=477 AQ-1

Pages 37 and 400. General comment regarding Transit District Policy Goals 6.14 – 6.19:

The SFPUC is developing a program to address the onsite treatment of alternate water sources for non-potable applications in commercial structures. The SFPUC has been collaborating with San Francisco Department of Public Health and San Francisco Department of Building Inspection to provide a foundation for this program. SFPUC looks forward to the implementation of Transit District Policy Goals 6.14 – 6.19 regarding the use of non-potable water. SFPUC has been in contact with the Transbay Joint Powers Authority regarding their plans at the Transit Center for gray water and rainwater harvesting. PD-14

Earlier this year the SFPUC completed a Sump Study looking at the water quality from dewatering operations for a small number of buildings in the eastern portion of San Francisco. One of the sites, Moscone Center, is near the Transit District, and provides preliminary insights on this topic. Please let SFPUC know a copy of this report is needed (Sarah L. Rhodes, srhodes@sfwater.org).

Thank you for your cooperation.

Mayor Edwin M. Lee
Philip A. Ginsburg, General Manager

December 12, 2011

Bill Wycko, Environmental Impact Officer
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Transit Center District Plan and Transit Center Draft Environmental Impact Report, Case Nos. 2007.0558E & 2008.0789E

Dear Mr. Wycko:

Thank you for providing the City of San Francisco's Recreation and Parks Department (RPD) with the opportunity to review the Draft Environmental Impact Report (DEIR) for the Transit Center District Plan and Transit Center and provide comments for your consideration. As the Report indicates, several RPD properties are potentially impacted by the proposed plan and transit center.

These properties include Chinese Recreation Center, Union Square, Portsmouth Square, St. Mary's Square, Woh Hei Yuen Park, Boeddeker Park, Gene Friend Recreation Center (aka "SOMA Recreation Center"), South Park, Sue Bierman Park, Justin Herman Plaza, Maritime Park, Huntington Park, and Willie "Woo Woo" Wong Playground.

Shadow
The analysis provided within the DEIR for CEQA analysis has made two impact findings of Significant and Unavoidable shadow impacts to parks under the jurisdiction of the Recreation and Parks Department in the plan.

Separate from the CEQA process, as the DEIR notes, the proposed plan, the proposed tower and other proposed projects may require review and necessary approvals as per Section 295 of the City Planning Code, which addresses shadow on parks under the jurisdiction of the Recreation and Parks Department. All projects in San Francisco which include new buildings over 40 feet in height and shadow or could shadow properties are subject to Section 295 requirements and analysis. This may require the Planning Commission and the Recreation and Parks Department to make findings and amend the Absolute Cumulative Limits for one or more parks. SH-1

As has been discussed in previous hearings, it is unclear which projects or developments would be realized and at what time in the future depending on available financing and funding. At that time, each project presented for consideration must define the extent of shadow on each park affected for detailed and full analysis. It should include existing shadow on each park at that time including an analysis of both the quality and character of the shadow and the shadow portrayed on the park's existing topography and major features including buildings and other

facilities. Though facilities may change over time, it is important to understand the current impacts with current topography and facilities. SH-1 (cont'd.)

Transportation
Please review the pedestrian experience proposed in the plan to access open spaces, particularly Recreation and Parks Department Open Spaces, using the anticipated changes in population, to access to proposed transit tower and existing public open spaces. Please describe and analyze those patterns of use and routes anticipated and the design of these connections for safety and pedestrian access. TR-17

Biology
The Recreation and Parks Department manages numerous properties citywide that provide special habitat for wildlife, including bards. We are encouraged that the Standards for Bird Safe Buildings have been adopted for potential use on projects such as this. BI-1

Existing Recreational Facilities
In terms of Impact RE-1, please provide further analysis of how the proposed determination was made that the additional office, retail, hotel, and residential density would not result in increased use that would lead to or accelerate their physical deterioration or require construction of new facilities. Many of the parks in the area of the plan are heavily used and in areas the city's general plan considers to be "high-needs" in terms of new or improved open space. The proposed plan does include some new proposed open spaces. Please provide additional analysis of the future use of those spaces and existing open spaces based on user types, time of use and type of facility provided and other appropriate analysis methods. RE-1

Note: On page 529, the area generally referred to as the Embarcadero Promenade, as discussed, is owned by the Port of San Francisco, not the Recreation and Parks Department. RE-2

Thank you for your time and consideration.

Sincerely,

Karen Mauney-Brodek
Deputy Director for Park Planning
Planning and Capital Division
City of San Francisco
Recreation and Parks
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SUE C. HESTOR
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(415) 362-2778 · FAX (415) 362-8048

November 28, 2011

Sarah B Jones
Planning Department
1650 Mission St 4th fl
San Francisco CA 94103

2007.0558E & 2008.0789E - Transit Center District Plan & Transit Tower - Draft EIR

Dear Ms. Jones:

On behalf of San Franciscans for Reasonable Growth I am submitting the following comments on the Transit Center Draft EIR.

The most appropriate of the DEIR is POLLYANNAish. If that is a word.

This DEIR - as well as the planning staff working on/promoting this "plan" - would be well served to have an impartial group evaluate the street level quality/experience of the high-rise buildings that have been built since the Urban Design Plan, the Downtown Plan and even the various Rincon Hill plans were approved. There is an AWFUL lot of reliance on the LANGUAGE in various policies - the Urban Design Plan, the Downtown Plan and the Rincon Hill Plan. The language of those "plans" is lovingly set out as though the nice words actually resulted in changes at street level. There is little "evaluation" or recognition that high-flown policies don't actually result in implementation in real world San Francisco. This analysis could also be extended to the Code language that was adopted that turned around and allowed "exceptions" which became the norm when a building was actually reviewed and approved.

The Aesthetics evaluation should mostly focus at the STREET LEVEL, since that is where most people will experience these buildings. While we also care about how these buildings affect the skyline and important public views - see later comments here - much of what has been built in the last 35-40 years didn't quite result in the wonderful ground-level perspectives (the ideals) set out in those plans. Development in the past 35-40 years was theoretically guided by the *policies* of the Urban Design Plan, the Downtown Plan or the Rincon Hill Plan. How did it REALLY work out? What is the level of POSITIVE ground level pedestrian activity around the NEW TALL buildings. What about their "plazas" or other softening aspects? How much do they welcome people, both those who work in their building or those in the area? How much of the ground level space is ACTIVE retail or services? Are the NEW buildings providing those spaces, or is it in the OLDER buildings? How "friendly" is the pedestrian experience. How ACTIVE are these spaces in the REAL world? G-1

Our sense is that there are an awful lot of "policies" that look terrific on paper, but aren't really implemented all the way through in construction details, in ground level active uses and in creating a strong public realm in/around NEW high-rise buildings.

Which BUILDINGS worked they way the "plans" intended? Vs. which created inactive, under-used spaces? Which "outdoor" access spaces REALLY work? What population do they serve?

The Planning Department itself may not be the best judge of its own efforts. Perhaps one of the Architecture/Design schools that regularly put students into SF planning issues - UC Berkeley, Cal Poly - could be asked to do a human level evaluation of the NEW downtown buildings and how they function at the ground level. The students are guided by professionals in their Department, but may come to this with a fresh view. Architecture students don't have a stake in justifying Planning Department policies. G-1 (cont'd.)

Page 6 - I can't read the street names on those maps. Please redo these maps. That protruberant area on Howard Street is strange. There actually is a proposed high-rise - with associated height increase - for Howard on the south side between Spear and Steuart, aka 75 Howard Street. Is there yet another proposal RIGHT UP TO THE EMBARCADERO? PD-1

Page 7 fn7 - do these addresses match the sites analyzed for such things as the shadow impacts of various buildings? It is hard to track lists of buildings throughout the DEIR. PD-2

I don't remember seeing the Rincon Point/South Beach Redevelopment Plan/Area mentioned as one of the underlying controls. It clearly governed development of several parcels in the east part of the plan area. PD-3

Page 8 - 2008 study by Seifel was clearly started before 2008. The economy has had a great shaking out in the intervening years. How valid are the projections, and what ASSUMPTIONS underlie those projections? What other similar projections has Seifel done for San Francisco? How did THOSE projections bear out.

We have been in a significant **recession** (to use the most generous term) since 2008. It is very difficult to get construction financing. Even though SF continues to be in something of a housing bubble because of demand generated by Silicon Valley, SF has a huge backlog of housing approvals. Mostly for high end condo towers. The downtown office market has tanked and projections of office demand have been WAY OFF. Please refer to the 25 year report on the Downtown Plan to determine just how far off the estimates have been. Has the economy moved on? PD-4

So please go back to the beginning and look at the most BASIC assumptions regarding NEED and FEASIBILITY.

The project objectives in the DEIR do not set any for housing. Are there such? Is the goal of generating substantial funding from development rights (via an extraordinarily tall building) realistic in 2012? Also page 15 fn 17 (which has a typo - fn 9 is on page 8)

Page 10 - there have been three versions of a Rincon Hill Plan. The original one that came on the heels of the Downtown Plan. The 2-block plan that includes the area east of Fremont and is partially PD-5

constructed. The current plan that provides for extremely tall towers and resulted in construction of One Rincon Hill. They all have elaborate policies to densely house residents, with neighborhood amenities, good design, parks, sunlight, etc etc. The REAL WORLD is not so glowing and should be analyzed in the same context as the Downtown Plan, Urban Design Element. It is stated that it will CREATE housing for as much as 20,000 new residents. That is bad terminology. It will "accommodate." Plans don't create anything because so few of them are fully implemented.

Which leads to the next point. The Downtown Plan created a new zoning category - C-3-O(SD) which includes much of THIS Plan area. It was intended to be the most dense office space in the City. With sculpted buildings (YOUR term again), gracious spaces, active ground levels. It was IN THE PLAN. But it just didn't happen. Explain why THIS PLAN is going to be able to deliver all those things - and more? Go back to the Downtown Plan and explain what assumptions IT MADE for the amount of development that would occur in the C-3-O(SD). PD-5 (cont'd.)

Page 14 - The map of heights in the DTPlan was driven by locating the tallest buildings right next to the best transit access - the MUNI/BART stations because they would handle the greatest number of people coming into the downtown. The increased heights south of Mission contradict that policy of being close to MUNI/BART stations. Those facilities/transit lines are REAL. Please explain why large chunks of land are proposed for such a dramatic height increase when they are more remote from MUNI/BART stations/service? PD-6

Page 16 - inversion of FAR <u>limit</u> to be a FAR <u>base</u>. This really turns the Downtown Plan analysis of how to get appropriately designed buildings inside out. How do you FORCE that kind of density? And get "sculpted" buildings. The new FAR FORCES extreme heights. PD-7

Page 17 - active retail assumption/goal. Casual observation of "new"buildings vs. "old" buildings may show that the older buildings are more likely to have active retail on the ground floor. The Downtown Plan really wanted active retail, but it doesn't always happen that way. How do you intend to FORCE the owners to rent to the businesses the Department wants to be there? PD-8

The term "elegant skyline" is overused by the Department. In the real world what is actually building, vice the Downtown Plan, doesn't come out that way. If you wish REALLY hard.... PD-9

Seismic underpinnings for 1000' tower. What are the implications of tenants going through a MAJOR earthquake in such a tall building. If the elevators have to go off for a period, the evacuation AND inability to reoccupy (with elevator shut off) AND will the bullding shed even a little bit of its skin so that the STRUCTURE can right out the quake. GE-1

Page 18 - paragraph re shifting development zone 10 years in the future if no development taller than 700' is built. How would this occur? Is it reflected in the various analyses (e.g. shadows) in this DEIR? SH-2

***HOW DO YOU PROPOSE TO UNDO THE VOTE OF SAN FRANCISCO VOTERS WHO ADOPTED THE SHADOW LIMITATIONS OF PROPOSITION K* - the legal foundation for Planning Code shadow limits? Do you have LEGAL clearance for a mere change in "policy language?"** SH-3

What modifications would be necessary if the public does not vote to change the terms of Prop K?

Page 19 - table listing various sites. It would be more helpful to give the name of the existing building or street address and not wait until page 74. PD-10

All those things that would "remain in force" from the Downtown Plan need a clear explanation - that the DEPARTMENT/COMMISSION ROUTINELY GRANTS "EXCEPTIONS" TO ALL THE RULES. The Downtown Plan sometimes appears to be swiss cheese to outsiders. DO YOU HAVE A LIST OF EACH TYPE OF EXCEPTION AND WHICH PROJECTS WERE GRANTED IT? PD-11

Going to **page 20** et seq - what provisions are designed to be ABSOLUTES, with NO exceptions allowed?

Page 30 - what happened to **Folsom becoming 2-way with 2-way transit service west of 2nd Street**? It was discussed in just about every plan dealing with development along Folsom for the past 20 years. Included Rincon Hill Plan, Eastern Neighbhorhoods, and I believe the Redevelopment Plan for this area. It is key to improving east west transit service in the areas south of Market. TR-5

Page 47 - list of projects with applications on file. Make it clear that this is NOT the same thing as projects that will use the increased heights. 75 Howard has recently filed with the intention of increasing heights at THAT site near The Embarcadero. Please explain. PD-10 PD-1

Page 66 - Proposition K Planning Code 295 - see comment above. Proposition K is VOTER-ADOPTED POLICY. City voters did NOT give Rec Park the ability to collude with the Planning Commission to violate the provisions the voters had ADOPTED. In the months leading to Prop K being put on the ballot there was substantial controversy over shadows being added to UNION SQUARE, to PORTSMOUTH SQUARE and the CHINESE PLAYGROUND. A professional study was done to define the base line - the amount of existing shadow on each affected park. But the LIMITS were established by the VOTERS. **What plan does the Department have to present amending Prop K to the voters at the next election?** SH-3

Page 69 - Downtown Plan growth projections. See above re questions about how reliable the current projection of demand is in the context of prior projections.

I have in my files an op-ed from at least one local architect written after the Prop M limit was adopted that "the sky is falling" because the amount of DEMAND so exceeded the amount Prop M allowed. <u>As can be seen in the 25-year report, the amount of office space that Prop M allowed WHICH WAS THE EXACT AMOUNT THE DEPARTMENT'S CONSULTANTE PROJECTED WOULD BE NEEDED allowed for much more space than was actually needed</u>. PD-4

Page 92 - new housing in general area. Please provide information by type of housing (rental, condo, "artist live/work"), # units in building, income level needed to afford unit, noting how many are in high-rise towers. The core information needed to understand how this new housing meets identified needs is **WHAT INCOME LEVEL IS BEING SERVED?** How much parking is associated with each housing project - an important factor given the explicit policy in the Downtown Plan to severely limit the amount of cars on these streets because they are already way over capacity at rush hour. PH-1

Page 93 - Downtown Plan assumptions on design - how well did they work out in the real world? The "highly urbanized feel" given by those east/west streets - isn't that mostly FOR CARS? For pedestrians the feel is not very pleasant - unless this is what is meant by "highly urbanized." AE-1

Page 95 - "ramps emphasize transportation-related attributes" - huh?

Please note that the description of the mixed nature of the area - with lower human-scale buildings providing a variety of services and a high level of street activity - is a reflection of the INDUSTRIAL ZONING for most of THIS south of Market Street right up until the Downtown Plan changed the zoning. It would be helpful if the photos were labeled to indicate which of them show "Downtown Plan" buildings. AE-2

Which are the C-3-O (SD) buildings on photos 101- 103?

Page 102 - Visual Resources - **Folsom Street** approaching the Bay IS a visual resource, giving people a sight of Yerba Buena Island AND the Bay itself several blocks west of The Embarcadero. It is the only eastbound unobstructed corridor. It is not clear where the pictures on p 105 were taken. AE-3

Page 110 - the **1971 Urban Design Plan** - this has been a mostly ignored plan for decades. It is still on the books, but a LOT more attention has been paid to the Downtown Plan because THAT was the document done by the more recent Planning Director. To the extent planning staff was "grounded" in any plan, they were grounded in the Downtown Plan. We say that as those who have repeatedly cited Urban Design Plan policies which are disregarded as not quite up-to-date by the Department. It is nice to see it set out in THIS document, but it has been a long time since has been the focus of attention.

The call for "high-quality design" for prominent buildings - it would be nice if it had occurred. AE-1

Page 112 - relative heights. Can you provide relative "sky-line" heights for each building, i.e. the elevation at base PLUS the "building height" to give context for buildings cited. AE-4

UDP policy on landscaping and lighting - are there several/many instances where this was done successfully? AE-1

Page 113 - statement that "no change (in heights) would occur east of Main Street, leaving the blocks closest to The Embarcadero, already densely built out with an earlier generation of high-rises, most less than 300 feet tall, essentially undisturbed" - is INCORRECT given the pendency of an application to increase the height limit for 75 Howard Street AE-5

WHY is it necessary/desirable to "create a secondary mound" on Rincon Hill if that "mound" will block off views of the Bay Bridge and Bay from the middle of the City? PD-12

The term "sculpted" is thrown around in this document. Isn't that just a relative term that has no real meaning? Look at all the buildings built pursuant to the Downtown Plan. How "sculpted" are they? PD-5

Page 119 - last sentence - limiting some views of the sky **AND THE BAY BRIDGE AND THE BAY**.

Page 118 - mid-City view perspectives - there should be something more to the north of the Twin Peaks and Portola Drive perspective. Coming over the crest of the hill at 17th Street and all the area to the north and south of Market there is an unobstructed view to the northeast to the Bay and the Bay Bridge. In the text of THIS DEIR there are many comments about how various Plan sites will have VIEWS. In that area of the City housing costs are adjusted upwards by MANY thousands of dollars for those views of the Bay Bridge. Views that will be cut off if the already approved Rincon Hill projects area actually built. This proposal is to extend that area of obstruction several blocks to the north. AE-5

Impact AE-1 (page 109-120) is NOT less than significant for the EXISTING residents in the middle of the City east of Twin Peaks. The "scenic resources" are public streets (and secondarily the homes near them) in that area - Market, 17th Street, Portola, Clipper.

The photos on pp 130-148 are muddy. It is impossible to really tell the buildings in this area. Where the bay or the bay bridge is supposedly present, it disappears into foggy graphics. For visual analyzes, renderings that can actually be understood are IMPORTANT. We can't see the Bridge.

Page 139 - it is impossible to understand the paragraph that merges discussion of the TWO fairly separated sites on Hwy 101. Could not figure it out. Noted that text indicates the Palace Hotel tower is visible, but no such is labeled on the photo. Is it the green building to the left on p. 141? AE-6

In general, could not distinguish any new building colored "gray" - just the blue and green ones.

Pictures from the Bay Bridge are pretty terrible in quality.

Does cumulative development one from T.I. include the proposed 8 Washington project?

Page 151 - Bay Bridge view - aesthetics of SF as seen from crossing the Bay Bridge are how one sees the form of the City (Urban Design Plan). These renderings totally obliterate ANY sense of the mountains in the middle of the City. Please correct. AE-6

Page 153 - these buildings would "**provide an additional focal point**" - that is ONE way of saying that they would be visible because they are blocking out/interfering with views of the Bay or Bay Bridge. AE-5

Page 176-177 - please describe the market that will be accommodated in this new housing - in terms of the City's RHNA goals - Regional Housing Needs Allocation. The vast majority of housing needed is for the persons below the "market rate" - actually HIGH MARKET RATE - level provided thus far in this part of the South of Market. In light of SF's RHNA goal, what "demand" is there for residential high-rise towers both in this Plan and in the approved-but-not-yet-built housing including Rincon Hill? PH-2

Page 178 - what is the market demand for tower (premium tower) office space? Please consult the 25-year report on the Downtown Plan re the significant drop off in demand for space in TOWERS vs more low-rise flexible space where people can function as a community. PD-4

Page 179 - info on workers and residents in SF is confusing. It is not always clear whether what is being discussed is people who LIVE AND WORK in SF, people who WORK in SF but live elsewhere and people who LIVE in SF but work elsewhere.

Also confusing **page 180** last paragraph. Price range shows higher THEN LOWER number. Huh?

PH-3

Mismatch between housing NEED and housing PRODUCED is seen on **page 181** first full paragraph. Housing prices in SOM/Rincon Hill have been 10% more expensive than city-wide median. How will the City get out of this imbalance when we are so NOT meeting the RHNA goals re the income levels of housing being produced? That is before development in this Plan Area creates a bigger hole re new affordable housing. Please note that this is one of the places where the DEIR cites a premium for housing in high-rises with VIEWS. It is just as valid to recognize those residents of the middle of the City who will LOSE their views.

Page 183 - RHNA goals for housing - there is a PITTANCE of housing being produced for those making 80-120% of AMI. 12.9% of the amount needed, v 153.4% of MARKET RATE HOUSING. Assuming the units come on line in this area as predominantly market rate (we know that is what has already been approved on Rincon Hill), how much further from attaining SF RHNA goals will we be?

Rincon Towers - the largest residential development in this area - a REDEVELOPMENT SITE - is being substantially **rented as short-term furnished corporate housing**. Is this is compliance with the Rincon Point Redevelopent Plan? Is this consistent with the Rincon Point/South Beach Redevelopment Plan goals? (**p. 185**) Again the term justifying the cost of this housing being developed for the high-end market includes the word - VIEWS.

PH-2

Page 187 - note the statement re the declining office market in SF and the shift in location AND type to the technology sector. WHY does the City still want to pump up the amount of off-the-charts EXPENSIVE downtown office space. WHO WILL BE LEASING IT? This appears heading for a disaster. The amount of demand is not even equal to that projected in the Downtown Plan.

PD-4

Page 188 - SF population increase projection - what is the projected mix of housing affordability needs? Page 190 - additional housing to be provided in C-3/downtown. Without concentration on meeting RHNA goals, the housing will continue to be WAY ABOVE MARKET RATE. If that occurs, the City will be unable to meet its RHNA goals at all, and there will be increasing gentrification pressure on housing. The CONTEXT of this downtown area includes, the AAU is gutting the rental stock in the C-3/downtown area. Rincon Towers and Golden Gateway managing significant portions of their RENTAL HOUSING (built on subsidized Redevelopment Land) as corporate short-term housing. PLUS a gross shortfall in production of housing for those earning 80-120% of median income. Continuing on this path in the Plan area means an even worse housing disaster for San Francisco.

PH-2

Page 192 - Job Housing Linkage Program - this program resulted from massive community pressure, sustained over 6+ years to force Planning and the Mayor to require that commercial office developers pay a portion of the cost of new housing to accommodate their work force. In 1984/1985 the Board of Supervisors, working with community advocates, held the Downtown Plan hostage until the Office Affordable Housing Production Program was signed by Mayor Feinstein. The fee required pays only a portion of the cost of providing new housing to meet the needs of the work force.

PH-5

The **page 204** conclusion that there is no impact on the housing supply appears to assume that everything is moving just fine for housing production AT APPROPRIATE INCOME LEVELS in San Francisco. This is a fallacious assumption. You cannot assume that Hunter Point housing, Treasure Island Housing, will be built just because their plans have been approved. Similarly that just because the Eastern Neighborhoods and Market/Octavia were zoned so they could accommodate more housing, that it will be built. This is particularly the case for housing for moderate income residents which is increasingly challenged. The "$53 million" in JHLP funds occurs on full build-out of the entire project. If that level of funding was paid, the full amount of office space would be built. Because the JHLP program funds provide only PART of the money needed to construct that housing, the City would be deeper in the hole

Page 200 - **Increased residential capacity** - This is another of the Pollyanna-ish sections. Increase number of housing units will NOT help SF meet its RHNA goals if it is all (as usual) VERY high market rate housing. We are developing and approving many more upper income housing units than are San Francisco's target. But the housing for people earning 80-120% of median income falls greater and greater behind. Growth in residential population must be seen in light of the balance in serving existing needs and existing residents and providing even more housing for a narrow section of the population who already have multiple choices. It is inappropriate to "find" that the addition would not be substantial in the context of San Francisco and its downtown.

Page 201 - Regional Plans and growth - ABAG has housing goals for San Francisco as well as regional projections for job growth. Infill housing CANNOT be just high-end housing and meet San Francisco's housing goals as set out in the RHNA goals. The major land available to develop new housing is in the South of Market and greater downtown. By focusing on "smart growth" and "transit-oriented development" while completely ignoring the gross imbalance in the production of housing by needed categories guts any hope for balanced communities. If working people in San Francisco are displaced because the vast majority of our land is being dedicated to a small part of the workforce, ultimately those who run the City, provide services, serve the tourist industry will continue to be forced out of the City, many into places without decent transit. This is neither "smart growth" nor "transit-oriented development." Hitting our HOUSING GOALS BY AFFORDABILITY LEVEL MORE IMPORTANT TO THE ECONOMIC AND SOCIAL HEALTH OF SAN FRANCISCO THAN ACCOMMODATING MORE OFFICE WORKERS. We already have a glut of space for the latter and an identified need for the former.

Page 202 - PH-2 Finding that the Plan would not displace a large number of people and their housing. IF all of the housing, or a major portion of it, is the usual high-end condos, as discussed above, this will mean gentrification and pushing out middle income San Francisco workers. This is a Significant Impact.

PH-2

Page 202 fn 119 - Golden Gate University. There appears to have been no discussion directly with Golden Gate in 2 ½ years about whether they are still interested in a proposal to tear down their building to build a new school. The referenced article is based on PRE-ECONOMIC CRASH discussions in 2008, updated with further thoughts in mid-2009. There have been a lot of economic changes in the US economy since 2008. Has anyone talked to GGU about this recently? Have they reviewed the information in the DEIR, including the shadows impacts that would be cast by a building on their height?

PH-4

Page 203 - SF Housing Supply. This Section appears to conclude that the housing demands from the office space allowed would be "covered" by the payments into the Jobs Housing Linkage Program. This is a gross misunderstanding of the JHLP. That fund only pays PART of the cost to provide additional housing. San Francisco housing non-profits currently have sites but NO MONEY (which comes from various government agencies) to build already approved housing. Money flowing from commercial projects only pays a portion of the cost of providing new housing. San Francisco is already in a hole on being able to construct needed housing. Perhaps it would be good to consult with the Mayor's Office of Housing on this section. PH-5

Page 205 - conclusion on housing. The summary here - that the Plan would provide for additional housing is grossly insufficient. The increased heights for HOUSING PROJECTS allows for **very upper end** housing -

Palace Hotel	300' to 600' - for 449 DU
Golden Gate Univ	550 to 700 ' - for 104 DU
41 Tehama	200' to 400' - for 276 DU
191 Fremont	350' to 700' - for 61 DU
50 1st St	550' to 850' - for 165 DU
350 Mission	550' to 700' - for 67 DU
Parcel F	450' to 750' - for 96 DU
543 Howard	85' no change - for 58 DU
176 2nd St	150' no change - for 22 DU

Producing the above housing will exacerbate new housing skeweing to meet an even higher percent of upper income residents.

The DEIR acknowledges that some of these units would be "second homes." This WOULD HAVE an impact on the housing market since the units would not be available to people who need a primary residence. PH-2

Providing "additional housing" independently of addressing the NEED for housing at the level of need set out in the RHNA indeed worsens housing balance BECAUSE OF THE LIMITED SUPPLY OF LAND and finite resources to produce needed housing.

IT IS INAPPROPRIATE TO FIND THAT THERE IS NO MITIGATION REQUIRED FOR HOUSING NEEDS BECAUSE THE SUPPLY OF HOUSING WILL NOT BE AFFECTED.

It is further not supported by evidence that the project would not contribute to a substantial growth in population or displace a large number of residents who would be without the resources to compete with the new residents for housing they can afford.

The combination of SHADOW AND FOG - CLIMATE - is totally ignored. San Francisco has a setting where WIND coming in at the same time an area is in SHADOW makes the CLIMATE miserable for those affected. San Francisco needs to address our unique setting where shadows in the summer do not give respite from heat, but can chill one to the bone and make things quite unpleasant. The failure to even STATE that is hard to understand. This affects "comfort levels." SH-4

Continued reliance SOLELY on a wind tunnel, which does not factor in shadows and reduced temperatures is not adequate for San Francisco. Particularly when the setting is not super highrise buildings. SH-4 (cont'd.)

SHADOWS

As is set out on page 3, Prop K was adopted BY THE VOTERS OF SAN FRANCISCO and can only be amended BY THE VOTERS OF SAN FRANCISCO. The Rec Park Commission and the Planning Commission cannot amend the shadow limitations of Prop K. SH-3

It is extremely hard to find/figure out the findings/recommendations for Impact SH-1 Which is found to be significant and unavoidable. SH-5

Page 470 - What is the justification for ANY increased shadow on Union Square from the **Palace Hotel** tower? That project is not necessary to fund a transit station. The shadow and wind impacts cause problems without ANY redeeming justification for the increased height. This is ONE HOUR A DAY FOR UP TO 6 MONTHS. SH-6

Shadow diagrams - 474 - 507. It would be helpful if there was a key identifying BY NAME the buildings that cast shadows on ANY PARK. SH-5

Page 509 - What justification is there for ANY increased shadow on **Union Square** from **50 1st Street**, **181 Fremont Street**, **Golden Gate University**? This is a violation of Prop K. SH-6

The explanation of shadow changes on **Union Square** needs clarification. Peter Bosselmann from UC Berkeley was involved in the Macy's and related billboard cases after the work was complete defining the amount of shadow cast at the time Prop K passed. Whoever wrote this section needs to rewrite it for clarity. There were other shadow allocations tied to billboards that have been omitted. SH-5

It is inappropriate to "weigh" shadow by time of day. Prop K allowed shadows one hour after sunrise and one hour before sunset. September and April are months when the City generally has nice weather. It is not the Commission's role/power to say that increased shadows are just fine. The rules for limits were established DECADES ago. SH-6

Page 510 - Portsmouth Square - this was the second sensitive park that triggered passage of Prop K. It is a heavily use park ALL DAY LONG. Measuring sunlight in the context of the total number of sunlight over the entire year is not appropriate at THIS POINT. It was when the original analysis was done to establish how much was in sun/shadow when Prop K passed. This park has an absolute CUMULATIVE LIMIT of -0-. ZERO is ZERO, not 0.24% new shadow. The same holds true for Union Square.

Page 511 - 512 - 514 - please label each building's shadows SH-5

Remaining shadows - St Mary's Square, Justin Heman Plaza, Willie Wong Playground - same issue as above regarding the ability to change a VOTER ADOPTED LIMIT without going to the ballot. SH-6

For Willie Wong Playground (formerly Chinese Playground) - this is the ONLY Rec Park public tennis court serving Chinatown and a basketball court. Please describe the activities that will be In shadow. THIS PLAYGROUND was one of the ones that triggered passage of Prop K because a planned development was going to cast this into SUBSTANTIAL shadow. SH-6 (cont'd.)

Pass thru shadow issue -

There is not enough information in the DEIR to allow informed comment on this issue. SH-5

The structure of this section makes it hard to determine where one topic ends and another begins.

Page 520 - the first full paragraph appears to be a major policy change and should be labeled to draw attention to itself. SFRG does not agree that the Planning Commission and Rec Park have POWER to amend a vote of the citizens of San Francisco. These are SIGNIFICANT and UNAVOIDABLE IMPACTS and cannot be defined away. SH-3

Re **non-Prop K shadows** - which CEQA governs as well. Under PLANNING CODE policies, shadows on public sidewalks, particularly those around parks should be thought thru carefully. Often the "best" way to use a park is to walk by it. That means on the sidewalk. Shadowing the sidewalk, particularly if it is windy out, may make it less desirable. Rincon Park is a resource for this area and should be protected. SH-6

The hypocrisy of the Downtown Plan and this proposed plan is seen in how they "create" parks and open spaces, then fail to protect them from shadows that would make them unpleasant. **Page 525** discussion of the City Park to be built with the Transit Tower falls exactly into that category.

Respectfully submitted,

Sue C. Hestor

cc: Brad Paul
Bill Maher
Ian Lewis

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November 25, 2011

Bill Wycko
Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Mr. Wycko:

Thank you for the opportunity to comment on the Transit Center District Plan Draft EIR. BlackRock occupies the entirety of 400 Howard Street, adjacent to the Transbay Terminal, at the heart of the new Transit Center project. We have been working closely with the Transbay Joint Powers Authority ("TJPA") to ensure our principal concerns are communicated and addressed, while supporting the projects.

BlackRock's operations at 400 Howard Street involve conducting multiple *billions* of dollars of financial transactions *each day* on sophisticated telecommunications and data processing equipment that depend on the stability and security of the physical environment. We are therefore extremely sensitive to proposed changes in the environment around 400 Howard Street that could cause business disruptions. This sensitivity is heightened by the fact that in August 2009, a TJPA contractor severed an AT&T communication cable serving BlackRock's operations at 400 Howard Street. Fortunately, no disruption of our ability to conduct financial transactions occurred. While BlackRock maintains robust business continuity procedures, even a temporary disruption in BlackRock's ability to conduct financial transactions of a durat SH-6 might seem inconsequentially short to others, could result in serious financial damage. Therefore, it is very important that activities of the TJPA do not impair operations at 400 Howard Street. UT-2

The EIR addresses certain potential impacts to our operations at 400 Howard Street that could occur in connection with construction in the Transit Center District Plan ("Plan") area. These include impacts related to vibrations from pile driving, damage to utilities that service 400 Howard Street, and reduction of ground and soil stability underneath and surrounding 400 Howard Street. In our view, the analyses in the Draft EIR in these areas would benefit from supplementation in order to better demonstrate that project construction will not result in adverse impact to BlackRock, and that the project complies with CEQA. Specifically, as discussed in detail below, in preparing the Final EIR, the Planning Department should address the following issues: G-2

- Vibration: Impacts to vibration-sensitive equipment, which could have significant repercussions, are left out of the impact analysis in the Draft EIR without explanation. Also, the effectiveness of the Draft EIR's mitigation measure to "limit pile driving" is unexplained and unknown. Lastly, data presented in the Draft EIR indicate that pile-driving during Tower construction could result in significant impacts, but no mitigation is proposed. NO-1
- Utilities: The Draft EIR does not appear to analyze the effect of construction activities damaging utilities, thereby causing a disruption in services, which could have significant repercussions. Accordingly, neither does the Draft EIR propose mitigation for this potentially significant impact. UT-2
- Geology and Soils: The Draft EIR concludes that potential impacts of soil subsidence and instability are "less than significant," despite standards of significance in the Draft EIR that suggest otherwise. The Draft EIR's explanation for this conclusion places great reliance on the ability of geotechnical reports to prevent catastrophe without explaining how the reports create legally binding mechanisms to identify and avoid potential problems. GE-2

- Cumulative Impacts: The Draft EIR does not analyze the cumulative ground stability and vibration impacts of the project combined with the impacts of the related and adjacent below-grade Transit Center construction, which is expected to begin in early 2012. CU-1

These issues are discussed in greater detail below with recommendations for improvement as appropriate. We also suggest including a requirement to perform a comprehensive and holistic pre-construction survey of buildings and utility infrastructure, which would increase the robustness of the analyses and mitigation, as well as provide greater assurance to neighbors, such as BlackRock, that the Plan construction will occur with the least possible adverse impact.

Vibration Impacts

With respect to construction-related vibration, the Final EIR should include an analysis of impacts to sensitive equipment, explain mitigation for Plan impacts with greater detail, and propose mitigation for impacts from Tower construction.

The Draft EIR recognizes the potential for significant impact of construction-related vibration on humans and structures, noting on page 365, for example, that such vibration "could result in harm to individuals and/or surrounding buildings." It also recognizes "[s]ensitive receptors for vibration" on page 344, which include "structures (especially older masonry structures), people (especially residents, the elderly, and sick), and vibration-sensitive equipment."

The Draft EIR's analysis of impacts from vibration and proposed mitigation are presented in impacts NO-3, NO-5, and CP-5. To mitigate Plan-related vibration generally, the Draft EIR proposes mitigation measure M-NO-2a. That mitigation measure, entitled "Noise Control Measures During Pile Driving," consists of measures entirely specific to noise, except for the general requirement that project sponsors "shall require that the construction contractor limit pile driving activity to result in the least disturbance to neighboring use." For Plan-related impacts to cultural resources, the Draft EIR also proposes mitigation measures M-CP-5a and M-CP-5b (the Draft EIR actually references M-CP-3b and M-CP-3c, but this reference appears to be in error), which require contractors to undertake best practices and to conduct pre-construction surveys and monitoring of historical resources within 125 feet of proposed construction. The Draft EIR proposes no mitigation for vibration impacts associated with Tower construction. The Draft EIR concludes that vibration impacts associated with the Plan are significant and unavoidable, while the impacts associated with the Tower are less than significant. NO-1

CEQA requires that an EIR propose and describe mitigation measures to minimize the significant environmental effects identified in the EIR, even where the effects cannot be reduced to a level of insignificance. 14 C.C.R. §15126.2(b). The measures to mitigate vibration impacts as presented in the Draft EIR fall short of CEQA's requirements in several respects. First, although the Draft EIR identifies vibration-sensitive equipment as a sensitive receptor for vibration, impacts to such equipment are left out of the impact analysis without explanation. Notably, under CEQA, the significance of an impact on the physical environment may depend on social or economic factors beyond the physical change in the environment. 14 C.C.R. § 15131. Because damage to BlackRock's sensitive equipment could, despite BlackRock's business continuity procedures, result in large and adverse economic impacts, the potential to result in such damage should be evaluated in the EIR, and if found to be appreciable, mitigation should be proposed.

Second, mitigation measure M-NO-2a does not adequately explain how pile driving will be limited, and how such limitation could result in the least disturbance to neighboring use. Under CEQA, mitigation measures must be described with sufficient definition and detail; measures are inadequate where they are so undefined that it is impossible to gauge their effectiveness. Here, it is impossible to

gauge the effectiveness of the measure to "limit" pile driving from the description provided. As a result, additional detail is needed.

Finally, the Draft EIR does not include support for the conclusion in impact NO-5 that sensitive uses located greater than 82.5 feet away from the Tower site will not be significantly impacted by construction-related vibration. To the contrary, Table 30, located on page 363 of the Draft EIR, suggests that significant impact *will* occur at distances of 82.5 feet. Specifically, at 82.5 feet from a pile driver at the upper range, PPV is measured at 0.265 and RMS is measured at 106, both of which measurements greatly exceed the thresholds of significance (0.2 PPV and 80 RMS, respectively) given on page 353 for impacts to structures and humans. Given that the impact could be potentially significant, the EIR should propose mitigation. By way of comparison, the Transit Terminal EIR proposed mitigation for vibration associated with pile driving, which included the requirement that, "[a]t a minimum, processes such as pile driving would be prohibited at distances less than 250 feet from residences." Transit Terminal EIR, at 5-214. NO-1 (cont'd.)

In light of these observations, we recommend that the Final EIR provide an analysis of sensitive equipment, provide more detail on the mitigation measure requirement to limit pile driving, and re-classify impact NO-5 to "potentially significant" and propose measures to mitigate the impact. If the EIR concludes that construction-related vibration could result in a significant impact by damaging sensitive equipment, then it should propose mitigation measures analogous to M-CP-5a and M-CP-5b, which should incorporate requirements to use appropriate best practices and other feasible means into construction specifications and which should also involve surveys and monitoring. The requirement in M-NO-2a to limit pile driving should also involve incorporation of appropriate best practices and other appropriate measures into construction specifications.

Disruption to Utilities

With respect to utilities, the Final EIR should analyze the impact of construction-related damage to utilities and propose mitigation. It should also confirm that construction activities in the Plan area will not require the relocation of utilities.

The Draft EIR does not appear to analyze the potentially significant effect of construction activities damaging utilities, thereby causing a disruption in services. Section L. Utilities and Service Systems does not analyze damage to utilities or disruption. On the other hand, Section O. Geology, Soils, and Seismicity does acknowledge that construction activities could adversely affect utilities. Specifically, on pages 591-592, the Draft EIR states that excavation activities, construction-related dewatering, and permanent dewatering, could all result in settlement of utilities. On page 592, the Draft EIR also acknowledges that "repair to service lines under the street" could be necessary. As indicated above, BlackRock is familiar with the potential for accidents to disrupt utilities because of the August 2009 incident involving a TJPA subcontractor severing an AT&T communication cable serving BlackRock's operations at 400 Howard Street. UT-2

CEQA requires that an EIR propose mitigation for potentially significant impacts to the environment. The significance of an impact to the physical environment, such as damage to utility lines, may depend on social or economic factors beyond the physical change in the environment. 14 C.C.R. § 15131. Although the Draft EIR acknowledges the potential for damage to utility lines, it does not analyze the impact or offer mitigation. Damage to utility lines should be considered a potentially significant impact because of the magnitude of the economic and social effects that could result from the physical damage. Accordingly, the EIR should analyze the potential for such damage and propose mitigation.

By way of comparison, the Transit Terminal EIR did analyze the potential for damage to utilities from construction and planned relocation. Mitigation there centered on planning and strategizing with providers, as well as informing customers when short-term service disruptions would occur. Specifically, to mitigate the potential impact of damage to utility systems and disruption and degradation of service to local customers, the EIR proposed, among other measures, to coordinate with utility providers during preliminary engineering and through final design and construction and to avoid, relocate, and/or support utilities during construction activities. Transit Terminal EIR, at 5-82. Similar planning and strategizing should be incorporated into proposed mitigation for the Plan and Tower.

We note that the current Draft EIR could be read as analyzing the impacts related to damaged utilities within impacts GE-3 and GE-7, and concluding that such impacts are less than significant, in part because of the Department of Building Inspection ("DBI") requirements to prepare a geotechnical report that would address potential settlement and related impacts. However, this reading is problematic under CEQA for multiple reasons. First, this section does not explain how damage to utilities could be avoided; it even suggests damage would occur and the project proponent would pay for such damage. Second, as explained above, damage to utility lines should be considered a potentially significant impact, which would require formal mitigation measures to comply with CEQA.

UT-2
(cont'd.)

In light of these observations, we recommend that the Final EIR identify damage to utilities and disruption in utility service as a potentially significant impact, for both the Plan and Tower construction, and propose mitigation measures to minimize the risk of such damage. Some of the DBI requirements described on page 592 could form the basis for appropriate mitigation. Additionally, the EIR could incorporate some planning and coordination requirements similar to those required in the Transit Terminal EIR. However, any deferral of mitigation in the Final EIR (for instance, through the requirement to comply with a future geotechnical report or monitoring survey) would comply with CEQA only through articulation of specific performance standards and an analysis of how the various plan components can accomplish the performance standards. 14 C.C.R. § 15126.4(a)(1)(B).

Additionally, we request confirmation that construction in the Plan area will not involve any relocation of utilities. The Draft EIR did not discuss utility relocation, or potential impacts associated therewith. Presumably, this is because no utility relocation is anticipated.

Ground Instability

With respect to soil and ground stability, the Final EIR should consider possible subsidence, instability, and similar effects as "potentially significant" and should propose mitigation.

Section O. Geology, Soils, and Seismicity describes potentially adverse impacts to buildings and utilities as a result of excavation, construction-related dewatering, ground heave as a result of pile driving, and permanent dewatering. These impacts are discussed in impact GE-3, with respect to the Plan, and Impact GE-7 with respect to the Tower. The Draft EIR concludes that the potential impacts are less than significant, and therefore no mitigation is proposed. This conclusion is based on the DBI requirements applicable to the project, which include principally a requirement to prepare a geotechnical report.

GE-2

The conclusions that the impacts are less than significant are not sufficiently supported in the Draft EIR. The Draft EIR, on pages 590 through 592 and 594, acknowledges the potential for soil to become unstable, for the ground to heave up, and for buildings, sidewalks, and utilities to settle. On page 587, the Draft EIR states that a project impact would be considered significant if it involved location "on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or

collapse." CEQA requires that an EIR propose mitigation for potentially significant impacts to the environment. The appropriate analysis under CEQA would be to characterize the impact as potentially significant, and then propose mitigation, which could include some of the DBI requirements listed on page 592 of the Draft EIR.

Note, however, that the DBI requirements, as presented on page 592 of the Draft EIR, would not constitute adequate mitigation under CEQA. Mitigation measures must describe the actions that will be taken to reduce or avoid an impact; deferral of the formulation of mitigation measures is ordinarily improper. 14 C.C.R. § 15126.4(a)(1)(B). Here, the Draft EIR does not describe such actions. Rather, the Draft EIR states that, if unacceptable movement is observed during monitoring (*if* monitoring is required), "corrective actions would be used to halt this settlement." The only example of such corrective action given is groundwater recharge. No other examples of corrective action are offered, and it is not clear how any corrective action would avoid significant impacts associated with unacceptable movement. In short, the description of DBI requirements does not include a description of the actual actions that would be taken to reduce or avoid potential impacts. Instead, it relies on preparation of future reports, future actions, and undefined "corrective action" without adequate explanation. To comply with CEQA, reliance on such future reports and actions must be accompanied by concrete performance standards that will be attained through well-defined methods described in the EIR.

This shortcoming is especially pronounced in the case of the Tower construction. On page 594 of the Draft EIR, impact GE-7 states that ground settlement at the Transit Tower site could result from excavation, dewatering, and heave from pile-driving, but the effects

> "would be less than significant with implementation of DBI procedures described above, including preparation of a detailed geotechnical report and site specific reports as needed to address the potential settlement and subsidence impacts . . . ; implementation of a lateral movement and settlement survey . . . if needed; and implementation of corrective actions, as necessary."

GE-2
(cont'd.)

This analysis does not demonstrate why the potentially significant impacts of ground instability should be considered insignificant. In particular, it places great reliance on the ability of the geotechnical report to prevent any catastrophe without providing detail on how the reports create legally binding mechanisms to identify and mitigate potential problems. The report will include a "determination" as to whether further surveys are required, but there is no assurance regarding the robustness of that determination, or the ability of the further surveys to identify unacceptable movement in a timely manner. Finally, the vague term "corrective action" provides no meaningful assurance that significant impacts can be avoided once problems arise.

In light of these observations, we recommend that the EIR re-classify impacts GE-3 and GE-7 as "potentially significant," and propose mitigation. Mitigation would probably be based on the DBI requirements described on page 592. It would also be appropriate to develop some of the ideas presented on page 591, relating to shoring, monitoring, dewatering planning, and surveying. These tactics, unenforceable as presented in the Draft EIR, could play an important role in enforceable mitigation. However, as discussed above, to the extent any mitigation defers the precise formulation of the mitigation measures, it must rely on performance standards and explain with specificity the types of actions that can and will accomplish the performance standards.

Building Data Survey

Given the scope of planned construction in the Plan area, and the magnitude of the Tower project itself, a pre-construction building data survey would enhance the analysis and mitigation proposed in the Draft EIR. Such a survey was required in the EIR/EIS for the Transbay Terminal / Caltrain Downtown Extension / Redevelopment Project ("Transbay Terminal EIR"). There, in connection with the planned construction of the Caltrain extension,

> "[a] pre-construction structural survey would be completed to determine the integrity of existing buildings adjacent to and over the proposed extension. This survey would be used to finalize detailed construction techniques along the alignment and as the baseline for monitoring construction impacts during and following construction."

Transbay Terminal EIR, at 5-161. A similar survey would greatly enhance the mitigation proposed in the Draft EIR. Mitigation involving use or limitation of certain construction techniques, for example pile driving or shoring techniques, will be better informed to incorporate building-specific data. The specific impacts and mitigation measures discussed above would benefit from such data. GE-2 (cont'd.)

Cumulative Impacts

The cumulative impacts discussion in Section O. Geology, Soils, and Seismicity on page 595 of the Draft EIR does not discuss the construction of the Transit Center or the Caltrain extension, both of which will involve large amounts of excavation in the area, which could lead to cumulative effects with regard to ground stability. The Final EIR should include a discussion of the impacts on ground stability from the excavations in the related, adjacent projects, in conjunction with impacts from construction in the Plan area and Tower construction.

The cumulative impacts discussion in Section F. Noise and Vibration does mention the Transit Center and Caltrain extension on page 368. The analysis there notes that "train track tunneling and construction would not occur until a later date, which is dependent on funding." However, according to the TJPA website, excavation and bracing for the Transit Center below grade structure, which will accommodate future Caltrain and potential high-speed rail service, is expected to begin in early 2012. http://transbaycenter.org/construction-updates/project-schedule (visited on 11/11/11). This section of the Final EIR should address such construction, as should Section O. Geology, Soils and Seismicity. CU-1

Please consider the foregoing suggestions in light of the points discussed, including our unique position situated near the center of heavy construction with highly sensitive ongoing uses. We are in support of the project, and submit this comment letter in an effort to ensure the projects associated with the Plan are carried out in a manner sensitive to our interests and fully in compliance with CEQA. We appreciate the opportunity to provide comments and participate in the planning process.

Sincerely,

Thomas S. Bain
Managing Director

BOMA San Francisco
www.boma-sf.org

November 3, 2011

Hon. Christina Olague
President
Planning Commission
1650 Mission Street, 4th Floor
San Francisco, CA 94103

RE: Item 15 Transit Center District Plan

Dear Commissioner Olague:

The Building Owners and Managers Association of San Francisco (BOMA San Francisco), urges the honorable members of the Planning Commission to approve the Transit Center District Plan and the Draft Environmental Impact Report (EIR) presented before you today.

The Transit Center Plan will yield a number of benefits to the South of Market District including an increase in transportation options, cultural recourses and quality of life improvements.

BOMA San Francisco represents over 72 million square feet of commercial office space in the San Francisco Bay Area which houses over a quarter million workers every day. With the limited availability of land on which to build in San Francisco, our organization believes that the Transit Center District Plan will tidily provide the additional commercial space needed to accommodate businesses that want to locate here in the near future. The aggregate economic vitality produced by this project will deliver increased tax revenue to fund essential city services for the San Francisco electorate.

With reference to the issue of shadows and high-rise buildings, it is worthy to note that the Draft EIR before you today finds no adverse shadowing of park property. That is, any shadow issue is an inconsequential one, and would not violate the intent of the San Francisco's shadow protection ordinance. SH-7

BOMA San Francisco strongly supports the Transit Center District Plan and the Draft EIR and urges the Planning Commission to approve them.

Respectfully,

Ken Cleaveland
Director of Government and Public Affairs

cc: Members of the Planning Commission
Planning Director

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Bill Wycko, Environmental Review Officer
San Francisco Planning Department
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San Francisco, CA 94103

November 18, 2011

Comments on the Transit Center District Plan and Tower DEIR (Case No. 2007.0558E and 2008.0789E)

Dear Mr. Wycko:

After reviewing the Transit Center District Plan and Transit Tower Draft EIR, the Chinatown Community Development Center would like to submit the following comments to be included in the public record:

We are very concerned with the shadow impacts to Chinatown parks caused by the Transit Center Plan and Tower. Many of these parks are subject to Section 295, including St. Mary's Square, Portsmouth Square, Willie "Woo Woo" Wong Playground, and Chinese Recreation Center. Woh Hei Yuen Recreation Center and Park is another Chinatown park impacted by Transit Center shadows although not subject to Section 295.

As you may recall, Proposition K was approved by San Francisco voters in 1989 and established the "Sunlight Ordinance" (Section 295), which created a shadow budget for 14 downtown parks and set a zero tolerance level for Chinatown parks. Among the reasons cited for passing the ordinance include the need to protect the quality of open space in high-needs downtown neighborhoods such as Chinatown.

SH-6

To this day, Chinatown remains the densest residential neighborhood west of Manhattan. 36% of households live in overcrowded conditions compared to the 17% citywide average.[1] The population consists of primarily low-income, non-English speaking immigrant seniors and families. The median household income is $17,411 compared to the citywide median of $73,598.[2] For this transit-dependent population in which 83% of households do not own a car, most residents rely on walking to access public open spaces. The last park established in Chinatown was the Woh Hei Yuen Recreation Center and Park in 1999 as a result of nearly an entire generation's struggle (almost 25 years) to create a new park in the neighborhood. **In sum, Chinatown residents are already sorely lacking quality open space and they rely on access to public parks in this dense neighborhood to enjoy fresh air and sunlight.**

[1] SF Department of Public Health, Healthy Development Measurement Tool: http://www.thehdmt.org/indicators/view/125
[2] SF Department of Public Health, Healthy Development Measurement Tool: http://www.thehdmt.org/indicators/view/162

NeighborWorks
Properties professionally managed by Chinatown Community Development Center do not discriminate based on race, color, creed, religion, sex, national origin, age, familial status, handicap, ancestry, medical condition, physical handicap, veteran status, sexual orientation, AIDS, AIDS related condition (ARC), mental disability, marital status, source of income, or any other arbitrary status.

Chinatown Community Development Center
華協中心

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www.chinatowncdc.org

As such, we are deeply disturbed that the Transit Tower and 50 First Street will create new shadows on Portsmouth Square in the late fall and early winter. Portsmouth Square is affectionately known as the "living room of Chinatown" to many of the single-occupancy hotel residents who rely on the park for recreation and exercises. The shadows will occur for almost 4 months from about 8am to just after 9am during the long winter months of November through January. To understand and evaluate the impacts on current park users, Chinatown CDC surveyed Portsmouth Square for a week between 8:15am and 9:15am in early November. We found that the park was frequented at this time by Chinese seniors practicing tai chi and engaging in other recreational activities. **We believe that the new shadows will have a significant negative impact on the quality of life for Chinatown residents and will decrease access to quality open space in this high needs, low-income immigrant community.**

As Table 42 (p. 523 of DEIR) demonstrates, the proposed Transit Tower will result in an increase in shadow on eight affected open public spaces. Four out of those 8 public spaces are located in Chinatown, including Portsmouth Square, Woh Hei Yuen Recreation Center and Park, St. Mary's Square, and Chinese Recreation Center. Chinatown is the only neighborhood in the downtown core that is bearing the brunt of the burden of the impacted parks.

As p. 524 of the DEIR states, "The greatest one-time effect would be on Portsmouth Square. The Transit Tower would add about 22,500 sq ft of shadow, covering about 35% of the park, at 9:15am in early November and late January." Figure 64 (p.512) shows that the maximum extent of new shadow on Portsmouth Square will cover the portion of the upper level of Portsmouth Square that currently provides the greatest amount of open space. This specific area is the primary open-air "plaza" of the park and is often used for tai chi, exercising, and the stage area for cultural events in this neighborhood.

SH-6
(cont'd.)

We see the shadow impacts on the 4 Chinatown parks, and in particular Portsmouth Square, as a major environmental justice issue. It is unjust, plain and simple, that this neighborhood that is already sorely lacking in open space opportunities should bear the brunt of the burden and see a significant reduction of quality open space as a result of the Transit Center District Plan and Tower. We disagree with the comments that these shadows are insignificant or that these concerns over shadows are unwarranted. In the life of many low-income Chinatown residents, these Section 295 parks are the only respite from overcrowded housing conditions and thus efforts should be made to ensure that Chinatown should not suffer disproportionately due to its proximity to the Transit Tower. Chinatown is already a dense, walkable neighborhood in the Downtown Core and should not be sacrificed at the expense of creating another dense walkable neighborhood near the Transbay Terminal.

We look forward to future discussions with the City and SF Planning Department. I can be reached at (415) 984-1497 or by e-mail at dechan@chinatowncdc.org.

Sincerely,

Deland Chan
Interim Community Planning Manager

NeighborWorks
Properties professionally managed by Chinatown Community Development Center do not discriminate based on race, color, creed, religion, sex, national origin, age, familial status, handicap, ancestry, medical condition, physical handicap, veteran status, sexual orientation, AIDS, AIDS related condition (ARC), mental disability, marital status, source of income, or any other arbitrary status.

華埠公園康樂會

Committee for Better Parks and Recreation in Chinatown

Bill Wycko, Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

November 28, 2011

Comments on the Transit Center District Plan and Tower DEIR (Case No. 2007.0558E and 2008.0789E)

Dear Mr. Wycko:

On behalf of the Committee for Better Parks and Recreation in Chinatown (CBPRC), we strongly oppose the Transit Center District Plan and Transit Tower project because the level of shadowing on Chinatown parks is simply unacceptable.

Founded in the 1970s, the Committee for Better Parks and Recreation in Chinatown (CBPRC) emerged out of the battle to fight the 5-story development that would have cast complete shadows over Chinese Playground (Willie "Woo Woo" Wong Park). Given the residential density of Chinatown, a group of concerned citizens and volunteers quickly mobilized and responded in outrage to the potential loss of good quality open space in the neighborhood, where any loss of precious fresh air and sunlight for the public good should not be taken for granted. We fought the developer of the project and we won—turning out hundreds of people at community meetings and rallies—and ultimately, we prevented additional shadowing of the Chinese Playground.

In 1974, CBPRC regrouped to engage in a 25-year battle to establish a new park in Chinatown. Woh Hei Yuen Recreation Center and Park emerged out of this effort after nearly a generation of struggle. After a protracted battle with the owners of a former mortuary site, the community prevailed. The groundbreaking ceremony for the park finally took place in 1996 after several decades of community involvement and movement led by many strong leaders over time.

Given our history and concern with the quality of Chinatown parks, we cannot stand by idly and watch the Transbay Transit Center and Tower rise at the expense of the quality of open space in Chinatown. **We strongly oppose this project** given that there will be significant shadowing as a result of the project at all Chinatown parks. We are ESPECIALLY concerned with the shadowing at Portsmouth Square that will increase shadow to up to 90 percent shadow coverage precisely during the wintertime when sunlight is already so precious and during the morning hours when Portsmouth Square is used by seniors for their morning recreational exercises. We are also very concerned about the planned development shadowing Chinese Playground, where new shadow will increase shadow on the playground to a total of 97 percent! SH-6

From the community perspective, this project has no benefits for the Chinatown immigrant seniors and children who will have sunlight in parks taken away. We take offense at the EIR's analysis that shadowing from far away will be more "diffuse" and hardly noticeable. Frankly, there is no way to guarantee that the loss of sunlight will not be profoundly felt and experienced, at the human level, given that all of the Planning Department's analysis consists of bird's eye plans and views. SH-6 (cont'd.)

I can be reached at 415-939-3780, tandchow@gmail.com

Sincerely,

Tan Chow
Organizer,
Committee for Better Park and Recreation in Chinatown

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PATCH, DUFFY
& BASS LLP ATTORNEYS AT LAW

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fax: 415.989.1663
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Caroline A. Guibert
Direct: 415.772.5793
Email: cguibert@coblentzlaw.com

November 14, 2011

VIA E-MAIL AND MESSENGER

Bill Wycko
Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Transit Center District Plan and Transit Tower Draft EIR

Dear Mr. Wycko:

I am writing on behalf of Golden Gate University regarding the Draft EIR for the Transit Center District Plan and Transit Tower (the "DEIR"). The Draft Transit Center District Plan dated November 2009 (the "Draft Plan") provides that the Golden Gate University property located at 536 Mission Street (the "GGU Property") could be rezoned in the future from the currently proposed 700-foot height district to an 850-foot height district:

> As shown in the proposed height map, an area on the west side of First Street, north of Elim Alley, is proposed for a height limit of 850 feet. Should a building taller than 700 feet not be built in this zone within a sufficient amount of time, such as ten years, or otherwise reasonably judged unlikely to come to fruition, the City should consider reclassifying the 700-foot zone on the north side of Mission Street just west of Ecker Street to enable a building up to 850 feet to be constructed on that site. (Draft Plan, pages 26-27).

SH-2

This possibility is addressed on page 18 of the DEIR:

> The Plan proposes an 850-foot height district on the west side of First Street between Stevenson Street and Elim Alley, just north of First Street (see Figure 3). Recognizing that private interests will be responsible for the majority of the development activity in the Plan area, the Plan calls for consideration of shifting this zone slightly to the west, along Mission Street, 10 years hence should no building taller than 700 feet be erected in the 850-foot zone.

Sarah Jones of Environmental Planning has confirmed that programmatic level impacts would be within the same order of magnitude if an 850-foot tower were ultimately built on the GGU Property rather than the First and Mission site because there would only be one 850 foot tower in the Plan Area. As to potential project-specific impacts, shadow impacts have already been identified in the DEIR as significant and unavoidable so there could not be a new significant impact, though the location of the shadow might vary (see page 470 of the DEIR). Potential wind impacts are identified in the DEIR as less-than-significant with mitigation (see page 462 of the DEIR). Mitigation Measure M-WI-2 requires that additional wind-tunnel testing be performed for the future tower sites, including the GGU Property, and if the results of that testing were to identify potential adverse impacts, additional mitigation testing would be required (i.e. changes to the tower design) to reduce the impact to a less-than-significant level. That mitigation measure would be required to be implemented regardless of whether the tower height is 700 feet or 850 feet.

SH-2
(cont'd.)

Based on the foregoing, we have concluded that while additional wind and shadow analysis would be appropriate if the GGU Property were rezoned to an 850-foot height district, a taller building alone would not trigger a subsequent or supplemental EIR because there would not be a new significant impact or a substantial increase in the severity of a previously identified significant impact (see CEQA Guidelines Section 15162). We are writing to request your confirmation of our understanding. Than you in advance for your courtesy.

Respectfully submitted,

Caroline A. Guibert
For Coblentz, Patch, Duffy & Bass LLP

cc: Golden Gate University
Sarah Jones, Planning Department, Environmental Planning
Joshua Switzky, Planning Department

SAN FRANCISCO CHAMBER OF COMMERCE *Where smart business starts.*

November 1, 2011

Hon. Christina Olague
President
Planning Commission
1650 Mission Street, 4th Floor
San Francisco, CA 94103

RE: Item 15 Transit Center District Plan

Dear Commissioner Olague:

The San Francisco Chamber of Commerce, representing over 1,500 local businesses, strongly supports the proposed Transit Center District Plan and the Draft EIR which will be presented to your commission this week.

With the historic Financial District and much of the Southern Financial District fully built out, the Transit Center Plan creates an area where the city can accommodate future commercial growth. This growth with be in an area rich with transit and residential options, enhanced pedestrian spaces and parks.

City law requires high rise buildings to be judged against shadow impacts they may cause on Recreation and Park Department properties. The Draft EIR finds no adverse shadowing of park property. Increases in shadowing from the proposed new height limits are a fraction of a percent and appear to be insubstantial. SH-7

While retaining useable park properties is an important public policy for our downtown's residents, workforce and visitors, it is equally important for the city to accommodate our share of regional growth, helping to minimize suburban sprawl. Reasonable growth in the downtown and South of Market areas is appropriate, especially in light of the significant rail transit improvements coming to TransBay neighborhood over the next two decades.

The San Francisco Chamber of Commerce urges the Planning Commission to approve the Transit Center District Plan Draft EIR.

Sincerely,

JIM LAZARUS
Sr. Vice President

cc. Each Member of the Planning Commission
Planning Director

235 Montgomery St., 12th Flr., San Francisco, CA 94104 • tel 415 392 4520 / fax 415 392 0485

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Debra Walker
Cynthia Wilusz-Lovell
Cindy Wu

November 1st, 2011

Hon. Christina Olague, President
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear President Olague and Commissioners,

Thank you for the opportunity to comment on the Transit Center District Plan and Transit Center Tower DEIR. **We believe that the DEIR adequately analyzes the impacts of the Transit Center District Plan and Transit Center Tower.**

The Transit Center District Plan is critical to the future of San Francisco and the region. San Francisco's downtown is a major regional job center, home to over 250,000 jobs. Unlike other locations in the region, over 50 percent of workers in San Francisco's downtown use a sustainable transportation mode (public transit, walking and bicycling) to get to their jobs. This is largely due to two facts:

1. San Francisco's downtown has the best regional transit access west of the Mississippi.
2. San Francisco's downtown core is dense, compact and walkable.

The development Transbay Transit Center will build on these successes by creating a world-class multimodal station, including the terminus of Caltrain and California High Speed Rail.

Page S-2 of the DEIR notes that the Planning Department commissioned a study to evaluate future job and housing growth in San Francisco. The study concluded that "…downtown San Francisco would not meet the future demand for office space under existing zoning." **The Transit Center District Plan addresses this critical need by increasing zoning capacity for commercial space.**

We have had the opportunity to review the shadow impacts of the Transit Center District Plan and Transit Center Tower. Page 470 of the DEIR notes: "With one exception, shadow from any given potential building would cover part of any affected Section 295 park for less than 45 minutes per day over a period of time ranging from 4-12 weeks, per year." The exception noted is the shadow to Union Square by the proposed addition to the Palace Hotel on New Montgomery Street. SH-7

Table 41 on page 508 shows the potential shadow increases resulting from the plan. **These shadow increases range from .24% to less than .01%.** Even in the case of Union Square, the plan exceeds the existing shadow budget for the park by .2% which is only .5% of the total shadow budget for the park.

We believe the value of this plan to enable the continued development of our walkable transit friendly downtown core outweighs the very small shadow impacts it generates. SH-7 (cont'd.)

Thank you for your consideration of our position. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Sarah Karlinsky
Deputy Director

UNION SQUARE

November 11, 2011

Bill Wycko
Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Comments on the Transit Center District Plan and Transit Tower Draft EIR

Dear Mr. Wycko:

On behalf of the Union Square Business Improvement District I am submitting comments on the above referenced Draft EIR.

Union Square is the most frequented neighborhood destination by San Francisco visitors. Fully two-thirds of those who travel to the City visit Union Square at some point in time during their stay. Union Square Park lies at the heart of the district and is enjoyed by one and all. The terraced lawns and seating on the Geary Street side of the Park are a particular favorite providing a place for visitors, workers and residents alike to sit in the sun, enjoy the company of others, people watch or just relax in a quiet respite from the hardscape of the urban center.

It is projected that the Transit Center District and Transit Tower will cast shadows in excess of the cumulative amount permitted by existing regulations. We are very concerned about the proposal to relax the Park Shadow ordinance and the loss of any sunshine on the Square. Once lost to shadows; sunlight can never be recaptured except by a tragic force of nature. Parks are the "lungs" of the City and must be protected.

Toward that end, we are steadfastly opposed to the proposed modification of the Absolute Cumulative Limit for new shadows that may be cast on certain City Parks. Doing so would effectively repeal Prop. K (the 1984 Park Shadow Ban ordinance) and leave parks at the mercy of developers. Further, we question the adequacy of the methodology used to estimate the shadow impacts. We are also concerned about the Plan's failure to include the additional shadow impact of other pending projects such as the Mexican American Museum highrise development at Jesse Square. The City must consider the full impact of the shadowing that may be imposed by a wall of projects to the south of Union Square. SH-6

Respectfully,

Linda Mjellem
Executive Director

UNION SQUARE BUSINESS IMPROVEMENT DISTRICT
323 GEARY STREET, SUITE 401 SAN FRANCISCO, CA 94102
TEL (415) 781-7880 FAX (415) 781-9889 WWW.VISITUNIONSQUARE.COM

COMMENTS TO TRANSBAY EIR

In an article dated 9/23/11, Forbes Magazine ranked San Francisco as the 7th most stressful city in the U.S. The reasons given were " Residents here deal with a 10.1% unemployment rate, the nation's second least affordable housing and a high cost of living – not to mention the country's sixth worst traffic congestion and the second highest population density."

Forbes Magazine ranked New York City as the second most stressful city in the U.S., in part, because it has the "most extreme population density".

Over the past twenty-five years, San Franciscans have opposed the "Manhattanization" of this city. San Franciscans have opposed the Manhattan model of development with its extreme density, in part, as this extreme density contributes to elevated levels of stress.

With the proposed Transbay project expanding very tall buildings to this extent, the result will likely contribute to stress levels being elevated even further.

PR-1

Eileen Boken

District 4 homeowner

RECEIVED
OCT 17 2011
CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
M.E.A.

Dear Mr. Bill Wycko,

Environmental Review Officer

1650 Mission Street, Suite 400

San Francisco, CA 94103

I hope this note finds you well. I was born and raised in SF and I think it's high time we increase density in this city. I fully support the proposed building heights mentioned in the DEIR for the Transit Center District Plan and Transit Tower (PLANNING DEPARTMENT CASE NO. **2007.0558E and 2008.0789E**) and actually wouldn't mind if the allowed heights are increased beyond 1,070 ft. I don't believe the additional shadows created will be significant and in fact am wondering if there's a way to get a measure on the ballot to repeal the law which restricts buildings from casting significant shadows on public parks.

SH-7

Best,

10/15/11

Issa Kawas

3949 25th ST

SF CA 94114

RECEIVED
NOV 15 2011
CITY & COUNTY OF S.F.
PLANNING DEPARTMENT

Ruben Santiago
P.O. Box 56631
Hayward, CA 94545
(510) 795-6586

November 3, 2011

Dear Mr. Wycko;

After carefully viewing and reading your current EIR proposal of the height design for the Transbay Tower and comparing it with the original design of 80 stories and 1,200 feet, I deeply feel your original design is way superior than your current shortened design that you are currently proposing. In shortening the tower, you are defeating your own original vision for a much bolder, iconic tower that would truly stand out on the San Francisco skyline. Your renderings of the shortened tower around the city just doesn't look or feel like it dominates the skyline. From the different vistas it falls way flat. A 1,200 foot tower fulfills every aspect of an iconic tower. Your excuse of shadows doesn't make sense. When you plan to build to 1,000 feet or over, you are going to have shadows regardless what people estimate you are going to have. To say by going up to 1,200 feet you are casting more shadows and not build this tower at that height is ridiculous and hypercritical. San Francisco does not deserve a shortened down tower on its skyline. Its shortened stale skyline of the past 40 years needs a break out of its tired conservative chains that has stalled progress of any future iconic towers in this city that are talked about, but never truly realized or built because of selfish politics that go on in this city. San Francisco needs visionary pioneers that have the foresight and bold daring that aren't afraid of change. ALT-2

San Francisco needs the Peli, Clark, Peli's original design of 1,200 feet to rise to a soaring iconic breath taking height that will certainly do justice to our beautiful skyline for all the world to enjoy and visit. Also, one other negative aspect is that the shortened design of the tower would not have an observation deck or an entertaining restaurant for the visiting public to enjoy of the higher vistas it would see of the surrounding Bay Area. Remember, all great cities have one or more shadows, but does that stop you from visiting them? In our present day, shadows are more welcomed by the millions of people who suffer from skin cancer than in the past. Going with the 1,200 foot tower will not only put more people to work and create more jobs, but it would also raise rent prices higher in the upper floors of the tower. It would be more breathtaking on the skyline, which would draw more millions of tourists to the city, which would make more money for the San Francisco economy.

Such as restaurants, hotels, and tourist attractions. It's a no brainer to go with the 1,200 foot tower design over the shortened 1,070 foot tower. For this one special time, and truly special iconic tower, cannot the board of the Planning Department bend the shadow zone rules for the higher more truly beautiful deserving 1,200 foot tower design for San Francisco to really shine as a world class city for the world to see? ALT-2 (cont'd.)

Sincerely,

Ruben Santiago

Ruben Santiago

RECEIVED AT CPC HEARING 11/3/11
S. Jones 2007.0558E/2008.0789

Lloyd W. Schloegel
General Delivery
SAN FRANCISCO,
CALIFORNIA 94142

November 3, 2011

TO
SAN FRANCISCO
PLANNING COMMISSION

SAN FRANCISCO, CALIFORNIA

Regarding SAN FRANCISCO TRANSIT CENTER DISTRICT PLAN, EIR, which includes a 61 Story tower at 425 MISSION STREET AT FIRST STREET. 2007.0558E and 2008.0789E; NOV 3, 2011 Agenda.

STATEMENT IN OPPOSITION:

In Europe transit centers are built to low heights of four to ten stories. So if there is any national conflict there it will affect a decongested low built area. This was the thinking before the Second World War. This is not what the Italians have been planning for the city of San Francisco, which has seismic sensitivities. Italian designers of the downtown plan are planning to construct six or more buildings at the transit center which would allow a 500 foot, a 700 foot, and a 1,000 foot height. A typical height per floor is eleven feet. This is a reckless and irresponsible plan and is totally unnecessary. Many office buildings in this area are under utilized now. There is a second 60 story building, an office tower, now completed across the street. PR-1

Statement in Opposition to TRANSIT CENTER DISTRICT PLAN 2007.0558E, 61 Story tower, NOVEMBER 3, 2011

In this Environmental IMPACT REPORT the population of San Francisco County is projected to increase by twenty percent to about 934,000 people from the year 2005 to 2030. The population of San Francisco is currently estimated to be less than 250,000. The Sponsor for this plan is the San Francisco Planning Department.

Total Employment in San Francisco is projected to increase by fifty percent between 2005 and 2030 to a total of 793,000 jobs, an increase of 241,000 jobs. Page 188. PD-4

The Environmental Impact Report is incompetent. Population and job growth statistics are grossly unrealistic. And the proposed buildings are not necessary. The rationale that is offered by the EIR for this building project is to accommodate projected job growth for the next twenty-five years.

The original plan for a nine story transit center building here was better. I have seen such a nine story building in California which was a nuisance for waiting passengers. The old transit center building which has been demolished was eight stories high. PR-1

There is no city in the world that has such a tall building at the transit center. This is very bad planning. Shanghai, China, and Japan both allowed buildings in excess of twenty stories at the transit center. Shanghai is over-built. San Francisco is becoming over-built in the downtown area.

Lloyd Schloegel

Attachment 2: Transcript of DEIR Public Hearing

San Francisco Planning Commission

Commission Chambers
Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, California

Thursday, November 3, 2011

12:00 P.M.

Reported by
Tahsha Sanbrailo

APPEARANCES

Present:

Christina R. Olague, President

Ron Miguel, Vice-President

Michael J. Antonini, Commissioner

Gwyneth Borden, Commissioner

Rodney Fong, Commissioner

Kathrin Moore, Commissioner

Hisashi Sugaya, Commissioner

John Rahaim, Director of Planning

Jonas Ionin, Secretary

Tahsha Sanbrailo, Reporter

1

P R O C E E D I N G S

NOVEMBER 3, 2011 6:45 P.M.

-oOo-

Item 15. Case No. 2007.0558E and 2008.0789E – Transit Center District Plan and Transit Tower -- Public Hearing on Draft EIR.

MR. IONIN: Commissioners, this will place us on Item 15. Case No. 2007.0558E and 2008.0789E for the Transit Center District Plan and Transit Tower, Public Hearing on Draft Environmental Impact Report. Please note that written comments will be accepted at the Planning Department's Offices until the close of business on --

PRESIDENT OLAGUE: The end of the month because we have -- it was the 14th.

MR. IONIN: Right.

PRESIDENT OLAGUE: Then we have the Thanksgiving Day holiday, so I would say the -- let me look at my calendar. Just a couple of weeks out, really.

MR. IONIN: The 28th?

PRESIDENT OLAGUE: Yeah, the 28th. Yeah, that's great.

MR. IONIN: Okay.

PRESIDENT OLAGUE: So Wednesday at 5:00 or -- it's usually a Monday --

MR. IONIN: Monday, sorry.

MS. JONES: Should we start?

PRESIDENT OLAGUE: Yes, thank you.

MS. JONES: Good evening, Commissioners, President Olague, my name is Sarah Jones. I'm with the Environmental Planning Division of the Planning Department. I am the EIR Coordinator for the Transit Center District Plan and Transit Tower EIR. From our Environmental Planning staff, I'm joined here tonight by Victoria Wise who was the Transportation Coordinator, also by Jeanie Poling and Karl Heisler of ESA, our environmental consultant is here, as well.

The Draft EIR that we're discussing tonight analyzes the Draft Transit Center District Plan, which would change zoning regulations and promote public realm improvements to support the new Transit Center facility that's located at the site of the former Transbay Terminal. The Draft EIR also contains a project level analysis of the transit tower, which is a proposed 170-foot office building that would be constructed on Mission Street between Fremont and First Streets, immediately to the north of the new Transit Center.

Before you tonight is review and comment on the Draft EIR for this project, which was published on September 28th. And the comment period, as we've just learned, will continue until November 28th, 2011. Yesterday, we held a

hearing at the Historic Preservation Commission where they prepared comments for the Draft EIR.

This Draft EIR concluded that the plan would have the following significant unavoidable environmental impacts in the following topic areas: aesthetics, historic resources, transportation, noise and vibration, air quality, and shadow. And for the Transit Tower itself, the EIR found the following topic areas for project specific significant unavoidable impacts. Those are transportation, air quality, and shadow.

Planning staff is not here to answer comments today. The comments that are made will be transcribed and responded to in writing in the Comments and Responses document, which will respond to all verbal comments received today and written comments received throughout the comment period. Today's comments should be directed to the adequacy and accuracy of the information contained in the Draft EIR.

If commenters could please speak slowly and clearly so that our Court Reporter can produce an accurate transcript, also commenters should state their name and address so they can be properly identified and so that they can receive a copy of the Comments and Responses document when it's completed.

After hearing from the general public, we will also take comments from the Planning Commission. This

concludes my presentation. Unless the Commission members have questions on the Draft EIR, I would suggest the public comment period be opened.

PRESIDENT OLAGUE: Thank you. Commissioner Sugaya.

COMMISSIONER SUGAYA: Yes. I would like to clarify one thing. In the Environmental document, there is a citation to Carey and Company, that's the company that I work for. And the citation is in relationship to some historic resource evaluation work that Carey and Company undertook not for this EIR, but for TJPA a number of years ago. And in consulting with the City Attorney's Office on possible conflict of interest, we've concluded that I do not have to recues myself at this point.

MS. JONES: Thank you, Commissioner Sugaya. That's good to know.

PRESIDENT OLAGUE: I would like to open it up for public comment, then. Sir, the gentleman who -- now is your time to -- okay, this is it. And then we'll hear from Sarah Karlinsky.

MR. SANTIAGO: My name is Ruben Santiago and I would like to read my comments. [Reading] "After carefully viewing and reading your current EIR proposal of the height design for the Transbay Tower, and comparing it with the original design of 80 stories and 1,200 feet, I deeply feel

ALT-2

your original design is way superior than your current shortened design that you are currently proposing. In shortening the tower, you are defeating your own original vision for a much bolder iconic tower that would truly stand out on the San Francisco skyline. Your renderings of the shortened tower around the City just doesn't look or feel like it dominates the skyline. From different vistas, it falls way flat. A 1,200-foot tower fulfills every aspect of an iconic tower. Your excuse of shadows doesn't make sense; when you plan to build to 1,000-feet or over, you're going to have shadows, regardless of what people estimate you're going to have. To say by going up to 1,200-feet you are casting more shadows and not build this tower at that height is ridiculous and hypocritical. San Francisco does not deserve a shortened down tower on its skyline. Its short and stale skyline of the past 40 years needs a breakout of its tired conservative chains that have stalled progress of any future iconic towers in this City that are talked about, but never truly realized or built because of the selfish politics that go on in this City. San Francisco needs visionary pioneers that have the foresight and bold daring that aren't afraid of change. San Francisco needs the Pelli Clarke Pelli's original design of 1,200-feet to rise to a soaring, iconic, breathtaking height that will certainly do justice to our beautiful skyline for all the world to enjoy

ALT-2
(cont'd.)

and visit. Also, one negative aspect is that the shortened design of the tower would not have an observation deck or an entertaining restaurant for the visiting public to enjoy of the higher vistas they would see of the surrounding Bay Area. Remember, all great cities have one or more shadows, but does that stop you from visiting them? For this one special time and truly special iconic tower, cannot the Board Planning Department…?

ALT-2
(cont'd.)

PRESIDENT OLAGUE: Thank you, sir. And everyone gets three minutes, but you can certainly turn your comments in in writing and you have until the 28th of November.

MR. SANTIAGO: Okay.

PRESIDENT OLAGUE: Or you can hand them in today.

MR. SANTIAGO: Okay, thank you.

PRESIDENT OLAGUE: So thank you very much.

MS. KARLINSKY: Good evening, Commissioners. My name is Sarah Karlinsky. I'm with San Francisco Planning and Urban Research. I -- we drafted a comment letter on the Draft EIR and what I'm going to do now is just read that into the record. [Reading] "Thank you for the opportunity to comment on the Transit Center District Plan and Transit Center Tower DEIR. We believe that the DEIR adequately analyzes the impacts of the Transit Center District Plan and Transit Center Tower. The Transit Center District Plan is critical to the future of San Francisco and the region. San

Francisco's downtown is a major regional job center, home to over 250,000 jobs. Unlike other locations in the region, over 50 percent of workers in San Francisco's downtown uses sustainable transportation mode, public transit, walking, and bicycling to get to their jobs. This is largely due to two facts, first, San Francisco's downtown has the best regional transit access west of the Mississippi and, second, San Francisco's downtown core is dense, compact, and walkable. The development of Transbay Transit Center will build on these successes by creating a world class multi-mobile station, including the terminus of CalTrain and California High Speed Rail. Page S--2 of the DEIR notes that the Planning Department commissioned a study to evaluate future job and housing growth in San Francisco. The study concluded that [quote], 'Downtown San Francisco would not meet the future demand for office space under the existing zoning.' The Transit Center District Plan addresses this critical need by increasing zoning capacity for commercial space. We've had the opportunity to review the shadow impacts of the Transit Center District Plan. Page 470 of DEIR notes [quote], 'With one exception, shadow from any given potential building would cover part of any affected Section 295 park for less than 45 minutes per day, over a period of time ranging from four to 12 weeks per year.' The exception noted is the shadow to Union Square by

SH-7

the proposed addition of the Palace Hotel on New Montgomery Street. Table 41 on page 508 shows the potential shadow increases resulting from the plan. These shadow increases range from .24 percent to less than .01 percent. Even in the case of Union Square, the plan exceeds the existing shadow budget for the park by .2 percent, which is only .5 percent of the total shadow budget for the park. We believe that the value of this plan to enable the continued development of our walkable transit for the downtown core outweighs the very small shadow impact it generates. Thank you for your consideration of our position."

SH-7 (cont'd.)

PRESIDENT OLAGUE: Thank you. Is there additional public comment?

MR. BECK: Good evening, Commissioners. Robert Beck with the Transbay Joint Powers Authority, 201 Mission Street, Suite 2100. I wanted to thank the Planning Department staff for their efforts in preparing the draft Transit Center District Plan EIR. The Transbay Transit Center program lies at the heart of the plan area and was a catalyst for the plan. When the Transbay Program was approved in 2004, the primary funding for the project was proceeds from the former Embarcadero Freeway parcels along Folsom Street, tax increment, bridge toll revenues, and San Francisco half-cent sales tax, but the program still had a significant funding shortfall. In 2006, Mayor Newsom and

ALT-3

then Chair of the San Francisco Transportation Authority, Jake McGoldrick, convened a working group to ensure the entirety of the Transbay Program could be constructed as soon as possible. The working group recommended the creation of a special zoning district around the transit center permitting a limited number of tall buildings, including two on public parcels. This zoning district, developed in the plan and analyzed in the Draft EIR, would generate additional revenues for the Transbay Program in three ways, first, the sale of the two public properties rezoned the plan, the Transit Tower site, and the land between Natomas and Howard Streets known as Parcel F, will produce revenues for the Transbay Program. The manner of that revenue, however, hinges on the value for development and that flows directly from the zoning heights. While we are all concerned about shadows produced by the buildings of the heights proposed in the plan, we were pleased to see that the shadows from buildings on Parcels T and F will cast minimal additional shadow on City parks and that shadows will be diffuse due to the distance of the parks from the new buildings. Given the significance of the revenues from these property sales, the Transbay Program, and the importance of the Transbay Program to the City and the region, we do not believe that the shadows warrant a reduction of proposed heights for the Transit Tower and

ALT-3 (cont'd.)

Parcel F of 1,070 and 750-feet, respectively. Because the Draft EIR analyzes new height limits for these parcels, the TJPA cannot sell these properties until the EIR has been certified. To this end, we urge the Commission to close the comment period on November 28th as scheduled and the Department will respond to comments and present the Commission with the EIR for certification at the earliest possible date. Consistent with the vision that stimulated the plan, it is appropriate and important that impact fee revenues from the Transit Center District Plan, including fees from the Tower and Parcel F be directed towards the Transbay Program. We thank you for consideration of this important EIR, and we urge you to adopt the heights as recommended in Transit Tower and Parcel F, and maintain the current schedule for certification of the EIR. Thank you.

ALT-3 (cont'd.)

G-6

PRESIDENT OLAGUE: Thank you. Is there additional? Yeah.

MR. WHITAKER: Good evening, Commissioners. My name is Jamie Whittaker and I live in the Rincon Hill Neighborhood at Bay Crest Towers, 201 Harrison Street, Unit 229, a humble studio. Very much looking forward to the construction progressing for all the different aspects of the Transbay Area and Rincon Hill, and I'm happy to say that construction cranes are starting to appear again in my neighborhood at 333 Harrison. I think 45 Lansing is

PR-1

probably going to start digging some dirt soon. It's exciting to see people moving in. Hopefully, neighborhood servicing businesses will come. Air quality is my big concern and I think that there will always be a concern with the Bay Bridge outside my window, literally, and more parking spaces being proposed for projects like 8 Washington; I think there are 400 some odd parking spots there. I think there are tools to mitigate the traffic, that we just need to find some leaders politically to consider traffic, the congestion charge, a pilot at least, and give some folks some incentive to not be driving downtown, at least not to be leaving all at once, but between 3:00 p.m. and 7:00 p.m. So that's my main comment. AQ-2

You can already see traffic really getting snarled in the neighborhood with existing Transit Center construction, central subway, and utility relocation. With the America's Cup hopefully coming our way, please don't drive into our neighborhood for the next two or three years. But I'm totally supportive of the building heights and supportive of the Transbay JPA. I complimented them in the past; I think they've done a great job of keeping us informed every week. Every Friday, we get an email telling us, "Here's the construction that's going to be happening for the next 10 days," and that's commendable. I support -- well, this EIR looks fine to me; I just hope our politicians can embrace TR-6 PR-1 AQ-2

trying congestion fees to mitigate the air pollution. Thank you. AQ-2 (cont'd.)

PRESIDENT OLAGUE: Thank you.

MS. HESTOR: I'm Sue Hestor. I noticed no one has struggled to bring this document up because it weighs so much. Two weeks ago, you had a report on this document here, Downtown Plan. You had a report two weeks ago that talked about the assumptions that were made by the City when this was drafted around 1980. The assumptions were made about how people were going to work, about the amount of office space, the way people wanted to work in buildings. The report you had two weeks ago was that people do not want to work in tower office buildings, that we have had a shrinkage in the financial district, that people want to work in different types of spaces like the last agenda item, and that the assumptions that were made on 20 or 25 years of growth in 1980 have not come to pass, and that we needed to think differently. This is going back to those assumptions. If you look at the EIR, and it's too heavy to lift, but I'll tell you what page it's on, it's on page 6, well, wait a minute, I'll show you because it can do it on the TV. The map of the area, this is the map of this planning area, C-3-0, and this is the planning area that you're looking at now -- my finger is too fat. So here we have this area that was planned in the Downtown Plan and here is what we have here. PD-4

And the assumption in the Downtown Plan was that this area here, this green area where we're re-planning all over again, would have enormous growth of office buildings because that's where everyone wanted to go, and it hasn't happened. So you have to think about whether a report that's given 25 years later, based on assumptions here -- and I'm going to write this in comments -- what were the assumptions that were made in the Downtown Plan? What were the assumptions made in Rincon Hill Plan in terms of how buildings would be built and occupied, and what the demand was, and where they are now. Also, there's the South Beach Area that should be on this map. There was a Redevelopment Plan Area along the waterfront. That is one thing. The second thing is, unlike other speakers, I care about Prop. K and the shadows go to Portsmouth Square, and if you are going to throw out the vote of the people, say you're going to put it on the ballot, don't interpret it away. Prop. K was voted on by the citizens of San Francisco and it limited shadow. But the main thing is, you forget what you hear about your assumptions and the Planning Department doesn't really know how people want to work. Thank you.

PD-4 (cont'd.)

PD-3

SH-3

PD-4

PRESIDENT OLAGUE: Thank you. Is there any other public comment on this item? Seeing none, public comment is closed. Commissioner Antonini.

COMMISSIONER ANTONINI: Well, thank you. I think

this is a very well done Environmental Impact Report and there were a couple of questions I wanted to ask.

I guess on page -- I think it's at the very beginning, about page 6, but I'm not sure -- it talks about cogeneration facilities and it doesn't specifically deal with steam heat, which is done in New York, and I'm not sure if that's part of the cogeneration plan because this is a perfect area for that kind of thing to happen because it's very efficient and there's one generating plant and it's piped to the different buildings and they don't have their own heating systems individually. So that's something that certainly should be looked at and perhaps analyzed if it isn't.

I was in agreement to some degree with the gentleman who talked about the 1,200-foot tower. I don't see it analyzed here, I'm not saying it needs to be, but I guess, you know, my question is why it is not part of the analysis as an alternative. I'm not saying it needs to be, I think we have plenty of preferred option and, then, the other options that are presented being lower, but that was something that was brought in and maybe it could be answered in terms of a response.

And in terms of general demand, again, this is an Environmental Impact Report and we're commenting on the accuracy and the adequacy and the completeness of the plan;

PD-13

ALT-2

PD-4

however, there were some comments about the direction of the plan and I think the plan is entirely on target as far as future growth. I think there are a lot of reasons why people are going to want to be here, both to live in and to work because of the $3.75 gas cost, time concerns, you know, maintenance of suburban space is really inefficient and counterproductive, and I think you've seen this happening. And I think if you build it, they'll come.

And I think there will be a huge part of the business community that will still want space in towers, as they do today. There will be some that need the broader floor plates; it just sort of depends on what the particular function is. But I think you see towers built at other cities throughout the United States and other parts of the world and there is a demand for them, so I don't think it's going to be any different here.

And I think this is also to some degree a throwback to the past and hopefully we'll reach a point, as we were in the first half of the 20th Century, where almost all business commercial activity took place in San Francisco and almost everyone who was employed here lived here because we were essentially an island. But also, almost everyone rode public transportation, too, because it made a lot of sense; if you didn't have to leave the city, it was just as easy to hop on a trolley car in those days, and so I think

PD-4 (cont'd.)

that we're moving in the right direction with this analysis.

And I think the analysis of the various factors, be they shadow, wind, and all the other ones that are brought in here, traffic impacts, and historical, are quite well done. And I'm very happy with the report so far. I will have other comments I will send in writing.

PRESIDENT OLAGUE: Commissioner Miguel.

COMMISSIONER MIGUEL: Yes. I find it very interesting we move from recently Western SoMa, east to the Central Corridor that we just started, and now we're moving further east to the Transit Center adjoining areas, but they're very very very different.

As to the EIR, I think it adequately covers such things as the FEIR and the tower separation. It obviously, as an EIR should, considers the maximum build-out. I do not truthfully expect that maximum build-out ever to be achieved; I think it's going to be a lot less, but then I'm no economic guru. In any case, it's going to totally change the Downtown skyline and I think the photo simulations give us a good idea of that.

My concern is not with such things as the towers at their top and the separation, I am still, as I voiced before, concerned with what happens down on the ground. We have, and they are commented upon in the document, the Downtown Streetscape Plan of '95, the Transbay Streetscape

PD-4 (cont'd.)

G-3

G-3

G-1

Plan of 2006, and certainly the Better Streets Plan from 2010. There are comments regarding sidewalk improvements, mid-block crossings, that's where I think everything is important. That's where the public is going to thrive and that's where the district is going to thrive.

The manner of the built form at the sidewalk is much much more important to me than tower separation or some flagpole on top of a tower somewhere in order to achieve an extra 50-feet in height. Those things at the top are easy to work with. The personal impact on the ground level is extremely difficult to deal with because it comes in the public realm and we often deal with the actual individual buildings without having a good idea of how the mass of them, because many will be built, are going to affect the street level.

G-1 (cont'd.)

Open space connections to the five-acre Sky Park, I'll call it, on top of the Transit Center itself, are very very important requirements on street widening, the taller you go, the wider the sidewalks should be, in general, to make it comfortable for these hopefully masses of people that will inhabit the area. There is a plan for a Second and Howard Open Space, individual open spaces that will complement the park on top of the Transit Center itself, are extremely important.

G-4

POPOS, the Privately Owned Public Open Spaces,

G-5

that will accompany the office towers to be built, in my estimation, the Downtown Plan did a very good job and we heard that recently when we were discussing the one percent art situation, it's possible in this area if we are concentrating so many large buildings that those spaces should be expanded. They should be required to be larger and they should be able to complement each other.

G-5 (cont'd.)

The traffic implications are impossible to imagine. This document, I think, does a decent job in trying to lay them out, but you look at every single street in the area is impacted. I started to write down a few as I was going through, you know, Steuart, Beale, Howard, Folsom, Bryant, Harrison, Mission. You've got a situation now where the Market Street Design Advisory Board is probably going to suggest that some bus lines actually move off of market in order to stop mid-block mornings and move on to Mission where possible. So that will impact that area of Mission, as well.

TR-6

We have gridlock in certain areas of South of Market right now without any of this being built. We put into place particularly rail lines and overhead wire lines that are very expensive to move. It's easy to move just a bus from one block to another, comparatively, but when we start in with overhead lines and rail lines, it becomes very very expensive and everyone is very reluctant to start

TR-16

making those changes. So any transit assumptions we have for this area must be built on a flexible underlay. They have to be. They're not going to stay the same way 20 years from now, 25 years from now, and they shouldn't. They should be flexible enough to be able to be changed with the times. We were just talking, obviously, about the Corridor Plan, Fourth Street, and the streets that surround it, and the cross streets there and what happens on Fourth in the Central Corridor are going to affect this area, they have to work in conjunction with each other. And that has to be flexible enough to work 10 years from now when we have a little better idea of how much of this that is planned for here, or studied here, will actually start to be built. And as I say, I have a question of how much will actually be built. If we get 50 percent of it, in my estimation, we'll be doing good.

TR-16 (cont'.d)

PRESIDENT OLAGUE: Commissioner Sugaya.

COMMISSIONER SUGAYA: Let's see, in order to improve the public disclosure aspect of the EIR, I'd like to have the comments and responses add some graphics to the Cultural Resource section. There's only one map in that section and it shows the historic shoreline, more or less. And I think in terms of historic resources, it would be nice to have some graphics showing existing historic district boundaries, existing historic resources, National Register

CP-7

properties, California Register properties, city landmarks, maybe even eligible properties. It's already been all identified, so something more graphic to illustrate that would help.

CP-7 (cont'.d)

And then, just to comment, I think that although the Downtown Plan as it was presented to us before didn't completely fulfill, you might say, the sort of office and what we were thinking of in terms of office development at that time, I mean, there have been a number of buildings, office buildings built along especially Mission Street, South of Market, just before the recession started. And I think there will be, unless Occupy Wall Street is extremely successful, I would think there would be a continual need for the type of office space that is characterized by high-rise towers.

And I think that the kind of development that we're seeing relative to high-tech will continue to be, I think, addressed, for example, in the Corridor Plan we just saw and perhaps in other areas of San Francisco.

PD-4

PRESIDENT OLAGUE: Commissioner Moore.

COMMISSIONER MOORE: I'm not quite sure as to whether or not I can ask the question, but since we have several large projects following each other very closely, I think the simulations looking from Yerba Buena East would be quite appropriate if we were to also at least to show the

AE-8

effect of the Museum of Modern Art's expansion because that will be so close to each other, that looking at it together, at least in one image, would be very helpful at least to me, and that is not biasing towards one or the other of the project, but in the spirit of cumulative, that particular project because we're going to be hearing it in a few weeks, these two things interact with each other and we might as well know what we're looking at it, and I'm not saying what my thoughts are because I don't have it, but I would like to see it.

AE-8 (cont'.d)

And again, the issue of Prop. M is something which continues to puzzle me and I think it puts a very unusual burden on this Commission to continue to grapple with an issue which I do not believe we fully understand. There are all the right reasons to look at Proposition M --

PRESIDENT OLAGUE: K or Prop. M?

COMMISSIONER MOORE: -- with respect to the public benefit we have to judge on, but I do think we need to have an independent, clear discussion about what it is we're doing. That is a legal issue, that is a historic planning issue, the voter approved initiative, it's --

SH-3

PRESIDENT OLAGUE: Prop. M or Prop. K?

COMMISSIONER MOORE: Prop. K, I'm sorry, I meant to say the shadow of Prop. K. Thank you for saying that. And I personally am troubled by it because I don't have a

clear idea, really, what I am doing. That would be helpful.

SH-3 (cont.d)

PRESIDENT OLAGUE: Okay, I think that's it.

(Adjourned at 7:20 p.m.)

CHAPTER VIII
Appendices

A. Notice of Preparation
B. Plan Objectives and Policies
C. Proposed Public Realm Plan
D. Air Quality
E. Transit Tower Wind Tunnel Analysis

APPENDIX A

Notice of Preparation

SAN FRANCISCO
PLANNING DEPARTMENT

1650 Mission St.
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San Francisco,
CA 94103-2479

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415.558.6378

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415.558.6409

Planning
Information:
415.558.6377

Notice of Preparation of Environmental Impact Report

Date:	July 20, 2008
Case No.:	**2007.0558E; 2008.0789E**
Project Title:	**TRANSIT CENTER DISTRICT PLAN AND TRANSIT TOWER**
Zoning:	Multiple Zoning and Height and Bulk Districts
Block/Lot:	Multiple
Lot Size:	N/A
Project Sponsor	San Francisco Planning Department and Transbay Joint Powers Authority Joshua Switzky - (415) 575-6815
Lead Agency:	San Francisco Planning Department
Staff Contact:	Sarah Jones – (415) 575-9034 Sarah.B.Jones@sfgov.org

PROJECT DESCRIPTION

The Transit Center District Plan (Plan or proposed project) is a comprehensive plan for the southern portion of the downtown Financial District, roughly bounded by Market Street, the Embarcadero, Folsom Street, and Third Street (Plan Area). The area includes both private properties and properties owned or to be acquired by the Transbay Joint Powers Authority (TJPA) in and around the adopted Transbay Redevelopment Project Area (a plan for which was adopted in 2005) and Transbay Terminal. The Plan Area includes all of Zone 2 of the Transbay Redevelopment Area; streetscape changes and road modifications would occur within Zone 1 of the Redevelopment Area, but no land use or height changes are envisioned within this area. The Transit Tower, a high-rise office tower (approximately 1,000 feet in height) would be located adjacent to a new Transbay Transit Center. The Transit Tower would be located on the southeast corner of First Street and Mission Street at 425 Mission Street, Assessor's Block 3720 Lot 001, in the P (Public) zoning district and the 30-X/80-X height and bulk district.

The proposed project would result in new planning policies and controls for land use, urban form, and building design, as well as impact fees and other funding mechanisms to direct funding to the Transit Center and Caltrain Downtown Extension projects and other public infrastructure in the area. The proposed project includes a comprehensive plan for improvements and changes to streets, circulation, and open space in the area to support the existing, planned, and proposed land uses and activity in the area. The Plan also proposes amendments to the San Francisco *General Plan*, *Planning Code* and Zoning Maps. For the purposes of environmental review the proposed project includes both the Plan, which will be analyzed at a programmatic level, and the Transit Tower, which will be analyzed at a project level.

A more detailed project description is provided following this NOP or can be obtained from the staff contact listed above or at http://www.sfgov.org/site/planning_index.asp?id=80504.

FINDING

This project may have a significant effect on the environment and an Environmental Impact Report is required. This determination is based upon the criteria of the State CEQA Guidelines, Section 15063 (Initial Study), 15064 (Determining Significant Effect), and 15065 (Mandatory Findings of Significance). The purpose of the EIR is to provide information about potential significant physical environmental effects of the proposed project, to identify possible ways to minimize the significant effects, and to describe and analyze possible alternatives to the proposed project. Preparation of an NOP or EIR does not indicate a decision by the City to approve or to disapprove the project. However, prior to making any such decision, the decision makers must review and consider the information contained in the EIR.

SCOPING OF ENVIRONMENTAL REVIEW

Pursuant to the State of California Public Resources Code Section 21083.9 and California Environmental Quality Act Guidelines Section 15206, the Planning Department will hold a public scoping meeting to receive oral comments concerning the scope of the EIR. The meeting will be held on **August 6, 2008 at 6:00 p.m. at the San Francisco State University Downtown Campus, 835 Market Street, Room 626/627.** Written comments will also be accepted at this meeting and until the close of business on **August 19, 2008**. Written comments should be sent to Bill Wycko, Acting Environmental Review Officer, Transit Center District Plan NOP, San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103.

State Agencies: We need to know the views of your agency as to the scope and content of the environmental information that is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency may need to use the EIR when considering a permit or other approval for this project. Please include the name of a contact person in your agency. Thank you.

July 17, 2008
Date

Tim Coop, for
Bill Wycko
Acting Environmental Review Officer

Transit Center District Plan and Transit Tower
Case No. 2007.0558E and 2008.0789E

PROJECT DESCRIPTION

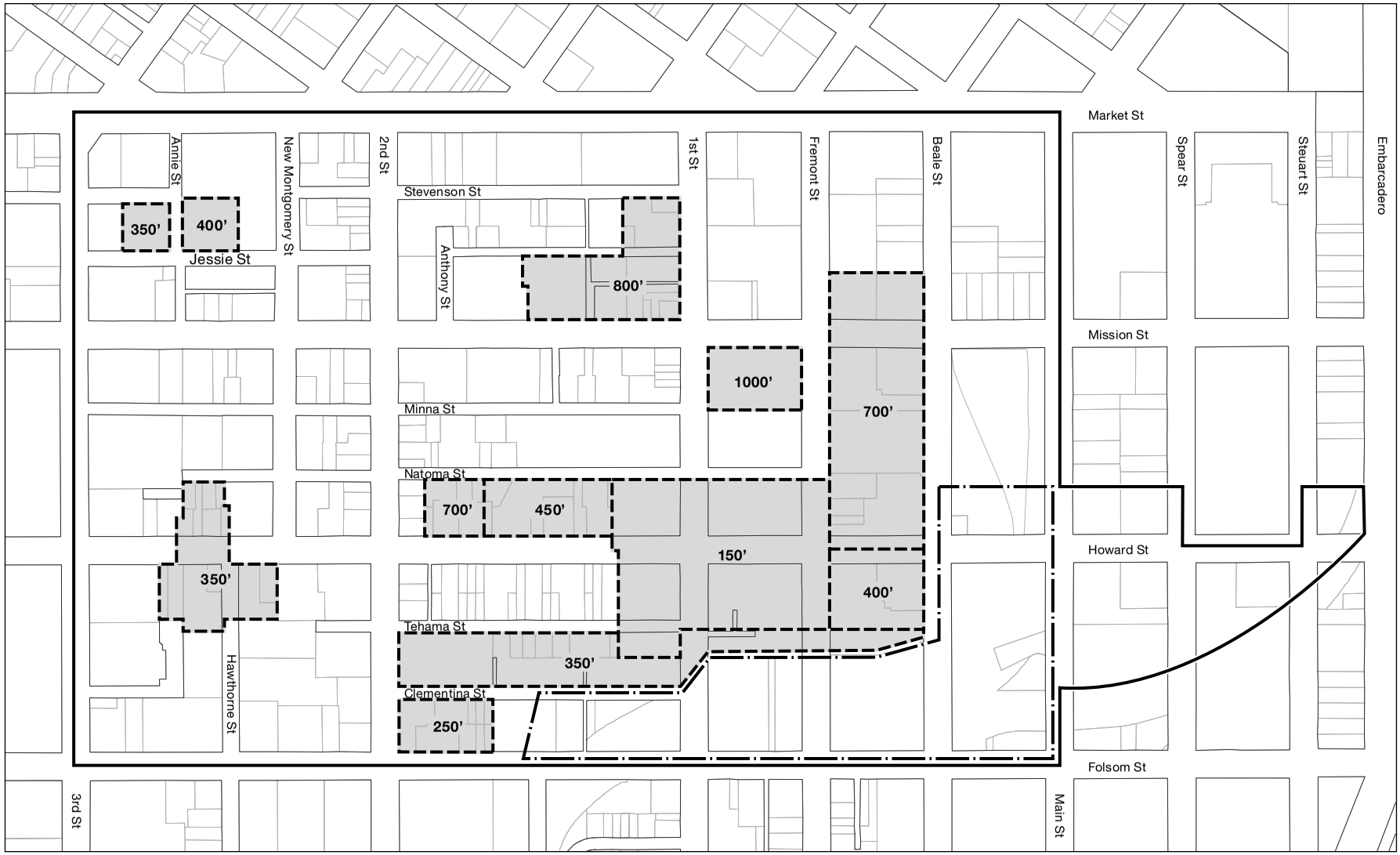
Overview

The Transit Center District Plan (Plan) is a comprehensive plan for the southern portion of the downtown Financial District, roughly bounded by Market Street, the Embarcadero, Folsom Street, and Third Street. The area includes private properties as well as properties owned or to be acquired by the Transbay Joint Powers Authority (TJPA) in and around the Transbay Redevelopment Project Area (a plan for which was adopted in 2005) and Transbay Terminal. The Plan Area includes all of Zone 2 of the Transbay Redevelopment Area, but generally excludes Zone 1 (see Figure 1). The Transit Tower, a high-rise office tower (approximately 1,000 feet in height, plus additional design features for a total height of up to approximately 1,200 feet) would be located adjacent to a new Transbay Terminal, or "Transit Center," on the south side of Mission Street between Fremont Street and First Street. The Transit Center District Plan and Transit Tower together comprise the proposed project for analysis.

The Proposed Project would result in new planning policies and controls for land use, urban form, building height and design, and street network modifications/public realm improvements. The Plan would allow for height limit increases in subareas comprised of multiple parcels or blocks within the Plan Area (See Figure 1). It would also propose one or more programs to support the Transit Center Program and other necessary public infrastructure and amenities in the area (Note: "Transit Center Program" includes the rebuilt Transbay Transit Center on the site of the existing Transbay Terminal, and the downtown extension of rail for Caltrain and future California High-Speed Rail from the current rail terminus at 4th/King Streets into the Transit Center). The Proposed Project would result in a comprehensive plan and implementing mechanisms, including *General Plan*, *Planning Code* and Zoning Map amendments, as necessary.

The main goals and objectives of the proposed plan are outlined below. In general, they include increasing the amount of allowable development in the transit-rich downtown core, while at the same time improving public amenities, modifying the system of streets and circulation to meet the needs and goals of a dense transit-oriented district, providing additional open space, and implementing policies to preserve existing historic structures. A primary goal of the proposed urban design controls is to alter the downtown skyline in a manner consistent with the existing objective of creating a downtown "hill" form, while relating the proposed structures to the surrounding mid- and low-rise residential and commercial neighborhoods.

The Planning Department will prepare a programmatic environmental impact report (EIR) to evaluate the physical environmental effects of the proposed Transit Center District Plan project. This document will contain the cumulative environmental impact analysis of development under the Proposed Project through the year 2030. The EIR also will analyze the project-specific effects of developing the proposed Transit Tower. In addition to the new policies and controls (including modified building height controls) proposed by the Planning Department for the Transit Center District Plan, the EIR will also analyze a Developer-Proposed Scenario, which would consist of a program-level analysis that reflects several applications submitted to the



Plan Boundary

Zone 1 of Transbay Redevelopment Project Area

Proposed Height District Subareas

0 400
Feet

SOURCE: San Francisco Planing Department, 2008

Case No. 2007.0558E: Transit Center Plan . 207439

Figure 1

Proposed Transit Center District Plan Boundaries and Analysis Subareas

Planning Department by private project sponsors proposing individual buildings, generally at heights that exceed the height limits identified in the proposed Plan.[1]

The EIR will also evaluate a No Project Alternative, which would entail a continuation of existing zoning controls within the Plan Area, including existing height limits and *General Plan* policies, as well as one or more reduced-intensity project alternatives that could potentially reduce or avoid any significant environmental impacts associated with the Proposed Project.

The Planning Department has held two public workshops to date on the Plan, addressing a variety of topics including citywide and downtown growth, land use, urban form, shadows, historic resources, and the public realm (streets and open spaces). Additional workshops will be held in the future as the Plan evolves. As part of the review process under the California Environmental Quality Act (CEQA), the Planning Department will convene a public scoping meeting at which public comment will be solicited on the issues that will be covered in the EIR. This notice provides a summary description of the Proposed Project, identifies environmental issues anticipated to be analyzed in the EIR, and provides the time, date, and location of the public scoping meeting.

BACKGROUND

In response to development trends and infrastructure investments in the vicinity of downtown San Francisco, the Planning Department is drafting a comprehensive plan for the area around the Transbay Transit Center. These recent changes include:

- *Transbay Transit Center/Rail Extension* – The Transbay Transit Center project will replace the existing Transbay Terminal with a new modern multimodal Transit Center that will serve multiple transportation systems under one roof and anchor the Transbay Redevelopment Area. The new terminal also would accommodate an underground extension of Caltrain line as well as the future California High-Speed Rail from Fourth and King Streets to the new terminal.[2]
- *2005 Transbay Redevelopment Plan* - The Transbay Redevelopment Project Area, created in 2005, encompasses about 40 acres and is generally bounded by Mission, Main, Folsom, and Second Streets. The Redevelopment Plan Area contains the existing Transbay Terminal and access ramps, as well as a number of vacant and underutilized properties and older buildings, many of which are substantially deteriorated and/or constructed of unreinforced masonry. The Redevelopment Plan is intended to address these conditions of "blight." The Plan sets forth various projects and programs that will be funded with tax increment dollars over the life of the Redevelopment Plan. Approximately $178 million of the net tax increment will be pledged to the Transbay Joint Powers Authority to help pay the cost of rebuilding the Transbay Terminal into a regional transit hub (the Transbay Transit Center). The

1 These individual proposed projects include 350 Mission Street (Case No. 2006.1524), 50 First Street (Case No 2006.1523), 41 Tehama Street (Case No. 2008.0801), 181 Fremont Street (Case No. 2007.0456), and 2 New Montgomery Street (Case No. 2005.1101). These case files are available for review by appointment at the Planning Department, 1650 Mission Street, Suite 400.

2 U.S. Department of Transportation Federal Transit Administration, the City and County of San Francisco, Peninsula Corridor Joint Powers Board, and San Francisco Redevelopment Agency, *Transbay Terminal/Caltrain Downtown Extension/ Redevelopment Project Final Environmental Impact Statement/Environmental Impact Report and Section 4(f) Evaluation, June 2004*. Available for review by appointment at the Planning Department, 1650 Mission Street, Suite 400, in Case No 2007.0558E and also available at http://www.transbaycenter.org/TransBay/content.aspx?id=114.

Plan also calls for new residential development on parcels along Folsom Street formerly occupied by the Embarcadero Freeway ramps, as well as office space adjacent to the new terminal (the Transit Tower). The Transbay Redevelopment Plan was analyzed in the previously-referenced EIR for the Transbay Transit Center/Rail Extension.

- *Rincon Hill Plan* - The Rincon Hill Plan, adopted in 2005, encourages high-density residential development and greater building heights in the area between Folsom Street and the Bay Bridge. The goal of the Plan is to encourage the ongoing transformation of the area into a new mixed-use residential neighborhood adjacent to the downtown, with both strong urban design controls and implementing mechanisms to fund the necessary public infrastructure, including open space, streets, community facilities, and affordable housing. Together with plans for the Transbay Redevelopment Plan, the Rincon Hill Plan will create housing for as many as 20,000 new residents. The Plan calls for location of retail shops and neighborhood services along Folsom Street, and transformation of Main, Beale, and Spear Streets into traffic-calmed, landscaped residential streets lined with townhouses and front doors. Funding is also included, from development impact fees, for the acquisition and development of open space in the district.
- *2006 Mayor's Interagency Working Group* - In early 2006, a Mayor's Interagency Working Group concluded that raising certain height limits and increasing development potential in the Transit Center district area would be consistent with the City's existing vision for downtown. It identifies a potential for generating additional funds for the Transit Center Program, which would result from the changes in controls of land use and urban form.

The Planning Department has determined that, due to the changes described above, coupled with the realization of moving forward with the Transit Center Program and the fact that substantial growth has occurred in the 20+ years since the *1985 Downtown Plan* was adopted, the land uses, urban form and public realm of the downtown core should be reexamined. This planning effort is intended to shape the next generation of downtown growth, extrapolating on the core principles of city building at the heart of the Urban Design Element and *Downtown Plan*.

The proposed Transit Center District Plan would build on the City's *1985 Downtown Plan* that envisioned the area around the Transbay Terminal as the heart of the expanded downtown, which at the time was concentrated north of Market Street. In contrast to the adopted *2005 Transbay Redevelopment Plan*, which focuses mostly on public properties south of the Transit Center along Folsom Street, this new effort focuses on both private properties and properties owned or to be owned by the TJPA around the Transit Center itself and extending toward Market Street. The Plan will include mechanisms to direct fund the construction of the Transit Center and other public improvements in the area.

The Plan Area overlaps with the Transbay Redevelopment Project Area, and includes all of Zone 2 of the Project area.[3] The San Francisco Redevelopment Agency has implemented a Delegation Agreement with the Planning Department to generally delegate responsibility and jurisdiction

3 The proposed Transit Center District Plan would include streetscape changes and road modifications within Zone 1 of the Transbay Redevelopment Area, although no land use or height changes are envisioned within this area.

for planning, zoning, and project entitlements to the *Planning Code*, Planning Department and Planning Commission. The Plan is being conducted in partnership with the Redevelopment Agency and involves the review by the Agency's Transbay Citizen's Advisory Committee.

MAJOR PROJECT COMPONENTS

The proposed project consists of an area plan that would produce new policies and land use controls for multiple plan subareas identified as appropriate sites for future downtown growth. Development assumptions concerning specific land uses within the different building types will be identified in the EIR.

Land Use

Office and Residential Controls

One of the major goals of the proposed Plan is to ensure that there is sufficient growth opportunity for high-density jobs in the downtown core, immediately proximate to the region's best transit service. To this end, the Plan would limit the amount of non-office space in major new construction opportunity sites within the district in an effort to achieve an overall ratio of no less than 70 percent office space within the Plan Area. To achieve this, the Planning Department is considering a preliminary recommendation that major new construction on large opportunity sites through most of the Plan Area (construction of greater than 7:1 Floor Area Ratio (FAR) on sites larger than 15,000 square feet) be required to have a minimum ratio of commercial to non-commercial (e.g. residential, hotel, cultural) uses of approximately 3:1.

Floor Area Ratio and TDR

As part of the proposed zoning amendments for the Plan Area, the current 18:1 FAR maximum limitation would be eliminated. The existing Transfer of Development Rights (TDR)[4] program would likely remain in place for projects achieving up to 18:1 FAR, with land use control mechanisms and/or appropriate fees applying to projects with FAR greater than 18:1.

Building Heights and Form

Figure 1 illustrates the subareas where height limits are proposed to be increased within the Plan Area. Heights greater than 600 feet constitute total heights of enclosed building space (including major mechanical penthouses), but exclude any thin or non-enclosed spires or ornamentation at the top of the building. All other building heights represent the highest occupied floor, excluding mechanical penthouses.

Within the proposed 800-foot Height District, the Plan would allow for only one building on the multiple potential opportunity sites in that zone to surpass 600 feet and reach a height of 800 feet.

Additional bulk, form, and ground-floor design controls and guidelines would also be included as part of the proposed project. Table 1, below, summarizes the proposed changes to height districts within each of the Plan subareas.

4 Zoning provisions that allow for the purchase of the right to develop land located in one particular area (a sending area) and the transfer of these rights to land located in another area (a receiving area). The "base" allowable FAR in the area varies, but is generally 9:1. A project may achieve up to a maximum of 18:1 through purchase and application of transferrable development rights ("TDR") from qualifying historic buildings in the downtown.

TABLE 1
PROPOSED HEIGHT DISTRICT CHANGES, BY SUBAREA

Subarea Location	Existing Height District(s) (feet)	Proposed Height District (feet)
Transit Tower (Mission and First Streets)	30	1,000
Between Fremont and Beale Streets, from north of Mission Street to Howard Street	Ranges from 80 to 550	700
Between Fremont and Beale Streets, from Howard Street to north of Folsom Street	Ranges from 200 to 350	400
Between Second and Beale Streets, from Tehama to Clementina Streets	Ranges from 80 to 350	350
Between Clementina and Folsom Streets, from Second Street to west of First Street	200	250
Between Natoma Street and south of Tehama Street, from Fremont Street to west of First Street	Ranges from 200 to 400	150
Between Natoma and Howard Streets, mid-block between First and Second Streets	450	450
Between Natoma and Howard Streets, east of Second Street	450	700
Between Stevenson and Mission Streets, west of First Street	550	800
Between Stevenson and Jessie Streets, west of Annie Street	120	350
Between Stevenson and Jessie Streets, from Annie to New Montgomery Streets	Ranges from 150 to 300	400
Between Natoma Street to north of Folsom Street, mid-block between Second and Third Streets	Ranges from 150 to 250	350

TRANSIT TOWER

As noted above, the EIR also will analyze on a project-specific level (in contrast to the program-level analysis otherwise contained in the EIR) the environmental impacts associated with developing the Transit Tower, an 80-story, 1,000-1,200-foot office building proposed for Block 3720, Lot 001, at Mission and First Streets. The Transit Tower project site is approximately 50,000 square feet in size and is currently used as the Transbay Terminal passenger waiting and loading area, with only a few offices occupied within the existing terminal building. Under the proposed Transit Tower project, the usable space within the building would encompass approximately 1,880,000 square feet and the tower would be constructed on a footprint of about 29,000 square feet, with approximately 170-foot frontages along each side. The new tower would include three floors of below-grade parking with approximately 400 to 600 parking spaces (combined), retail space within the first four floors, and office space spanning the remainder of the 80-story tower (see Figures 2 and 3). The Transit Tower would be projected to accommodate approximately 5,000 to 6,000 employees.

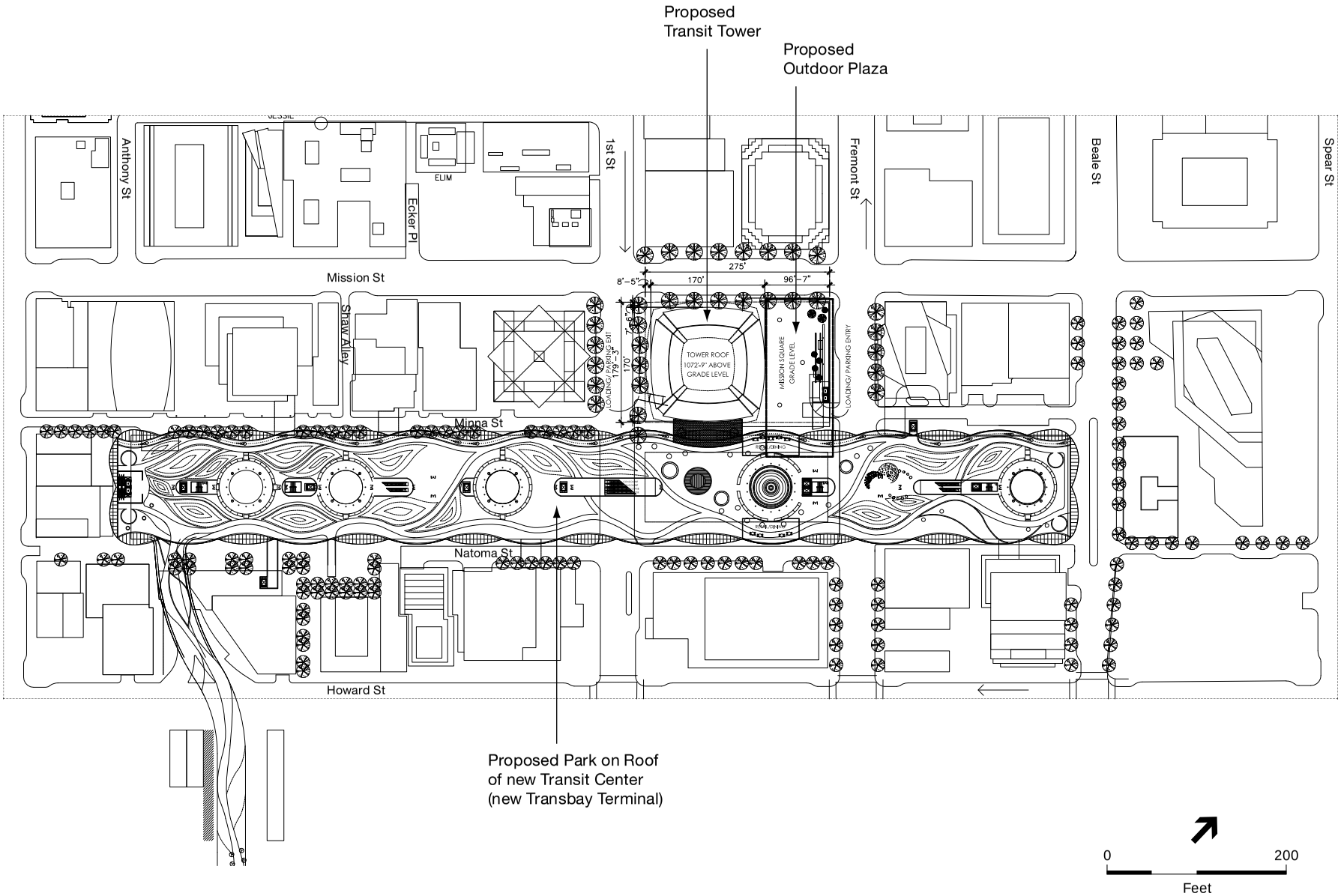
Historic Resources

The New Montgomery-Second Street Conservation District and the Second and Howard National Register District are located entirely within the Transit Center District Plan Area. The Planning Department is in the process of completing historic surveys within and surrounding the Plan Area in order to identify additional historic resources for potential preservation and rehabilitation in the future. Based on the preliminary findings of these surveys, an expansion of the existing local conservation district would likely be proposed as part of or in conjunction with the Transit Center District Plan. The proposed expansion would encompass areas along Howard Street, between First and Second Streets, and areas along Mission Street, between New Montgomery and Third Streets. The San Francisco Planning Department also could seek expansion of the existing Second and Howard National Register District through the State Office of Historic Preservation.

The *Planning Code* Article 11 ratings for individual buildings in the potentially expanded conservation district would be revised and updated, and newly-rated buildings would become eligible to sell TDR to development sites in the downtown. A small number of individual buildings outside of the current and proposed expanded Conservation District may be proposed for Article 10 or Article 11 rated status. These buildings are still being assessed through the Historic Resources survey process.

Streets and Circulation

The Proposed Project would reconfigure many of the existing right-of-ways throughout the Plan Area in an effort to meet the changing transportation and public space needs within the area, particularly to accommodate anticipated increases in pedestrian volume that would result from the intensification of the land uses and the completion of the Transbay Transit Center Program.



SOURCE: Pelli Clarke Pelli Architects, 2008

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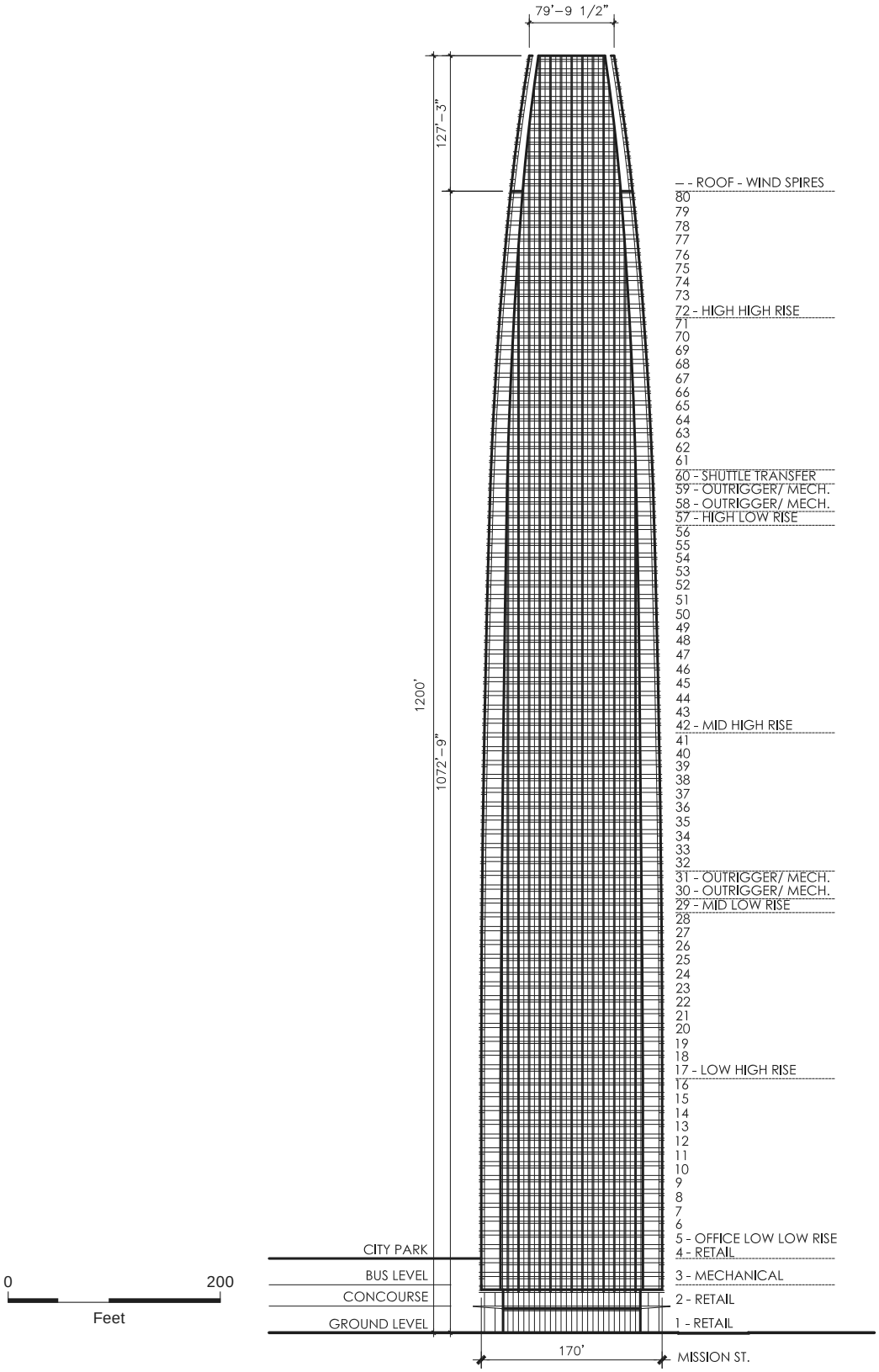
Figure 2
Transit Tower Site Plan



SOURCE: Pelli Clarke Pelli Architects, 2008

Case No. 2007.0558E: Transit Center Plan . 207439

Figure 3

Transit Tower Elevation View

Such modifications could include the widening of sidewalks, the removal or reconfiguration of parking and/or loading areas, the closure of one or more streets and alleys to general automobile traffic, installation of traffic-calming mechanisms, removal, addition or reconfiguration of auto travel lanes, conversion of one or more streets into a one-way or two-way operation, and dedication of transit-only lanes and delineation of pedestrian areas. Specific street and circulation improvements are currently being developed in collaboration with the San Francisco Municipal Transportation Agency and other agencies.

Open Space

In addition, as part of the Transit Center project being analyzed and implemented by the TJPA, a 5.4-acre "City Park" would be constructed atop the new Transit Center, and would contain various ecological settings representative of Northern California, different types of public spaces, walking paths, and areas for art exhibitions. In addition to the park atop the new Transit Center, discussed above, the Plan proposes to create a new public space at the northeast corner of Howard and Second Streets (Block 3721/ Lots 022, 023, 025, 092-106, 109-118), that would include a vertical circulation feature connecting to the rooftop park on the Transit Center and the connecting elevated bus ramps. This public space would be located on the combined parcels now occupied by the buildings identified for demolition as part of cut-and-cover construction for the Caltrain Downtown Extension (DTX), analyzed in the EIS/EIR for that project. The public space could be an open plaza, an indoor space, or a combination of indoor and outdoor space.

PROJECT OBJECTIVES:

The objectives for the Transit Center District Plan include the following:

(1) Create appropriate transit-oriented land use and density of development to provide supporting ridership for existing and planned mass transit infrastructure, including the Transit Center Program.

(2) Increase capacity for job growth in the existing downtown core to reflect local and regional smart growth and environmental sustainability strategies (e.g., location of growth in major urbanized centers proximate to major transit infrastructure).

(3) Create additional funding for the Transit Center Program and other necessary public improvements and infrastructure in the area, including streets and open space improvements.

(4) Modify building height and other form controls to create an elegant downtown skyline, building on existing policy to craft a distinct downtown "hill" form, with its apex at the Transit Center, tapering in all directions; provide distinct transitions to adjacent neighborhoods, topographic, and man made features of the cityscape.

(5) Enact urban design controls to ensure that the ground-level interface of buildings are active and engaging for pedestrians, in addition to providing adequate supporting retail and public services for the district.

(6) Ensure that changes to building heights and the skyline enhance, and do not detract from, important public viewpoints throughout the City and region, enhancing the perception of the City's and region's unique setting, features and quality of place, including views of key features, such as the Bay, bridges, hills, and neighborhoods, amongst others.

(7) Ensure that revisions to building heights meet the intent and requirements of Proposition K [Section 295 of the *Planning Code*] to minimize reduction of sunlight access on key downtown open spaces; balance shadow-related considerations with other major goals and objectives of the Plan.

(8) Protect important historical resources in the area, including both districts and individual structures.

(9) Modify the streets in the district to accommodate projected high pedestrian volumes, provide an enjoyable pedestrian experience, and enhance the level of landscaping, pedestrian amenity and consistency in streetscape treatments.

(10) Facilitate and improve surface transit movement to the Transit Center and through the district.

(11) Facilitate and improve facilities, circulation and safety for non-single-occupant-auto modes of transportation in the area.

(12) Enhance the open space network in the area to serve increasing numbers of workers, residents, and visitors, including provision of additional ground-level public open spaces.

(13) Create access points and maximize the visibility of the future rooftop park on the Transit Center from the surrounding neighborhoods, especially neighborhoods to the south.

(14) Adopt standards and guidelines for buildings and public improvements to ensure the highest-achievable levels of ecological performance and resource efficiency for individual projects and for the Plan Area as a whole.

POTENTIAL ENVIRONMENTAL ISSUES

The Proposed Project could result in potentially significant environmental effects. As required by CEQA, the EIR will examine those effects, identify mitigation measures, and analyze whether proposed mitigation measures would reduce the environmental effects to a less than significant level. As noted in the Overview, the EIR will analyze a Proposed Project based on the proposed new planning policies and controls for land use, urban form, building design, and street network/public realm improvements and including the Transit Tower, and will also analyze the Developer-Proposed Scenario, the No Project Alternative, and one or more reduced-project alternatives.

The following environmental issues are likely to be addressed in the EIR:

Land Use

By amending the existing land use and zoning controls, the proposed Transit Center District Plan would encourage increased density within the Plan Area and emphasize opportunities for office development. The EIR will analyze whether these changes could result in potential conflicts between uses and whether the existing neighborhoods surrounding the Transbay Terminal could be adversely affected. As part of the land use impact analysis, the EIR will describe and map the existing land uses within the Plan Area, as well as the proposed land use and zoning changes, which will be based on proposed controls and the Department's growth forecasts. The EIR will also consider any land use impacts associated with the development of the Transit Tower and the

associated change in use of its site. Any existing or potential land use conflicts will be described and analyzed.

The EIR will compare existing land uses to potential land use changes under proposed rezoning and describe the nature and magnitude of the change (types of uses, amounts of space lost and gained). Potential conflicts in land uses, should they arise, would be discussed in the context of the physical effect, and, thus, would be discussed under applicable topics such as noise and air quality.

The EIR will discuss consistency with the City's adopted *General Plan* and its relevant elements (notably the Housing and Urban Design Elements), including the *Downtown Plan*, Urban Design Element, Transportation Element, and *Rincon Hill Area Plan*. Other applicable planning documents and efforts will be discussed for context, including, among others, the *Transbay Redevelopment Plan, Bicycle Plan, and Climate Action Plan*. The EIR will also discuss the relationship between the proposed project and the San Francisco *Planning Code*, including specific sections relevant to downtown, such as Sections 124 (Floor Area Ratio), 128 (Transferrable Development Rights), 270 (Bulk), 309 (C-3 permit review), 321 (office limit), 148 (wind), and 295 (shadow).

Visual Quality

The potential addition of a handful of very tall towers, along with the ongoing and already approved increases in high-rise development in the eastern South of Market area, could engender the most dramatic change in San Francisco's skyline since the building boom of the late 1960s and early 1970s. The EIR will describe the existing urban design features for the environmental setting, including visual character, views and viewsheds, urban form, orientation, and shading of parks and streets. Assessment of height and urban design effects will be conducted by considering the Transit Tower within the visual setting of downtown and by translating land use changes, as well as modifications in building height and bulk, into physical changes that would be predicted to occur under the proposed rezoning.

In addition, visual simulations from at least ten publicly accessible viewpoints located throughout San Francisco will be presented for the existing setting, the proposed project, the Developer-Proposed Scenario, and the No-Project Alternative. The analysis of potential effects on existing visual character will focus on visual contrast and compatibility, including consistency with urban design objectives for the overall City form and skyline, and changes to visibility and relationship of major aspects of the City's and region's defining physical features, such as the Bay, bridges, hills, open spaces, and neighborhoods. Impacts will be described in terms of the type and magnitude of change in the visual components identified in the setting. Potential project effects on views and view corridors will be described. Potential effects on visual quality under the Developer-Proposed Scenario will also be described.

Population, Housing, and Employment

The EIR will adapt and summarize the results of the study titled *Downtown San Francisco: Market Demand, Growth Projections and Capacity Analysis*, completed by Seifel Consulting[5] in May 2008. In addition, it will describe existing and expected future conditions for housing supply, population,

5 Available for review by appointment at the San Francisco Planning Department, 1650 Mission Street, Suite 400, in Project File Case No. 2007.0558E, or on the internet at http://www.sfgov.org/site/uploadedfiles/planning/City_Design_Group/R_TransitCenter_051308_Final.pdf.

housing market conditions, business activity, and employment in the Plan Area, selected nearby neighborhoods and districts, the rest of the City, and the rest of the region, as relevant. The impact analysis will consider how the proposed project, specifically including the Transit Tower and generally comprising new development in the Plan Area, would influence population and employment growth patterns in the City and the region—evaluating the potential for net additions to growth as well as geographic shifts of growth that might otherwise occur in other locations.

The EIR will evaluate potential for displacement of housing, population, business activity and jobs—from both the Plan Area and, indirectly, from nearby areas, as appropriate. Finally, the analysis will evaluate the proposed Plan's implications for San Francisco's housing market and on housing affordability. This will include assessment of the Plan Area jobs/housing relationship in the context of jobs and housing in the rest of the City and the region.

Archaeological and Historical Resources

The analysis of potential archaeological impacts will include an areawide summary of the findings of existing archaeological research. This analysis may include a map of archaeological mitigation zones or specific areas of heightened concern for potential resources, for which project-specific mitigation will be required for subsequent development projects. The EIR will also describe specific conditions and any necessary mitigation measures for archaeological resources on the Transit Tower site.

The EIR will describe previously listed historical resources and those newly identified in the survey effort currently underway, and will identify potential impacts on historic resources that could be considered "at risk," based on anticipated development patterns resulting from land use changes and areas of potentially increased development density. Provisions for taking into consideration potential impacts on properties that are not currently identified as having historic significance will be described, including the City's ongoing procedures for review of future development proposals.

Transportation

The EIR will summarize the Transportation Study that will be prepared for the proposed project and will include an analysis of specific transportation impacts and mitigation measures associated with the Transit Tower and program-level impacts and mitigation measures associated with the Plan. Future traffic volumes will be developed from output of the San Francisco County Transportation Authority's travel demand model (herein referred to as the "SFCTA Model"), as the 2030 Base scenario. The travel demand associated with the alternatives studied will be obtained from the SFCTA Model based upon the anticipated future land uses that will be developed as a result of the land use controls under those options.

Transit conditions will be assessed, with future ridership also derived from the SFCTA Model. Pedestrian and bicycle conditions, freight loading, and parking conditions will be analyzed.

Noise

The EIR will evaluate the project design and land use mix for noise compatibility with existing and proposed land uses as well as with future traffic levels (including planned bus operations). Noise analysis will use available published information, such as the Department of Public Health's (DPH) recently prepared map of roadway noise levels, to evaluate compatibility of new

uses with traffic noise levels.[6] The EIR also will describe construction-period noise levels and identify sensitive receptors (residences) nearest to locations of anticipated major development and construction activities.

Air Quality

The air quality analysis will be prepared in accordance with the *BAAQMD CEQA Guidelines'* direction for plans, with the significance based upon Plan consistency with the most recent *Clean Air Plan* (currently the *Bay Area 2005 Ozone Strategy*), including the *Clean Air Plan*'s transportation control measures. The EIR also will analyze the air quality effects of the proposed Transit Tower on a project-specific level. The EIR will include a discussion of roadway-generated pollutant concentrations, notably $PM_{2.5}$ and diesel particulate emissions. The EIR also will quantify anticipated greenhouse gas emissions that could result from the Transit Tower and other development in the Plan Area, including analysis of the project's consistency with the California Global Warming Solutions Act of 2006 (AB 32). The EIR will also discuss issues associated with air quality for new development in close proximity to high-volume traffic corridors, consistent with DPH's *Assessment and Mitigation of Air Pollution Health Effects from Intra-Urban Roadways: Guidance for Land Use Planning and Environmental Review*.[7]

Wind Impacts

Tall structures (those over 100 feet in height) tend to redirect winds downward along the building facades and have the potential to result in adverse impacts on the pedestrian wind environment. Wind testing is currently under way to model existing wind conditions within the Plan Area as well as wind conditions that might result with the introduction of the Transit Tower and other very tall towers within the area. The EIR will summarize the results of the wind tests and will describe any mitigation measures intended to alleviate potentially adverse wind conditions in areas where wind speeds might exceed the established wind hazard criterion. The methodology used for conducting the wind testing is one that has been used for prior projects in downtown San Francisco. Wind testing will also be conducted for the Developer-Proposed Scenario and the No Project Alternative, and will be likewise summarized in the EIR.

Shadow Impacts

At least six major parks regulated under Section 295 of the *Planning Code* could be affected by the Transit Center District Plan: Union Square, Justin Herman Plaza, Portsmouth Square, St. Mary's Square, Maritime Plaza, and Ferry Park. Additional smaller parks also may be affected by the proposed project. It is likely that the Transit Tower would shade one or more protected open spaces, and at least some of the proposed and contemplated building heights for other parcels in the Plan Area could result in additional shadow. In accordance with Section 295 of the *Planning Code*, the EIR will prepare graphical depictions of net new shadow from the Proposed Project, the Developer-Proposed Scenario, and the No-Project Alternative. The EIR will also quantify Transit Tower-related and cumulative shadow impacts in terms of the durations and amounts of open space surface areas that may be shaded with the implementation of the proposed land use controls and building height modifications. Mitigation measures for shadow impacts will be identified as appropriate.

6 The Department of Public Health noise map is available online at http://www.sfdph.org/dph/files/EHSdocs/ehsPublsdocs/Noise/noisemap2.pdf.

7 This document can be viewed online at http://www.sfgov.org/site/frame.asp?u=http://www.dph.sf.ca.us/ (accessed June 23, 2008).

Recreation & Public Space; Utilities & Service Systems; Public Services

The EIR will analyze whether the San Francisco Public Utilities Commission has adequate water and sewer infrastructure in the area to provide both potable water and sewage treatment services with the implementation of the proposed project. The EIR also will assess the adequacy of parks and open space facilities and programs, schools, and the Fire and Police Departments, to determine whether the increased development in the Plan Area, including taller high-rise buildings than now exist in the City, would raise specific issues regarding current equipment, preparedness, or practices regarding public safety or fire protection, or would result in increased school enrollment or park and recreation facility use to a level that would result in significant environmental impacts.

Geology, Soils, and Seismicity

This section will summarize the geotechnical analysis for the Plan Area that is currently being prepared. The EIR will disclose the geotechnical feasibility of development pursuant to the Transit Center District Plan, including the proposal for several very tall towers, and will specifically identify geotechnical considerations for the Transit Tower.

Hydrology and Water Quality

This EIR section will assess potential construction-related impacts to water quality and will qualitatively analyze potential changes in municipal sewage and stormwater runoff associated with project implementation. This section will describe the City's combined sewer-storm drain system, discuss the regulatory framework for control of water quality, qualitatively assess changes in the volume of discharges to the combined sewer system, if any, as a result of the Transit Tower and other development anticipated in the Plan Area (along with any substantial cumulative increases from other development), and discuss the effects of any project-generated discharges to the SFPUC's Sewer System Master Plan currently being developed.

Hazards and Hazardous Materials

This section will be based on an area-wide Phase I environmental site assessment and environmental database review, will describe the legal requirements and required processes for remediation of contaminated sites, and will discuss the types of contaminants that are expected to be encountered on the Transit Tower site and within the Plan Area, based on historic land uses and subsurface conditions.

Energy

The EIR will evaluate energy use associated with the proposed project and also will consider potential energy savings of development at the Transit Tower site or on other locations in the Plan Area, compared to a comparable degree of development elsewhere, due to accessibility of jobs to housing, the relatively high density of development, and the numerous transit options in the Plan Area. This analysis will also identify potential energy savings, compared to development under the *Building Code* and Green Building Ordinance, for higher levels of LEED certification in buildings, if such structures are proposed by the TJPA and/or private developers.

Other Issues

The EIR will briefly discuss potential effects related to biological resources, mineral resources, and agricultural resources.

APPENDIX B

Plan Objectives and Policies

1. Land Use

Objective 1.1: Maintain downtown San Francisco as the region's premier location for transit-oriented job growth within the Bay Area.

Objective 1.2: Reinforce the role of downtown within the city as its major job center by protecting and enhancing the central District's remaining capacity, principally for employment growth.

Objective 1.3: Continue to foster a mix of land uses to reinforce the 24-hour character of the area.

Policy 1.1: Increase the overall capacity of the Transit Center District for additional growth.

Policy 1.2: Revise height and bulk limits in the Plan Area consistent with other Plan objectives and considerations.

Policy 1.3: Reserve the bulk of remaining space in the core Transit Center District for job growth, by limiting the amount of non-commercial uses on major opportunity sites.

Policy 1.4: Prevent long-term under-building in the area by requiring minimum building intensities for new development on major sites.

Policy 1.5: Consider the complexity and size of projects in establishing the duration for entitlements for large development projects.

Objective 1.4: Ensure the District maintains areas that contain concentrations of ground-level public-serving retail and convenience uses for workers and visitors.

Objective 1.5 :Activate alleys and mid-block pedestrian walkways with active uses in adjacent buildings to make these spaces attractive and enjoyable.

Policy 1.6: Designate certain select street frontages as active retail areas and limit non-retail commercial uses, such as office lobbies, real estate offices, brokerages, and medical offices, from dominating the street level spaces.

2. Urban Form

Objective 2.1 :Maximize building envelope and density in the Plan Area within the bounds of urban form and livability objectives of the San Francisco General Plan.

Objective 2.2: Create an elegant downtown skyline, building on existing policy to craft a distinct downtown "hill" form, with its apex at the transit center, and tapering in all directions.

Objective 2.3: Form the downtown skyline to emphasize the Transit Center as the center of downtown, reinforcing the primacy of public transit in organizing the city's development pattern, and recognizing the location 's importance in local and regional accessibility, activity, and density.

Objective 2.4: Provide distinct transitions to adjacent neighborhoods and to topographic and man-made features of the cityscape to ensure the skyline enhances, and does not detract from, important public views throughout the city and region.

Objective 2.5: Balance consideration of shadow impacts on key public open spaces with other major goals and objectives of the Plan, and if possible, avoid shading key public spaces during prime usage times.

Policy 2.1: Establish the Transit Tower as the "crown" of the downtown core—its tallest and most prominent building—at an enclosed height of 1,000 feet.

Policy 2.2: Create a light, transparent sculptural element to terminate the Transit Tower to enhance skyline expression without casting significant shadows. This vertical element may extend above the 1,000 foot height limit.

Policy 2.3: Create a balanced skyline by permitting a limited number of tall buildings to rise above the dense cluster that forms the downtown core, stepping down from the Transit Tower in significant height increments.

Policy 2.4: Transition heights downward from Mission Street to Folsom Street and maintain a lower "saddle" to clearly distinguish the downtown form from the Rincon Hill form and to maintain views between the city's central hills and the Bay Bridge.

Policy 2.5: Transition heights down to adjacent areas, with particular attention on the transitions to the southwest and west in the lower scale South of Market areas and to the waterfront to the east.

Policy 2.6: Establish a minimum height requirement for the Transit Tower site, as well as other adjacent sites zoned for a height limit of 750 feet or greater.

Policy 2.7: Establish controls for building elements extending above maximum height limits to incorporate design considerations and reduce shadow impacts.

Objective 2.6: Provide flexibility and sufficient allowance for the structural core of tall buildings (taller than 600 feet), while ensuring that the buildings maintain elegant and slender proportions and profile.

Objective 2.7: Ensure articulation and reduction to the mass of the upper portions and tops of towers in order to create visual interest in the skyline and help maintain views.

Objective 2.8: Maintain separation between tall buildings to permit air and light to reach the street, as well as to help reduce 'urban canyon' effects.

Policy 2.8: Do not limit the floorplate or dimensions of the lower tower for buildings taller than 550 feet.

Policy 2.9: Require a minimum 25 percent reduction in the average floorplate and average diagonal dimension for the upper tower as related to the lower tower.

Policy 2.10: Maintain current tower separation rules for buildings up to 550 feet in height, extend these requirements for buildings taller than 550 feet, and define limited exceptions to these requirements to account for unique circumstances, including adjacency to the Transit Center and historic structures. Proposed changes include:

Objective 2.9: Provide building articulation above a building base to maintain or create a distinctive streetwall compatible with the street's width and character.

Objective 2.10: Maintain appropriate character-defining building scale in the historic District.

Policy 2.11: Ensure that buildings taller than 150 feet in height establish a distinct base element to define the street realm at a comfortable height of not more than 1.25 times the width of the street.

Policy 2.12: Where construction of the downtown rail extension must unavoidably demolish buildings, reduce impacts on the District's character by facilitating appropriate re-use of these parcels.

Objective 2.11: Pursue building setbacks to augment a sidewalk widening program on street frontages where significant contiguous stretches of parcels are likely to be redeveloped.

Policy 2.13: As appropriate on a case-by-case basis, require new buildings located at major street corners (outside of the Conservation District) in the Plan Area to modestly chamfer the corner of the building at the ground level (if the building is otherwise built out to the property line) in order to provide additional pedestrian space at busy corners.

Policy 2.14: Require building setbacks for new buildings to expand the roadway where necessary to accommodate needed transit, bicycle and pedestrian facilities.

Objective 2.12: Ensure that development is pedestrian-oriented, fostering a vital and active street life.

Objective 2.13: Enact urban design controls to ensure that the ground-level interface of buildings is active and engaging for pedestrians, in addition to providing adequate supporting retail and public services for the District.

Objective 2.14: Encourage tall and spacious ground floor spaces.

Objective 2.15: Encourage articulation of the building façade to help define the pedestrian realm.

Objective 2.16: Minimize and prohibit blank walls and access to off-street parking and loading at the ground floor on primary streets to help preserve a safe and active pedestrian environment.

Policy 2.15: Establish a pedestrian zone below a building height of 20 to 25 feet through the use of façade treatments, such as building projections, changes in materials, setbacks, or other such architectural articulation.

Policy 2.16: Require major entrances, corners of buildings, and street corners to be clearly articulated within the building's streetwall.

Policy 2.17: Allow overhead horizontal projections of a decorative character to be deeper than one foot at all levels of a building on major streets.

Policy 2.18: Limit the street frontage of lobbies and require the remaining frontage to be occupied with public-oriented uses, including commercial uses and public open space.

Policy 2.19: Discourage the use of arcades along street frontages, particularly in lieu of setting buildings back.

Policy 2.20: Require transparency of ground-level facades (containing non-residential uses) that face public spaces.

Policy 2.21 :Limit the width of the individual commercial frontages on 2nd Street to maintain a dense diversity of active uses.

Policy 2.22: Prohibit access to off-street parking and loading on key street frontages. Whenever possible, all loading areas should be accessed from alleys.

Objective 2.17: Promote a high level of quality of design and execution, and enhance the design and material quality of the neighboring architecture.

Policy 2.23: Assure that new buildings contribute to the visual unity of the city.

Policy 2.24: Maximize daylight on streets and open spaces and reduce heat-island effect, by using materials with high light reflectance, without producing glare.

Policy 2.25: Encourage the use of green, or "living," walls as part of a building design in order to reduce solar heat gain as well as to add interest and lushness to the pedestrian realm.

3. Public Realm

Objective 3.1: Make walking a safe, pleasant, and convenient means of moving about throughout the District.

Objective 3.2: Create a high-quality pedestrian environment in the District consistent with the vision for the central District of a world-class city.

Objective 3.3 Graciously accommodate increases in pedestrian volumes in the District.

Objective 3.4: Emphasize the importance of streets and sidewalks as the largest component of public open space in the Transit Center District.

Policy 3.1: Create and implement a District streetscape plan to ensure consistent corridor-length streetscape treatments.

Policy 3.2: Widen sidewalks to improve the pedestrian environment by providing space for necessary infrastructure, amenities and streetscape improvements.

Policy 3.3: Facilitate pedestrian circulation by providing sidewalk widths that meet the needs of projected pedestrian volumes and provide a comfortable and safe walking environment.

Policy 3.4: Amend the Downtown Streetscape Plan to reflect sidewalk width and streetscape changes proposed in the Transit Center District Plan.

Policy 3.5: Continue the Living Streets treatment to create linear plazas along Beale, Main, and Spear streets.

Policy 3.6: Create additional pedestrian capacity and shorten pedestrian crossing distances by narrowing roadways and creating corner curb bulb-outs.

Policy 3.7: Enhance pedestrian crossings with special treatments (e.g. paving, lighting, raised crossings) to enhance pedestrian safety and comfort, especially where bulb-outs cannot be installed.

Policy 3.8: Develop "quality of place" and "quality of service" indicators and benchmarks for the pedestrian realm in the District, and measure progress in achieving benchmarks on a regular basis.

Objective 3.5: Restrict curb cuts on key streets to increase pedestrian comfort and safety, to provide a continuous building edge of ground floor uses, to provide a continuous sidewalk for streetscape improvements and amenities, and to eliminate conflicts with transit.

Policy 3.9: Designate Plan Area streets where no curb cuts are allowed or are discouraged. Where curb cuts are necessary, they should be limited in number and designed to avoid maneuvering on sidewalks or in street traffic. When crossing sidewalks, driveways should be only as wide as necessary to accomplish this function.

Objective 3.6: Enhance the pedestrian network with new linkages to provide direct and varied pathways , to shorten walking distances, and to relieve congestion at major street corners,

Objective 3.7: Encourage pedestrians arriving at or leaving the Transit Center to use all entrances along the full length of the Transit Center by maximizing access via mid-block passageways and crosswalks.

Objective 3.8: Ensure that new development enhances the pedestrian network and reduces the scale of long blocks by maintaining and improving public access along existing alleys and creating new through-block pedestrian connections where none exist.

Objective 3.9: Ensure that mid-block crosswalks and through-block passageways are convenient, safe, and inviting.

Policy 3.10: Create convenient pedestrian access by providing signalized mid-block crosswalks, especially on blocks longer than 300 feet.

Policy 3.11: Prohibit the elimination of existing alleys within the District. Consider the benefits of shifting or re-configuring alley alignments if the proposal provides an equivalent or greater degree of public circulation.

Policy 3.12: Design new and improved through-block pedestrian passages to make them attractive and functional parts of the public pedestrian network.

Policy 3.13: Require a new public mid-block pedestrian pathway on Block 3721, connecting Howard and Natoma streets between First and Second streets.

Policy 3.14: Close Shaw Alley permanently to vehicles and design it as a pedestrian-only open space for thru-connection to the Transit Center.

Policy 3.15: Convert the western portion of Natoma Street between First and Second streets on the south side of the Transit Center to a primarily pedestrian-only street.

Objective 3.10: Enhance the open space network in the area to serve increasing numbers of workers, residents, and visitors.

Policy 3.16: Create a new public plaza at the northeast corner of Second and Howard streets.

Objective 3.11: Enhance access and maximize the visibility of the Transit Center's future rooftop park from the surrounding neighborhoods, especially neighborhoods to the south.

Policy 3.17: Ensure that highly visible, welcoming, and grand means of public access to the Transit Center Park are provided directly from key public spaces and buildings adjacent to the Transit Center.

Policy 3.18: Encourage the rooftop Transit Center Park to remain open from sunrise to sunset, seven days a week.

Policy 3.19:Permit buildings to satisfy open space requirements through direct connections to the Transit Center Park.

Policy 3.20: Consider extending the Transit Center rooftop park along the new bus ramp, so that it connects to a future Bay Bridge multi-use pathway.

Objective 3.12: Ensure that private open space both enhances the public open space network and achieves the Plan's open space goals.

Objective 3.13: Provide flexibility and alternatives to meeting open space requirements that achieve the District's open space vision , and that enhance and improve access to planned public space, particularly the Transit Center Park.

Policy 3.21: Permit payment of an in-lieu fee as an alternative to fulfilling Section 138 Open Space Requirements in C-3 Districts.

Policy 3.22: Permit and encourage buildings to satisfy open space requirements through direct connections across Minna and Natoma Streets to the Transit Center Park.

Objective 3.14: Ensure that indoor open space functions as public space independent of the building's primary uses.

Policy 3.23: Design interior open spaces to have a distinct street presence separate from the building's primary building entrance and lobby functions.

Objective 3.15: Encourage provision of publicly accessible amenities in the District's tallest towers.

Policy 3.24: The tallest buildings in the District should have a facility of public accommodation at a level no lower than 650 feet above grade that provides the general public the opportunity for views of the cityscape and Bay.

4. Moving About

Objective 4.1: The District's transportation system will prioritize and incentivize the use of transit. Public transportation will be the main, non-pedestrian mode for moving into and between destinations in the Transit Center District.

Objective 4.2: The District's transportation system will implement and require transportation demand management strategies to minimize growth in auto trips and reduce volumes as necessary. Actively manage the transportation system to optimize person-carrying capacity.

Objective 4.3: The District's transportation system will meet changing transit needs, particularly to support the new Transbay Transit Center and accommodate increased densities. Make changes in the circulation network that ensure delivery of reliable and convenient transit service to the Transbay Transit Center and for District residents, employees, and visitors.

Objective 4.4: The District's transportation system will prioritize pedestrian amenity and safety. Invest in circulation modifications and urban design measures that support the creation of an attractive and memorable public realm.

Objective 4.5: The District's transportation system will build on successful traffic and parking management programs and policies that are in place. Expand and strengthen existing adopted policies (e.g. Downtown Plan, C-3 parking controls) and current planning initiatives (e.g. Transit Effectiveness Project, SFPark).

Objective 4.6: The District's transportation system will require management of Bay Bridge queues to reduce and mitigate impacts of regional traffic on transit circulation and the public realm in the District.

Objective 4.7: The District's transportation system will further sustainability goals. Advance the goals of the city's Climate Action Plan, by reducing greenhouse gas emissions generated by vehicular transportation.

Objective 4.8: Design the circulation system and transit facilities to accommodate anticipated growth in travel to and through the District in 2030 and beyond.

Objective 4.9: Prioritize transit movements through and within the District over all other transportation modes .

Objective 4.10: Design transit facilities to improve the reliability and function of transit movements and to enhance the rider experience.

Objective 4.11: Ensure that changes to the circulation network, including pedestrian and streetscape improvements, are designed to support and enhance the operation of transit.

Policy 4.1: Extend self-enforcing, dedicated transit lanes throughout the District.

Policy 4.2: Design all transit lanes to be self-enforcing and to heighten awareness of transit facilities.

Policy 4.3: Evaluate the concept for a transit-only zone on Mission between First and Fremont streets.

Objective 4.12: Provide high-quality facilities and experience for transit passengers.

Policy 4.4: Provide sidewalk space and facilities for enhanced transit stops with passenger amenities on Mission Street and other primary transit streets.

Objective 4.13: Support enhanced funding and capacity for regional transit service to support increases in population and employment growth as well as shifts from auto to public transit travel.

Policy 4.5: Support funding and construction of the Transbay Transit Center project to further goals of the District Plan, including completion of the Downtown Extension for Caltrain and High Speed Rail.

Policy 4.6: Ensure that regional transit carriers operating on city streets are prioritized along with local transit by implementing the surface transit priority improvements proposed in this plan.

Policy 4.7: Work with BART to identify and fund measures to increase capacity as necessary to serve the District, particularly at the Montgomery and Embarcadero stations.

Objective 4.14: Support enhanced funding and capacity for local transit service to support increases in population and employment growth as well as shifts from auto to public transit travel .

Policy 4.8: Support revenue measures and investments essential to enhancing Muni's capacity, reliability and operational efficiency in providing service to and within the District.

Objective 4.15: Use demand management strategies to reduce overall levels of auto traffic in the Plan Area and downtown, particularly in the peak hours, in order to reduce auto impacts on other transportation modes and enable the creation of a high quality public realm.

Policy 4.9: Complete a detailed traffic analysis for the downtown and the District specifically to determine which TDM measures will be most effective and necessary to reduce traffic volumes and traffic impacts on the District.

Policy 4.10: Update the goals of the Downtown Plan and establish specific targets for cumulative traffic volumes and non-auto travel that are necessary to achieve the conditions that enable the flow of transit, the flow of local circulation, and the creation of the public realm infrastructure as proposed by the Plan.

Policy 4.11: Study the feasibility of and implement, as feasibility and necessity determines, congestion pricing of roadways as a primary tool to reduce overall traffic levels in the Plan Area, particularly peak-hour bridge and freeway queues.

Objective 4.16: Create a parking plan that encourages the use of public transit and other modes of transportation that are alternatives to single-occupant vehicles.

Objective 4.17: Create and ensure compliance with mechanisms that provide workers and residents with incentives to take transit and use modes of transportation other than single-occupant autos.

Policy 4.12: Ensure compliance with the Commuter Benefits Ordinance.

Policy 4.13: Pursue creation of requirements for transportation incentives and brokerage services for large residential properties in the District.

Objective 4.18: Encourage the use of non-auto modes of transportation by requiring participation in a transportation demand management program in new buildings throughout the District.

Objective 4.19: Ensure that brokerage and TDM requirements are appropriate for current and future travel patterns for the District and downtown, are designed for greatest effectiveness while maintaining flexibility, include all modes of transportation, and provide a toolkit of financial incentives to reduce auto trips.

Policy 4.14: Reduce the size threshold for new and renovated buildings to trigger the requirement for transportation demand management and participation in the Transportation Management Association (TMA).

Policy 4.15: Expand the TMA requirement to include non-office uses, including hotels, large retail, cultural, and institutional uses.

Policy 4.16: Require commercial property managers or owners to monitor and report yearly mode split or peak-hour vehicle trips of their employees and to increase or modify TDM programs if targets are not being met.

Policy 4.17: Fund a comprehensive study to develop recommendations on the structure, operations, and authority of the existing downtown Transportation Management Association (TMA), update the goals and tools available to the TMA, and evaluate whether a District-specific TMA is needed.

Policy 4.18: Expand the purview and funding of the existing downtown Transportation Management Association (TMA) or create a District-specific TMA.

Policy 4.19: Require that the downtown Transportation Management Association (TMA) duties, programs, and funding be reviewed and updated every 5 years and updated if necessary.

Policy 4.20: Develop a transportation monitoring and enforcement plan for the District based on adopted performance measures; to be implemented by the TMA with annual reports submitted to Planning and San Francisco Municipal Transportation Agency.

Objective 4.20: Make walking a safe, pleasant, and convenient means of moving to and throughout the District.

Objective 4.21: Create a high-quality pedestrian environment in the District consistent with the vision for the central district of a world-class central city.

Objective 4.22: Graciously accommodate increases in pedestrian volumes in the District.

Objective 4.23: Emphasize the importance of streets and sidewalks as the largest component of public open space in the Transit Center District.

Policy 4.21: Facilitate pedestrian circulation by providing sidewalk widths that meet the needs of projected pedestrian volumes and provide a comfortable and safe walking environment.

Policy 4.22: Create and implement a District streetscape plan to ensure consistent corridor-length streetscape treatments.

Policy 4.23: Widen sidewalks to improve the pedestrian environment by providing space for necessary infrastructure, amenities and streetscape improvements.

Policy 4.24: Facilitate pedestrian circulation by providing sidewalk widths that meet the needs of projected pedestrian volumes and provide a comfortable and safe walking environment.

Policy 4.25: Continue the Living Streets treatment to create linear plazas along Beale, Main, and Spear streets.

Policy 4.26: Create additional pedestrian capacity and shorten pedestrian crossing distances by narrowing roadways, and creating corner curb bulb-outs.

Policy 4.27: Enhance crosswalks with special treatments (e.g. paving, lighting, raised crossings) to enhance pedestrian safety and comfort especially at potential conflict locations, such as at new mid-block crosswalks or where bulb-outs cannot be installed.

Policy 4.28: Develop "quality of service" indicators and benchmarks for pedestrian travel to and through the District, and measure progress in achieving benchmarks on a regular basis.

Objective 4.24: Restrict curb cuts on key streets to increase pedestrian comfort and safety, to provide a continuous building edge of ground floor uses , to provide a continuous sidewalk for streetscape improvements and amenities , and to eliminate conflicts with transit.

Policy 4.29: Designate Plan Area streets where no curb cuts are allowed or are discouraged. Where curb cuts are necessary, they should be limited in number and designed to avoid maneuvering on sidewalks or in street traffic.

Objective 4.25: Enhance the pedestrian network with new linkages to provide direct and varied pathways, to shorten walking distances, and to relieve congestion at major street corners.

Objective 4.26: Encourage pedestrians arriving at or leaving the Transit Center to use all entrances along the full length of the Transit Center by maximizing access via mid-block passageways and crosswalks.

Objective 4.27: Ensure that new development enhances the pedestrian network and reduces the scale of long blocks by maintaining and improving public access along existing alleys and by creating new through-block pedestrian connections where none exist.

Objective 4.28: Ensure that mid-block crosswalks and through-block passageways are convenient, safe, and inviting.

Policy 4.30: Create convenient pedestrian access by providing signalized mid-block crosswalks, especially on blocks longer than 300 feet

Policy 4.31: Prohibit the elimination of existing alleys within the District. Consider the benefits of shifting or re-configuring alley alignments if the proposal provides an equivalent or greater degree of public circulation.

Policy 4.32: Design new and improved through-block pedestrian passages to make them attractive and functional parts of the public pedestrian network.

Policy 4.33: Require a new public mid-block pedestrian pathway on Block 3721, connecting Howard and Natoma Streets between First and Second streets.

Policy 4.34: Close Shaw Alley permanently to vehicles and design it as a pedestrian-only open space for thru-connection to the Transit Center.

Policy 4.35: Convert the western portion of Natoma Street between First and Second streets on the south side of the Transit Center to a primarily pedestrian-only street.

Objective 4.29: Make cycling a safe, pleasant, and convenient means of transportation throughout the District.

Objective 4.30: Ensure high-quality on-street bicycle connections to the Transbay Transit Center.

Objective 4.31: Enhance facilities for intra-District bicycle travel.

Objective 4.32: Ensure local connections to regional bicycle facilities.

Policy 4.36: Expand the Bike Network in the area.

Policy 4.37: Provide the necessary connections to the future bicycle ramp on Howard Street between First and Second streets, which will be the primary access point for bicycles to the Transit Center, including a bicycle station at the train concourse level.

Policy 4.38: Do not preclude future connections to a potential Bay Bridge multi-use pathway.

Objective 4.33: Ensure the provision of adequate secure, on- and off-street bicycle parking facilities to accommodate and encourage employees to cycle for commuting and daily needs.

Policy 4.39: Increase the requirement for secure bicycle parking in new and renovated non-residential buildings to a minimum of five percent of peak on-site employees and visitors.

Policy 4.40: Develop a plan to identify demand and locations for installation of on-street bicycle parking in the Plan Area to supplement current process of bicycle racks being installed at the request of building owners.

Policy 4.41: Pursue legislation to require existing commercial and industrial development to provide secure bicycle parking in conformance with current requirements or to allow employees to bring bicycles into the building if parking is not provided.

Policy 4.42: Support and implement a public bicycle sharing program in the District.

Policy 4.43: Update and publish an improved Bicycle Parking Design Guidelines document to establish appropriate parameters for off-street bicycle parking in new residential, commercial, and industrial development, consistent with the requirements in the Planning Code.

Objective 4.34: Facilitate traffic flow to and through the District at levels that are consistent with envisioned improvements for transit, pedestrians and bicycles.

Objective 4.35: Mitigate the impacts of regional auto traffic within the District.

Objective 4.36: Design streets to slow and calm traffic, to improve safety and attractiveness for all road users, commerce and for social interaction.

Objective 4.37: Facilitate improved circulation within the District for local destinations.

Policy 4.44: Do not compromise pedestrian, bicycle, or transit amenity or service within the District to accommodate or maintain levels of service for regional auto trips.

Policy 4.45: Pursue measures to actively manage traffic volumes and bridge and freeway vehicle queues in order to achieve appropriate levels of traffic necessary to allow for the creation of the public realm and circulation system envisioned and necessary for the District.

Policy 4.46: Prioritize vehicle trips that increase the efficiency and person-carrying capacity of the transportation system (e.g. carpools, taxis) and that are “high-value” (e.g. goods movement, emergency response).

Policy 4.47: Consider rerouting bridge and freeway vehicle queues onto other streets outside the core of the District, avoiding primary transit, bicycle, and pedestrian streets.

Policy 4.48: Consider converting some one-way streets to two-way in order to improve local circulation.

Policy 4.49: Support taxi use and circulation in the District but manage their circulation to prevent conflicts with other transportation modes, particularly transit and bicycles.

Objective 4.38: Create a parking supply and demand management plan that encourages the use of public transit and other non-single occupant vehicle modes of transportation.

Objective 4.39: Limit growth in auto trips to the District and congestion through strict limits on the supply of parking.

Objective 4.40: Establish a parking pricing structure as a primary strategy to manage parking demand and achieve goals for parking turnover and availability.

Objective 4.41: Implement parking management strategies and technologies that facilitate the dynamic management of parking supply and demand.

Objective 4.42: Minimize the impacts of parking facilities on transit, pedestrians, and building design by regulating the location and design of parking facilities , including entrance and egress locations.

Objective 4.43: Limit the continuance of surface parking lots and ensure that lots contribute to the public realm.

Policy 4.50: Establish an absolute maximum cap on number of parking spaces in the District and adjacent areas based on the established targets for traffic reduction and goals for transit usage.

Policy 4.51: Scrutinize and restrict new accessory and non-accessory parking in the Plan Area until a comprehensive cap on new parking is adopted.

Policy 4.52: Increase and expand active management of on- and off-street parking.

Policy 4.53: Prohibit parking and loading curb cuts on key transit and pedestrian streets, including Mission, Second, and Folsom streets.

Policy 4.54: Do not permit any new surface parking lots in the District, including as temporary uses.

Policy 4.55: Ensure that existing surface parking lots provide landscaping and other amenities to improve the public realm and mitigate their ecological impacts.

Policy 4.56: Require that temporary surface parking lots, as a condition of any re-authorization, include facilities for other non-private auto modes, including parking for car sharing vehicles and bicycles.

Policy 4.57: Develop an administrative enforcement mechanism and authority to levy administrative fines for the existing Planning Code requirement for short-term parking pricing and prohibitions on discount rates for long-term parking.

Policy 4.58: Consider making all non-residential parking, including accessory parking, subject to the City's Parking Tax, regardless of whether such parking is made available to the public for a fee.

Policy 4.59: Develop a local enforcement mechanism for the existing State of California "parking cash-out" law for parking accessory to commercial development.

Policy 4.60: Develop a local parking cash-out ordinance to apply to all parking accessory to commercial development.

Policy 4.61: Support the establishment of a multimodal transportation fee for new development based on the number of parking spaces and auto trips generated, and invest the revenue in projects and programs that reduce or mitigate vehicle trips.

Objective 4.44: Ensure continued access to freight and business delivery services in the District.

Objective 4.45: Minimize conflicts of loading activity with pedestrians, transit, bicycles , and automobile traffic through siting, design, and operational regulation of loading.

Objective 4.46: Improve enforcement of loading and truck restrictions.

Policy 4.62: Maintain off-street loading facility requirements for all major new development, but recognize that there are substantial efficiencies for large projects.

Policy 4.63: Require loading docks to be located only on alleys and on streets where curb cuts are not restricted.

Policy 4.64: Restrict commercial loading and deliveries to non-peak periods .

Policy 4.65: Where sidewalks are widened through the elimination of on-street parking, consider the creation of on-street loading "pull-outs" where sufficient sidewalk space exists without compromising pedestrian space and infrastructure.

Policy 4.66: Restrict the use of commercial freight/delivery vehicles over 30 feet long during peak-hour travel periods when street capacity is constrained.

Policy 4.67: Explore the feasibility of using the TMA to facilitate coordination of deliveries for member buildings.

Policy 4.68: Explore the feasibility of creating centralized distribution centers in or near the District for commercial deliveries, enabling the use of smaller and non-motorized vehicles for deliveries within the District.

Policy 4.69: Develop and adopt an enforcement mechanism to effectively impose loading and truck limitations.

Objective 4.47: Ensure that adequate space is provided for car sharing services throughout the District accessible to residents, employees, and visitors.

Policy 4.70: Pursue the dedication of on-street parking spaces for car sharing vehicles. Work with the MTA to identify appropriate locations for dedicated on-street parking spaces for car sharing vehicles.

Objective 4.48: Support the casual carpool system by enhancing existing facilities and amenities. If necessary, the carpool facilities should be reconfigured or relocated to equally convenient locations.

Policy 4.72: Create sufficient sidewalk waiting and passenger loading/unloading space at casual carpool locations in the Plan Area.

Policy 4.73: Add passenger amenities at evening waiting locations, including shelters, informational signage, and other supportive services.

Objective 4.49: Encourage the creation of new and extended alleys wherever feasible to enhance the pedestrian and bicycle network, provide off-street loading opportunities, and enhance access for service and emergency response vehicles.

Policy 4.74: Create new public alleys on long blocks, including at the following locations:

- Natoma Street (1 block between Beale and Main Streets)
- Tehama Street (1 block between Beale and Main Streets)
- Clementina Street (2 blocks between 1st and Beale Streets)
- Clementina Street (2 blocks between Beale and Spear Streets)

5. Historic Preservation

Objective 5.1: Protect, preserve, and reuse those historic resources that have been identified and evaluated within the Transit Center Plan Area.

Policy 5.1: Protect individually significant historic and cultural resources and historic districts in the Transit Center District Plan from demolition or adverse alteration.

Policy 5.2: Apply the Secretary of the Interior's Standards for the Treatment of Historic Properties in conjunction with applicable Articles 10 and 11 of the Planning Code requirements to the Transit Center District Plan Area and objectives for all projects involving historic or cultural resources.

Policy 5.3: Pursue formal recognition and designation of the Transit Center historic and cultural resources, as appropriate.

Policy 5.4: Recognize and protect historic and cultural resources that are less than fifty years old that may display exceptional significance to the recent past.

Objective 5.2: Provide preservation incentives, guidance, and leadership within the Transit Center District Plan Area.

Policy 5.5: Develop incentives that promote the retention and rehabilitation of significant resources within the Transit Center District Plan Area.

Policy 5.6: Maintain the TDR program as a critical component of the historic preservation program in the downtown and the Plan Area, but modify the program in the Plan Area based on updated information about the TDR program and on other objectives of this Plan.

Policy 5.7: Balance the TDR requirement with other public benefits programs in the District by reducing the square footage requirement for the purchase of TDR by each individual development project.

Policy 5.8: Provide expansion of the supply of available TDR to meet expected demand or provide flexibility for development in satisfaction of the TDR requirement by providing an in-lieu mechanism that directly benefits the preservation, rehabilitation, maintenance and public education of historic resources in the downtown.

Objective 5.3: Foster public awareness and appreciation of historic and cultural resources within the Transit Center District Plan Area.

Policy 5.9: Foster education and appreciation of historic and cultural resources within the Transit Center District Plan Area among business leaders, neighborhood groups, and the general public through outreach efforts.

Objective 5.4: Promote well-designed, contemporary infill development within the historic core of the Transit Center District Plan Area.

Policy 5.10: Encourage well-designed, contemporary buildings for vacant sites, or to replace non-contributing buildings within the Conservation District that meet the Secretary of the Interior's Standards.

Policy 5.11: Provide technical assistance to government agencies and property owners for the development of buildings and amenities within the New Montgomery-Mission-Second Street Conservation District that strengthen its historic character and improve the public realm.

6. District Sustainability

Objective 6.1: Increase energy efficiency, reduce carbon intensiveness of energy production, and enhance energy reliability in the District.

Objective 6.2: Capitalize on the balanced, dense, mixed-use development in the Transit Center District and Transbay Redevelopment Areas to enact district-scale energy measures.

Objective 6.3: Streamline potential implementation of a district energy distribution network by phasing major streetscape and utility works in line with new building development in the Transit Center District and Transbay Redevelopment Area.

Policy 6.1: Pursue creation of efficient, shared district-scale energy, systems in the District.

Policy 6.2: Pursue a Combined Heat and Power (CHP) system or series of systems for the Transit Center District and the Transbay Redevelopment Area (Zone 1).

Policy 6.3: Require all new buildings to be designed to plug into such a system in the future.

Policy 6.4: Require all buildings undergoing major refurbishment (defined as requiring new HVAC plant) to be designed to plug into such a system in the future.

Policy 6.5: Identify and protect either suitable public sites or major development sites within the Plan Area for locating renewable or CHP generation facilities.

Policy 6.6: Require all major development to demonstrate that proposed heating and cooling systems have been designed in accordance with the following order of diminishing preference:

- Connection to sources of waste heat or underutilized boiler or CHP plant within the Transit Center District or adjacent areas
- Connection to existing district heating, cooling, and/or power plant or distribution networks with excess capacity
- Site-wide CHP powered by renewable energy
- Site-wide CHP powered by natural gas
- Building level communal heating and cooling powered by renewable energy
- Building level communal heating and cooling powered by natural gas

Policy 6.7: Investigate City support for Energy Service Companies to finance, build, operate, and maintain Transit Center District energy networks; and work with PG&E to facilitate connection of new electricity supply from CHP to the grid.

Policy 6.8: Require all major development in the Plan Area to produce a detailed Energy Strategy document outlining how the design minimizes its use of fossil fuel driven heating, cooling and power—through energy efficiency, efficient supply, and no or low carbon generation.

Objective 6.4: Ensure that new buildings constructed in the Plan Area will be of leading edge design in terms of sustainability, both high performance for their inhabitants and low impact for the environment.

Policy 6.9: Encourage buildings to take maximum advantage of San Francisco's moderate year-round climate by integrating passive solar features into building design.

Policy 6.10: Encourage the use of natural ventilation to reduce the need for mechanical air conditioning.

Policy 6.11: Use renewable energy systems to reduce the use of fossil fuel generated energy.

Policy 6.12: Consider requiring all major buildings in the Plan Area to achieve the minimum LEED levels established in the SF Green Building Ordinance excluding credits for the given inherent factors of location, density, and existing City parking controls, in order to achieve high-performance buildings.

Policy 6.13: All major buildings in the Plan Area should exceed the minimum credits required by the SF Green Building Ordinance under the Energy and Water categories of the LEED schemes.

Objective 6.5: Reduce the amount of potable water used in new development in the District.

Objective 6.6: Reduce stormwater runoff from the District into the sewer system to improve bay water quality and reduce strain on treatment plants during wet weather events.

Objective 6.7: Take advantage of significant concentrated development and infrastructure reconstruction in the District and adjacent areas to create district-scale water efficiency and reuse measures.

Policy 6.14:Create a reliable supply of non-potable water that can be used throughout the Plan Area to reduce potable water demand.

Policy 6.15: Pursue a variety of potential sources of non-potable water, including municipally-supplied recycled water and district-based graywater, black water, stormwater, and foundation drainage water.

Policy 6.16: Create infrastructure in the Transit Center District and immediately adjacent areas for non-potable water use, including treatment and distribution.

Policy 6.17: Include distribution pipes and other necessary infrastructure for non-potable water when undertaking any major streetscape or other infrastructure work in the right-of-ways in the Transit Center District and immediately vicinity.

Policy 6.18: Identify and protect suitable sites within the Plan Area or immediate vicinity for locating a treatment facility for creating a local non-potable supply.

Policy 6.19: All new and large redevelopment projects in the city should adhere to the following hierarchical approach to maximize resources and minimize use of potable water:

- Reduce demands by installing efficient water fixtures and behaviors;
- Identify all on-site sources (rainwater, cooling tower blow down, fog, graywater, black water, stormwater, and foundation drainage water);
- Install appropriate on-site collection, treatment, storage and conveyance systems for toilet flushing, irrigation and additional identified non-potable needs;
- Meet surplus non-potable demands using district non-potable water or municipal recycled water; and
- Meet all other unmet demands using potable water.

Policy 6.20: Ensure projects use Low Impact Design (L.I.D.) techniques in all streetscape, public space, and development projects to reduce the quantity of stormwater runoff and slow its flow into the sewer system, and to harvest this water for on-site uses.

7. Funding Public Improvements

Objective 1: Ensure that private development contributes financially to building essential public improvements in proportion to the impact that such new development generates in the District.

Objective 7.2: Generate private development funding to help complete the Transbay Transit Center project and to establish a sustainable resource program within the District.

Objective 7.3: Balance the cost to be paid by private projects for public improvements in the District with the economic feasibility of these developments.

Policy 7.1: Require new development to participate in applicable components of a Funding Program as a condition of approval.

Policy 7.2: Require that new development continue to be subject to existing impact fee programs and inclusionary housing requirements.

Policy 7.3: Create a community facilities district to fund capital improvements, particularly the Transit Center, as well as operations and maintenance of new public spaces and facilities.

Policy 7.4: Require all new development to pay development impact fees to fund implementation of the public improvements plan, proportional to the impact generated by new development.

Policy 7.5: Within the limits of the established nexus for new fees, create tiers of the new impact fee to assess higher fees for more intensive projects where economically feasible.

Policy 7.6: Provide flexibility for developers to meet Funding Program obligations through one-time charges, ongoing revenue streams, or in-kind contributions.

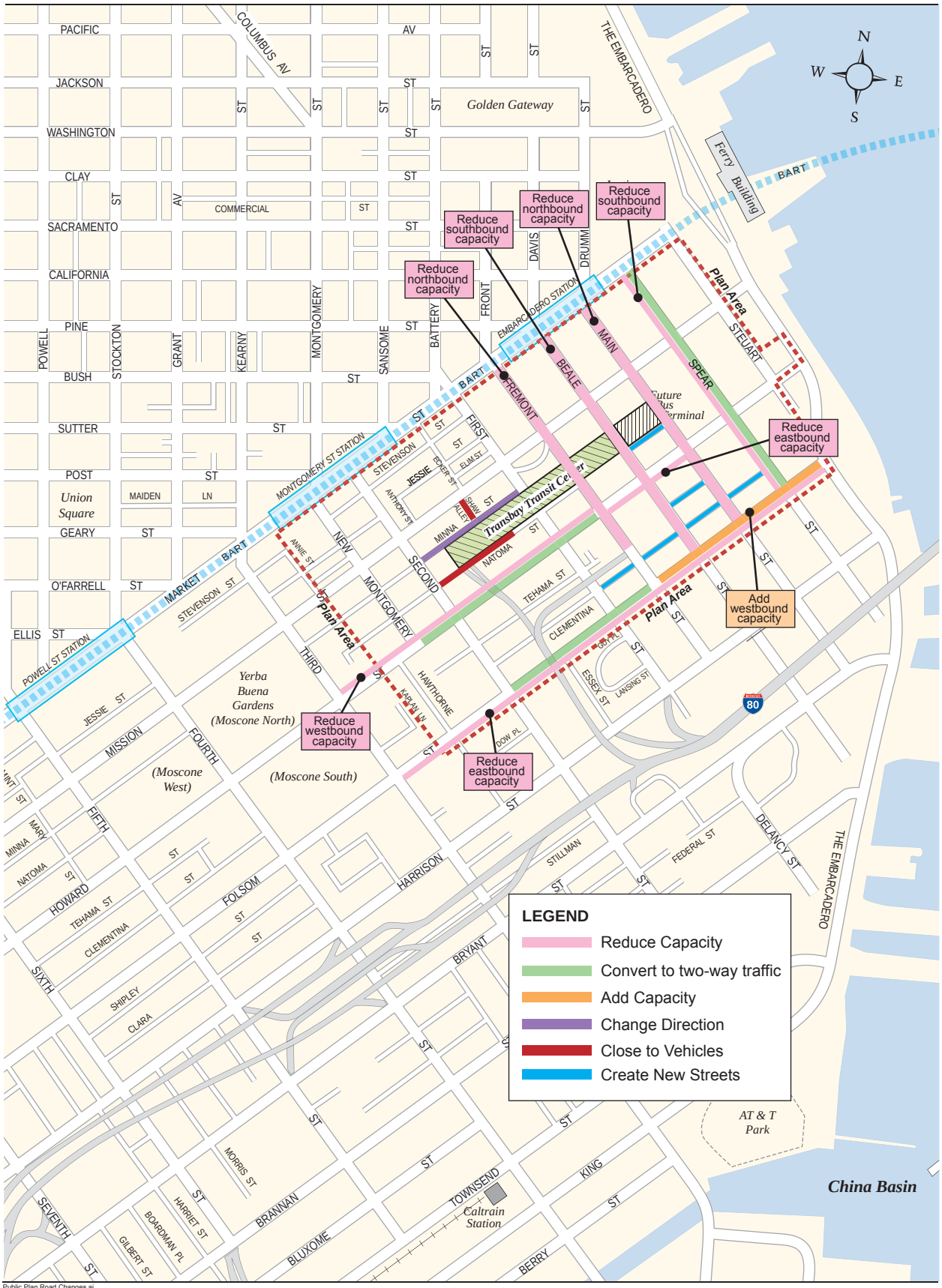
Policy 7.7: Seek additional funding sources for necessary or desirable public improvements that are not funded by the Funding Program and existing fees and requirements.

Policy 7.8: Create a Transit Center District Plan Program Implementation Document that outlines the Funding Program and guides future decision making in allocating revenues to public improvements.

APPENDIX C

Proposed Public Realm Plan

AECOM



Public Plan Road Changes.ai

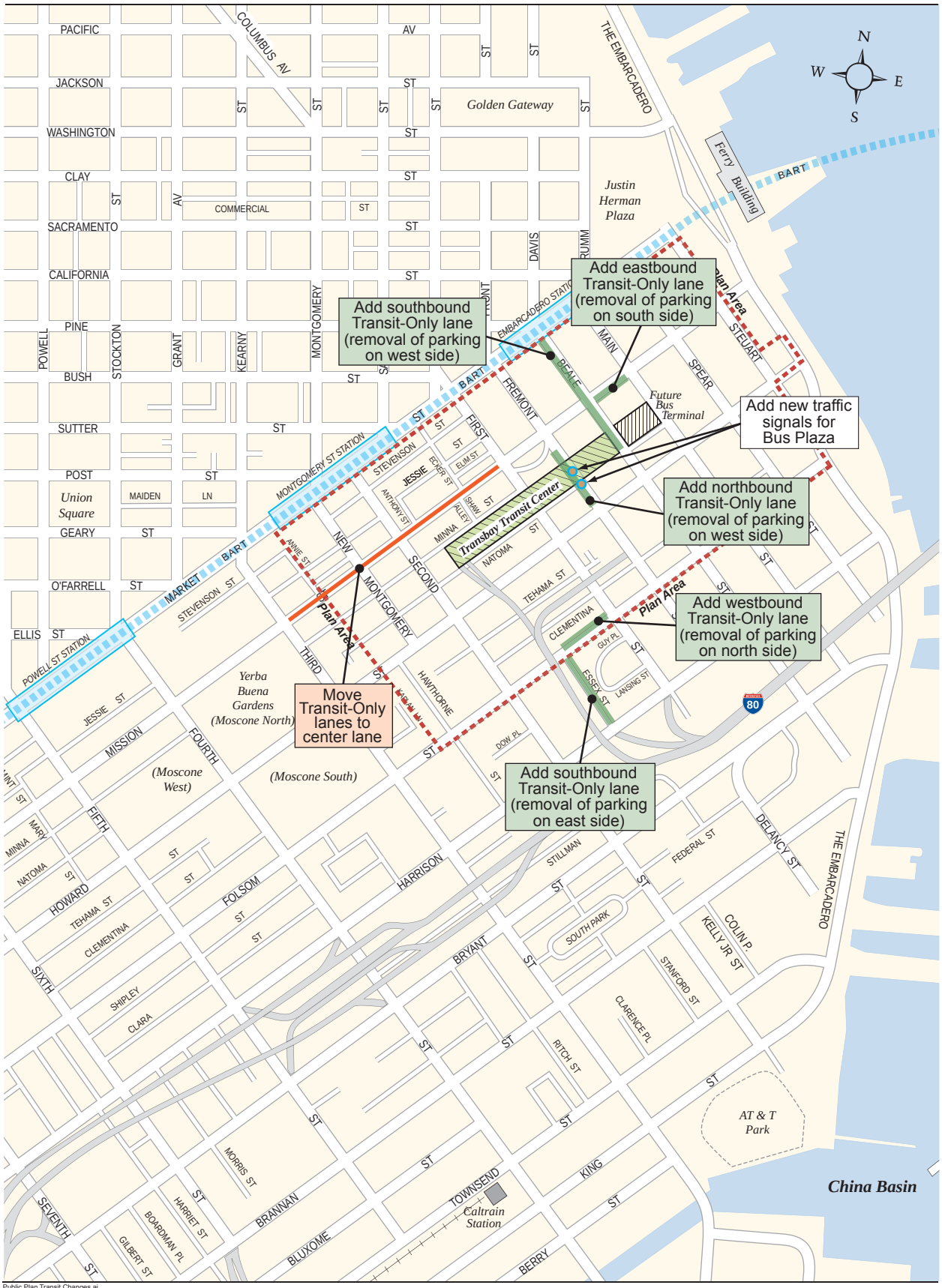
June 24, 2011

TRANSIT CENTER DISTRICT PLAN

Figure 3a

PUBLIC REALM PLAN
Roadway Network Changes

AECOM



Public Plan Transit Changes.ai

May 12, 2011

TRANSIT CENTER DISTRICT PLAN

Figure 3b

PUBLIC REALM PLAN
Transit Network Changes

AECOM

Public Plan Pedestrian Changes.ai

May 12, 2011

TRANSIT CENTER DISTRICT PLAN

Figure 3c

PUBLIC REALM PLAN
Pedestrian Network Changes

AECOM

Public Plan Bicycle Changes.ai

May 12, 2011

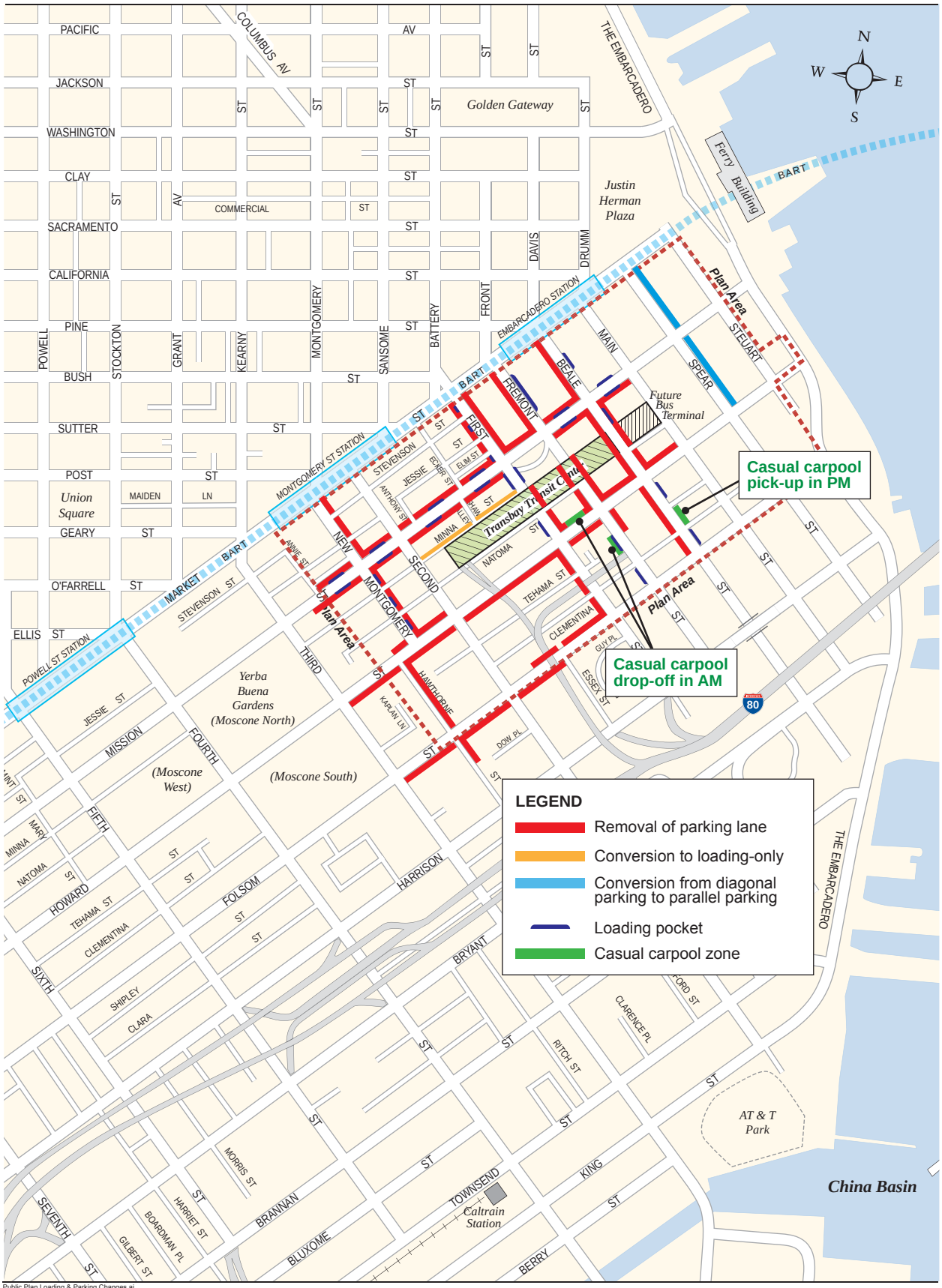
TRANSIT CENTER DISTRICT PLAN

Figure 3d

● PUBLIC REALM PLAN

Revised Bicycle Network Changes

AECOM



Public Plan Loading & Parking Changes.ai

May 12, 2011

TRANSIT CENTER DISTRICT PLAN

Figure 3e

PUBLIC REALM PLAN
Loading and Parking Changes

APPENDIX D

Air Quality

7/5/2011 4:55:26 PM

Urbemis 2007 Version 9.2.4

Combined Summer Emissions Reports (Pounds/Day)

File Name: C:\Users\kfh\AppData\Roaming\Urbemis\Version9a\Projects\Transit_Tower_rev_11-0705.urb924

Project Name: Transit Tower

Project Location: San Francisco County

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

Summary Report:

CONSTRUCTION EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10 Dust	PM10 Exhaust	PM10	PM2.5 Dust	PM2.5 Exhaust	PM2.5	CO2
2013 TOTALS (lbs/day unmitigated)	5.11	52.67	80.53	0.11	759.84	2.20	762.05	158.71	2.03	160.74	11,476.69
2013 TOTALS (lbs/day mitigated)	5.11	52.67	80.53	0.11	359.61	2.20	361.81	75.13	2.03	77.16	11,476.69
2014 TOTALS (lbs/day unmitigated)	2.94	12.12	74.67	0.11	0.52	0.64	1.16	0.19	0.57	0.75	11,479.86
2014 TOTALS (lbs/day mitigated)	2.94	12.12	74.67	0.11	0.52	0.64	1.16	0.19	0.57	0.75	11,479.86
2015 TOTALS (lbs/day unmitigated)	114.45	11.03	70.21	0.11	0.53	0.61	1.13	0.19	0.53	0.72	11,615.54
2015 TOTALS (lbs/day mitigated)	40.45	11.03	70.21	0.11	0.53	0.61	1.13	0.19	0.53	0.72	11,615.54
2016 TOTALS (lbs/day unmitigated)	111.75	0.04	0.84	0.00	0.01	0.00	0.01	0.00	0.00	0.00	133.43
2016 TOTALS (lbs/day mitigated)	37.18	0.04	0.84	0.00	0.01	0.00	0.01	0.00	0.00	0.00	133.43

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AREA SOURCE EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
TOTALS (lbs/day, unmitigated)	1.31	9.20	10.78	0.00	0.03	0.03	10,997.02
TOTALS (lbs/day, mitigated)	1.18	7.37	9.25	0.00	0.02	0.02	8,798.74
Percent Reduction	9.92	19.89	14.19	NaN	33.33	33.33	19.99

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
TOTALS (lbs/day, unmitigated)	27.51	21.54	216.19	0.31	55.09	10.42	30,708.07

SUM OF AREA SOURCE AND OPERATIONAL EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
TOTALS (lbs/day, unmitigated)	28.82	30.74	226.97	0.31	55.12	10.45	41,705.09

Both Area and Operational Mitigation must be turned on to get a combined mitigated total.

Construction Unmitigated Detail Report:

CONSTRUCTION EMISSION ESTIMATES Summer Pounds Per Day, Unmitigated

	ROG	NOx	CO	SO2	PM10 Dust	PM10 Exhaust	PM10	PM2.5 Dust	PM2.5 Exhaust	PM2.5	CO2
Time Slice 7/1/2013-9/30/2013 Active Days: 66	5.11	**52.67**	24.65	0.06	**759.84**	**2.20**	**762.05**	**158.71**	**2.03**	**160.74**	9,632.25
Mass Grading 07/01/2013-09/30/2013	5.11	52.67	24.65	0.06	759.84	2.20	762.05	158.71	2.03	160.74	9,632.25
Mass Grading Dust	0.00	0.00	0.00	0.00	759.60	0.00	759.60	158.63	0.00	158.63	0.00
Mass Grading Off Road Diesel	3.14	24.92	14.36	0.00	0.00	1.24	1.24	0.00	1.14	1.14	2,794.41
Mass Grading On Road Diesel	1.93	27.70	9.28	0.06	0.23	0.96	1.20	0.08	0.88	0.96	6,710.02
Mass Grading Worker Trips	0.03	0.05	1.02	0.00	0.01	0.00	0.01	0.00	0.00	0.00	127.82

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Time Slice 10/1/2013-12/31/2013 Active Days: 66	3.23	13.37	**80.53**	0.11	0.52	0.70	1.22	0.19	0.62	0.80	11,476.69
Building 10/01/2013-12/31/2015	3.23	13.37	80.53	0.11	0.52	0.70	1.22	0.19	0.62	0.80	11,476.69
Building Off Road Diesel	0.44	2.89	2.23	0.00	0.00	0.24	0.24	0.00	0.22	0.22	327.46
Building Vendor Trips	0.57	6.64	6.91	0.02	0.08	0.24	0.33	0.03	0.22	0.25	2,206.33
Building Worker Trips	2.21	3.84	71.39	0.09	0.44	0.21	0.65	0.16	0.17	0.33	8,942.90
Time Slice 1/1/2014-12/31/2014 Active Days: 261	2.94	12.12	74.67	0.11	0.52	0.64	1.16	0.19	0.57	0.75	11,479.86
Building 10/01/2013-12/31/2015	2.94	12.12	74.67	0.11	0.52	0.64	1.16	0.19	0.57	0.75	11,479.86
Building Off Road Diesel	0.40	2.69	2.22	0.00	0.00	0.21	0.21	0.00	0.19	0.19	327.46
Building Vendor Trips	0.53	5.93	6.49	0.02	0.08	0.22	0.30	0.03	0.20	0.23	2,206.55
Building Worker Trips	2.00	3.50	65.96	0.09	0.44	0.21	0.65	0.16	0.17	0.33	8,945.85
Time Slice 1/1/2015-6/30/2015 Active Days: 129	2.69	10.98	69.30	0.11	0.52	0.60	1.12	0.19	0.53	0.72	11,482.14
Building 10/01/2013-12/31/2015	2.69	10.98	69.30	0.11	0.52	0.60	1.12	0.19	0.53	0.72	11,482.14
Building Off Road Diesel	0.37	2.45	2.20	0.00	0.00	0.19	0.19	0.00	0.17	0.17	327.46
Building Vendor Trips	0.50	5.32	6.10	0.02	0.08	0.20	0.28	0.03	0.18	0.21	2,206.79
Building Worker Trips	1.83	3.20	61.00	0.09	0.44	0.21	0.65	0.16	0.17	0.33	8,947.89
Time Slice 7/1/2015-12/31/2015 Active Days: 132	**114.45**	11.03	70.21	**0.11**	0.53	0.61	1.13	0.19	0.53	0.72	**11,615.54**
Building 10/01/2013-12/31/2015	2.69	10.98	69.30	0.11	0.52	0.60	1.12	0.19	0.53	0.72	11,482.14
Building Off Road Diesel	0.37	2.45	2.20	0.00	0.00	0.19	0.19	0.00	0.17	0.17	327.46
Building Vendor Trips	0.50	5.32	6.10	0.02	0.08	0.20	0.28	0.03	0.18	0.21	2,206.79
Building Worker Trips	1.83	3.20	61.00	0.09	0.44	0.21	0.65	0.16	0.17	0.33	8,947.89
Coating 07/01/2015-06/30/2016	111.75	0.05	0.91	0.00	0.01	0.00	0.01	0.00	0.00	0.00	133.41
Architectural Coating	111.73	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Coating Worker Trips	0.03	0.05	0.91	0.00	0.01	0.00	0.01	0.00	0.00	0.00	133.41

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Time Slice 1/1/2016-6/30/2016 Active Days: 130	111.75	0.04	0.84	0.00	0.01	0.00	0.01	0.00	0.00	0.00	133.43
Coating 07/01/2015-06/30/2016	111.75	0.04	0.84	0.00	0.01	0.00	0.01	0.00	0.00	0.00	133.43
Architectural Coating	111.73	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Coating Worker Trips	0.02	0.04	0.84	0.00	0.01	0.00	0.01	0.00	0.00	0.00	133.43

Phase Assumptions

Phase: Mass Grading 7/1/2013 - 9/30/2013 - Default Mass Grading Description

Total Acres Disturbed: 1.16

Maximum Daily Acreage Disturbed: 1.16

Fugitive Dust Level of Detail: Low

Onsite Cut/Fill: 0 cubic yards/day; Offsite Cut/Fill: 1700 cubic yards/day

On Road Truck Travel (VMT): 1666.67

Off-Road Equipment:

1 Excavators (168 hp) operating at a 0.57 load factor for 8 hours per day

1 Graders (174 hp) operating at a 0.61 load factor for 6 hours per day

1 Rubber Tired Dozers (357 hp) operating at a 0.59 load factor for 6 hours per day

1 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day

1 Water Trucks (189 hp) operating at a 0.5 load factor for 8 hours per day

Phase: Building Construction 10/1/2013 - 12/31/2015 - Default Building Construction Description

Off-Road Equipment:

1 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 8 hours per day

Phase: Architectural Coating 7/1/2015 - 6/30/2016 - Default Coating Description

Rule: Residential Interior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 250

Rule: Residential Exterior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 250

Rule: Nonresidential Interior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 250

Rule: Nonresidential Exterior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 250

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Construction Mitigated Detail Report:

CONSTRUCTION EMISSION ESTIMATES Summer Pounds Per Day, Mitigated

	ROG	NOx	CO	SO2	PM10 Dust	PM10 Exhaust	PM10	PM2.5 Dust	PM2.5 Exhaust	PM2.5	CO2
Time Slice 7/1/2013-9/30/2013 Active Days: 66	5.11	**52.67**	24.65	0.06	359.61	**2.20**	361.81	75.13	**2.03**	77.16	9,632.25
Mass Grading 07/01/2013-09/30/2013	5.11	52.67	24.65	0.06	359.61	2.20	361.81	75.13	2.03	77.16	9,632.25
Mass Grading Dust	0.00	0.00	0.00	0.00	359.37	0.00	359.37	75.05	0.00	75.05	0.00
Mass Grading Off Road Diesel	3.14	24.92	14.36	0.00	0.00	1.24	1.24	0.00	1.14	1.14	2,794.41
Mass Grading On Road Diesel	1.93	27.70	9.28	0.06	0.23	0.96	1.20	0.08	0.88	0.96	6,710.02
Mass Grading Worker Trips	0.03	0.05	1.02	0.00	0.01	0.00	0.01	0.00	0.00	0.00	127.82
Time Slice 10/1/2013-12/31/2013 Active Days: 66	3.23	13.37	**80.53**	0.11	0.52	0.70	1.22	0.19	0.62	0.80	11,476.69
Building 10/01/2013-12/31/2015	3.23	13.37	80.53	0.11	0.52	0.70	1.22	0.19	0.62	0.80	11,476.69
Building Off Road Diesel	0.44	2.89	2.23	0.00	0.00	0.24	0.24	0.00	0.22	0.22	327.46
Building Vendor Trips	0.57	6.64	6.91	0.02	0.08	0.24	0.33	0.03	0.22	0.25	2,206.33
Building Worker Trips	2.21	3.84	71.39	0.09	0.44	0.21	0.65	0.16	0.17	0.33	8,942.90
Time Slice 1/1/2014-12/31/2014 Active Days: 261	2.94	12.12	74.67	0.11	0.52	0.64	1.16	0.19	0.57	0.75	11,479.86
Building 10/01/2013-12/31/2015	2.94	12.12	74.67	0.11	0.52	0.64	1.16	0.19	0.57	0.75	11,479.86
Building Off Road Diesel	0.40	2.69	2.22	0.00	0.00	0.21	0.21	0.00	0.19	0.19	327.46
Building Vendor Trips	0.53	5.93	6.49	0.02	0.08	0.22	0.30	0.03	0.20	0.23	2,206.55
Building Worker Trips	2.00	3.50	65.96	0.09	0.44	0.21	0.65	0.16	0.17	0.33	8,945.85

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Time Slice 1/1/2015-6/30/2015 Active Days: 129	2.69	10.98	69.30	0.11	0.52	0.60	1.12	0.19	0.53	0.72	11,482.14
Building 10/01/2013-12/31/2015	2.69	10.98	69.30	0.11	0.52	0.60	1.12	0.19	0.53	0.72	11,482.14
Building Off Road Diesel	0.37	2.45	2.20	0.00	0.00	0.19	0.19	0.00	0.17	0.17	327.46
Building Vendor Trips	0.50	5.32	6.10	0.02	0.08	0.20	0.28	0.03	0.18	0.21	2,206.79
Building Worker Trips	1.83	3.20	61.00	0.09	0.44	0.21	0.65	0.16	0.17	0.33	8,947.89
Time Slice 7/1/2015-12/31/2015 Active Days: 132	40.45	11.03	70.21	**0.11**	0.53	0.61	1.13	0.19	0.53	0.72	**11,615.54**
Building 10/01/2013-12/31/2015	2.69	10.98	69.30	0.11	0.52	0.60	1.12	0.19	0.53	0.72	11,482.14
Building Off Road Diesel	0.37	2.45	2.20	0.00	0.00	0.19	0.19	0.00	0.17	0.17	327.46
Building Vendor Trips	0.50	5.32	6.10	0.02	0.08	0.20	0.28	0.03	0.18	0.21	2,206.79
Building Worker Trips	1.83	3.20	61.00	0.09	0.44	0.21	0.65	0.16	0.17	0.33	8,947.89
Coating 07/01/2015-06/30/2016	37.76	0.05	0.91	0.00	0.01	0.00	0.01	0.00	0.00	0.00	133.41
Architectural Coating	37.73	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Coating Worker Trips	0.03	0.05	0.91	0.00	0.01	0.00	0.01	0.00	0.00	0.00	133.41
Time Slice 1/1/2016-6/30/2016 Active Days: 130	37.18	0.04	0.84	0.00	0.01	0.00	0.01	0.00	0.00	0.00	133.43
Coating 07/01/2015-06/30/2016	37.18	0.04	0.84	0.00	0.01	0.00	0.01	0.00	0.00	0.00	133.43
Architectural Coating	37.16	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Coating Worker Trips	0.02	0.04	0.84	0.00	0.01	0.00	0.01	0.00	0.00	0.00	133.43

Construction Related Mitigation Measures

The following mitigation measures apply to Phase: Mass Grading 7/1/2013 - 9/30/2013 - Default Mass Grading Description

For Soil Stablizing Measures, the Water exposed surfaces 2x daily watering mitigation reduces emissions by:

PM10: 55% PM25: 55%

For Unpaved Roads Measures, the Reduce speed on unpaved roads to less than 15 mph mitigation reduces emissions by:

PM10: 44% PM25: 44%

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The following mitigation measures apply to Phase: Architectural Coating 7/1/2015 - 6/30/2016 - Default Coating Description

For Nonresidential Architectural Coating Measures, the Nonresidential Exterior: Use Low VOC Coatings mitigation reduces emissions by:

ROG: 95%

For Nonresidential Architectural Coating Measures, the Nonresidential Interior: Use Low VOC Coatings mitigation reduces emissions by:

ROG: 10%

Area Source Unmitigated Detail Report:

AREA SOURCE EMISSION ESTIMATES Summer Pounds Per Day, Unmitigated

Source	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
Natural Gas	0.66	9.16	7.69	0.00	0.02	0.02	10,991.40
Hearth							
Landscape	0.25	0.04	3.09	0.00	0.01	0.01	5.62
Consumer Products	0.00						
Architectural Coatings	0.40						
TOTALS (lbs/day, unmitigated)	1.31	9.20	10.78	0.00	0.03	0.03	10,997.02

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Area Source Mitigated Detail Report:

AREA SOURCE EMISSION ESTIMATES Summer Pounds Per Day, Mitigated

Source	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
Natural Gas	0.53	7.33	6.16	0.00	0.01	0.01	8,793.12
Hearth							
Landscape	0.25	0.04	3.09	0.00	0.01	0.01	5.62
Consumer Products	0.00						
Architectural Coatings	0.40						
TOTALS (lbs/day, mitigated)	1.18	7.37	9.25	0.00	0.02	0.02	8,798.74

Area Source Mitigation Measures Selected

Mitigation Description	Percent Reduction
Commercial Increase Energy Efficiency Beyond Title 24	20.00

Area Source Changes to Defaults

The nonresidential percentage of surface area repainted each year changed from 10% to 0.5%

Operational Unmitigated Detail Report:

OPERATIONAL EMISSION ESTIMATES Summer Pounds Per Day, Unmitigated

Source	ROG	NOX	CO	SO2	PM10	PM25	CO2
Hardware/paint store	1.61	1.98	19.23	0.03	5.03	0.95	2,788.99
General office building	25.90	19.56	196.96	0.28	50.06	9.47	27,919.08
TOTALS (lbs/day, unmitigated)	27.51	21.54	216.19	0.31	55.09	10.42	30,708.07

Operational Settings:

7/5/2011 4:55:26 PM

Does not include correction for passby trips

Does not include double counting adjustment for internal trips

Analysis Year: 2016 Temperature (F): 85 Season: Summer

Emfac: Version : Emfac2007 V2.3 Nov 1 2006

Summary of Land Uses

Land Use Type	Acreage	Trip Rate	Unit Type	No. Units	Total Trips	Total VMT
Hardware/paint store		24.06	1000 sq ft	16.50	396.99	2,934.95
General office building		2.67	1000 sq ft	1,350.00	3,604.50	29,205.46
					4,001.49	32,140.41

Vehicle Fleet Mix

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Auto	60.9	0.2	99.6	0.2
Light Truck < 3750 lbs	11.0	0.0	99.1	0.9
Light Truck 3751-5750 lbs	16.5	0.0	100.0	0.0
Med Truck 5751-8500 lbs	4.7	0.0	100.0	0.0
Lite-Heavy Truck 8501-10,000 lbs	0.5	0.0	80.0	20.0
Lite-Heavy Truck 10,001-14,000 lbs	0.5	0.0	60.0	40.0
Med-Heavy Truck 14,001-33,000 lbs	1.6	0.0	18.8	81.2
Heavy-Heavy Truck 33,001-60,000 lbs	0.1	0.0	0.0	100.0
Other Bus	0.1	0.0	0.0	100.0
Urban Bus	0.3	0.0	0.0	100.0
Motorcycle	3.5	45.7	54.3	0.0
School Bus	0.1	0.0	0.0	100.0

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Vehicle Fleet Mix

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Motor Home	0.2	0.0	100.0	0.0

Travel Conditions

	Residential			Commercial		
	Home-Work	Home-Shop	Home-Other	Commute	Non-Work	Customer
Urban Trip Length (miles)	10.8	7.3	7.5	9.5	7.4	7.4
Rural Trip Length (miles)	16.8	7.1	7.9	14.7	6.6	6.6
Trip speeds (mph)	35.0	35.0	35.0	35.0	35.0	35.0
% of Trips - Residential	32.9	18.0	49.1			
% of Trips - Commercial (by land use)						
Hardware/paint store				2.0	1.0	97.0
General office building				35.0	17.5	47.5

Operational Changes to Defaults

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Urbemis 2007 Version 9.2.4

Combined Winter Emissions Reports (Pounds/Day)

File Name: C:\Users\kfh\AppData\Roaming\Urbemis\Version9a\Projects\Transit_Tower_rev_11-0705.urb924

Project Name: Transit Tower

Project Location: San Francisco County

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

Summary Report:

CONSTRUCTION EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10 Dust	PM10 Exhaust	PM10	PM2.5 Dust	PM2.5 Exhaust	PM2.5	CO2
2013 TOTALS (lbs/day unmitigated)	5.11	52.67	80.53	0.11	759.84	2.20	762.05	158.71	2.03	160.74	11,476.69
2013 TOTALS (lbs/day mitigated)	5.11	52.67	80.53	0.11	359.61	2.20	361.81	75.13	2.03	77.16	11,476.69
2014 TOTALS (lbs/day unmitigated)	2.94	12.12	74.67	0.11	0.52	0.64	1.16	0.19	0.57	0.75	11,479.86
2014 TOTALS (lbs/day mitigated)	2.94	12.12	74.67	0.11	0.52	0.64	1.16	0.19	0.57	0.75	11,479.86
2015 TOTALS (lbs/day unmitigated)	114.45	11.03	70.21	0.11	0.53	0.61	1.13	0.19	0.53	0.72	11,615.54
2015 TOTALS (lbs/day mitigated)	40.45	11.03	70.21	0.11	0.53	0.61	1.13	0.19	0.53	0.72	11,615.54
2016 TOTALS (lbs/day unmitigated)	111.75	0.04	0.84	0.00	0.01	0.00	0.01	0.00	0.00	0.00	133.43
2016 TOTALS (lbs/day mitigated)	37.18	0.04	0.84	0.00	0.01	0.00	0.01	0.00	0.00	0.00	133.43

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AREA SOURCE EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
TOTALS (lbs/day, unmitigated)	1.06	9.16	7.69	0.00	0.02	0.02	10,991.40
TOTALS (lbs/day, mitigated)	0.93	7.33	6.16	0.00	0.01	0.01	8,793.12
Percent Reduction	12.26	19.98	19.90	NaN	50.00	50.00	20.00

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
TOTALS (lbs/day, unmitigated)	19.85	31.55	226.07	0.26	55.09	10.42	26,484.44

SUM OF AREA SOURCE AND OPERATIONAL EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
TOTALS (lbs/day, unmitigated)	20.91	40.71	233.76	0.26	55.11	10.44	37,475.84

Both Area and Operational Mitigation must be turned on to get a combined mitigated total.

Construction Unmitigated Detail Report:

CONSTRUCTION EMISSION ESTIMATES Winter Pounds Per Day, Unmitigated

	ROG	NOx	CO	SO2	PM10 Dust	PM10 Exhaust	PM10	PM2.5 Dust	PM2.5 Exhaust	PM2.5	CO2
Time Slice 7/1/2013-9/30/2013 Active Days: 66	5.11	**52.67**	24.65	0.06	**759.84**	**2.20**	**762.05**	**158.71**	**2.03**	**160.74**	9,632.25
Mass Grading 07/01/2013-09/30/2013	5.11	52.67	24.65	0.06	759.84	2.20	762.05	158.71	2.03	160.74	9,632.25
Mass Grading Dust	0.00	0.00	0.00	0.00	759.60	0.00	759.60	158.63	0.00	158.63	0.00
Mass Grading Off Road Diesel	3.14	24.92	14.36	0.00	0.00	1.24	1.24	0.00	1.14	1.14	2,794.41
Mass Grading On Road Diesel	1.93	27.70	9.28	0.06	0.23	0.96	1.20	0.08	0.88	0.96	6,710.02
Mass Grading Worker Trips	0.03	0.05	1.02	0.00	0.01	0.00	0.01	0.00	0.00	0.00	127.82

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Time Slice 10/1/2013-12/31/2013 Active Days: 66	3.23	13.37	**80.53**	0.11	0.52	0.70	1.22	0.19	0.62	0.80	11,476.69
Building 10/01/2013-12/31/2015	3.23	13.37	80.53	0.11	0.52	0.70	1.22	0.19	0.62	0.80	11,476.69
Building Off Road Diesel	0.44	2.89	2.23	0.00	0.00	0.24	0.24	0.00	0.22	0.22	327.46
Building Vendor Trips	0.57	6.64	6.91	0.02	0.08	0.24	0.33	0.03	0.22	0.25	2,206.33
Building Worker Trips	2.21	3.84	71.39	0.09	0.44	0.21	0.65	0.16	0.17	0.33	8,942.90
Time Slice 1/1/2014-12/31/2014 Active Days: 261	2.94	12.12	74.67	0.11	0.52	0.64	1.16	0.19	0.57	0.75	11,479.86
Building 10/01/2013-12/31/2015	2.94	12.12	74.67	0.11	0.52	0.64	1.16	0.19	0.57	0.75	11,479.86
Building Off Road Diesel	0.40	2.69	2.22	0.00	0.00	0.21	0.21	0.00	0.19	0.19	327.46
Building Vendor Trips	0.53	5.93	6.49	0.02	0.08	0.22	0.30	0.03	0.20	0.23	2,206.55
Building Worker Trips	2.00	3.50	65.96	0.09	0.44	0.21	0.65	0.16	0.17	0.33	8,945.85
Time Slice 1/1/2015-6/30/2015 Active Days: 129	2.69	10.98	69.30	0.11	0.52	0.60	1.12	0.19	0.53	0.72	11,482.14
Building 10/01/2013-12/31/2015	2.69	10.98	69.30	0.11	0.52	0.60	1.12	0.19	0.53	0.72	11,482.14
Building Off Road Diesel	0.37	2.45	2.20	0.00	0.00	0.19	0.19	0.00	0.17	0.17	327.46
Building Vendor Trips	0.50	5.32	6.10	0.02	0.08	0.20	0.28	0.03	0.18	0.21	2,206.79
Building Worker Trips	1.83	3.20	61.00	0.09	0.44	0.21	0.65	0.16	0.17	0.33	8,947.89
Time Slice 7/1/2015-12/31/2015 Active Days: 132	**114.45**	11.03	70.21	**0.11**	0.53	0.61	1.13	0.19	0.53	0.72	**11,615.54**
Building 10/01/2013-12/31/2015	2.69	10.98	69.30	0.11	0.52	0.60	1.12	0.19	0.53	0.72	11,482.14
Building Off Road Diesel	0.37	2.45	2.20	0.00	0.00	0.19	0.19	0.00	0.17	0.17	327.46
Building Vendor Trips	0.50	5.32	6.10	0.02	0.08	0.20	0.28	0.03	0.18	0.21	2,206.79
Building Worker Trips	1.83	3.20	61.00	0.09	0.44	0.21	0.65	0.16	0.17	0.33	8,947.89
Coating 07/01/2015-06/30/2016	111.75	0.05	0.91	0.00	0.01	0.00	0.01	0.00	0.00	0.00	133.41
Architectural Coating	111.73	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Coating Worker Trips	0.03	0.05	0.91	0.00	0.01	0.00	0.01	0.00	0.00	0.00	133.41

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Time Slice 1/1/2016-6/30/2016 Active Days: 130	111.75	0.04	0.84	0.00	0.01	0.00	0.01	0.00	0.00	0.00	133.43
Coating 07/01/2015-06/30/2016	111.75	0.04	0.84	0.00	0.01	0.00	0.01	0.00	0.00	0.00	133.43
Architectural Coating	111.73	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Coating Worker Trips	0.02	0.04	0.84	0.00	0.01	0.00	0.01	0.00	0.00	0.00	133.43

Phase Assumptions

Phase: Mass Grading 7/1/2013 - 9/30/2013 - Default Mass Grading Description

Total Acres Disturbed: 1.16

Maximum Daily Acreage Disturbed: 1.16

Fugitive Dust Level of Detail: Low

Onsite Cut/Fill: 0 cubic yards/day; Offsite Cut/Fill: 1700 cubic yards/day

On Road Truck Travel (VMT): 1666.67

Off-Road Equipment:

1 Excavators (168 hp) operating at a 0.57 load factor for 8 hours per day

1 Graders (174 hp) operating at a 0.61 load factor for 6 hours per day

1 Rubber Tired Dozers (357 hp) operating at a 0.59 load factor for 6 hours per day

1 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day

1 Water Trucks (189 hp) operating at a 0.5 load factor for 8 hours per day

Phase: Building Construction 10/1/2013 - 12/31/2015 - Default Building Construction Description

Off-Road Equipment:

1 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 8 hours per day

Phase: Architectural Coating 7/1/2015 - 6/30/2016 - Default Coating Description

Rule: Residential Interior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 250

Rule: Residential Exterior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 250

Rule: Nonresidential Interior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 250

Rule: Nonresidential Exterior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 250

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Construction Mitigated Detail Report:

CONSTRUCTION EMISSION ESTIMATES Winter Pounds Per Day, Mitigated

	ROG	NOx	CO	SO2	PM10 Dust	PM10 Exhaust	PM10	PM2.5 Dust	PM2.5 Exhaust	PM2.5	CO2
Time Slice 7/1/2013-9/30/2013 Active Days: 66	5.11	**52.67**	24.65	0.06	359.61	**2.20**	361.81	75.13	**2.03**	77.16	9,632.25
Mass Grading 07/01/2013-09/30/2013	5.11	52.67	24.65	0.06	359.61	2.20	361.81	75.13	2.03	77.16	9,632.25
Mass Grading Dust	0.00	0.00	0.00	0.00	359.37	0.00	359.37	75.05	0.00	75.05	0.00
Mass Grading Off Road Diesel	3.14	24.92	14.36	0.00	0.00	1.24	1.24	0.00	1.14	1.14	2,794.41
Mass Grading On Road Diesel	1.93	27.70	9.28	0.06	0.23	0.96	1.20	0.08	0.88	0.96	6,710.02
Mass Grading Worker Trips	0.03	0.05	1.02	0.00	0.01	0.00	0.01	0.00	0.00	0.00	127.82
Time Slice 10/1/2013-12/31/2013 Active Days: 66	3.23	13.37	**80.53**	0.11	0.52	0.70	1.22	0.19	0.62	0.80	11,476.69
Building 10/01/2013-12/31/2015	3.23	13.37	80.53	0.11	0.52	0.70	1.22	0.19	0.62	0.80	11,476.69
Building Off Road Diesel	0.44	2.89	2.23	0.00	0.00	0.24	0.24	0.00	0.22	0.22	327.46
Building Vendor Trips	0.57	6.64	6.91	0.02	0.08	0.24	0.33	0.03	0.22	0.25	2,206.33
Building Worker Trips	2.21	3.84	71.39	0.09	0.44	0.21	0.65	0.16	0.17	0.33	8,942.90
Time Slice 1/1/2014-12/31/2014 Active Days: 261	2.94	12.12	74.67	0.11	0.52	0.64	1.16	0.19	0.57	0.75	11,479.86
Building 10/01/2013-12/31/2015	2.94	12.12	74.67	0.11	0.52	0.64	1.16	0.19	0.57	0.75	11,479.86
Building Off Road Diesel	0.40	2.69	2.22	0.00	0.00	0.21	0.21	0.00	0.19	0.19	327.46
Building Vendor Trips	0.53	5.93	6.49	0.02	0.08	0.22	0.30	0.03	0.20	0.23	2,206.55
Building Worker Trips	2.00	3.50	65.96	0.09	0.44	0.21	0.65	0.16	0.17	0.33	8,945.85

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Time Slice 1/1/2015-6/30/2015 Active Days: 129	2.69	10.98	69.30	0.11	0.52	0.60	1.12	0.19	0.53	0.72	11,482.14
Building 10/01/2013-12/31/2015	2.69	10.98	69.30	0.11	0.52	0.60	1.12	0.19	0.53	0.72	11,482.14
Building Off Road Diesel	0.37	2.45	2.20	0.00	0.00	0.19	0.19	0.00	0.17	0.17	327.46
Building Vendor Trips	0.50	5.32	6.10	0.02	0.08	0.20	0.28	0.03	0.18	0.21	2,206.79
Building Worker Trips	1.83	3.20	61.00	0.09	0.44	0.21	0.65	0.16	0.17	0.33	8,947.89
Time Slice 7/1/2015-12/31/2015 Active Days: 132	40.45	11.03	70.21	**0.11**	0.53	0.61	1.13	0.19	0.53	0.72	**11,615.54**
Building 10/01/2013-12/31/2015	2.69	10.98	69.30	0.11	0.52	0.60	1.12	0.19	0.53	0.72	11,482.14
Building Off Road Diesel	0.37	2.45	2.20	0.00	0.00	0.19	0.19	0.00	0.17	0.17	327.46
Building Vendor Trips	0.50	5.32	6.10	0.02	0.08	0.20	0.28	0.03	0.18	0.21	2,206.79
Building Worker Trips	1.83	3.20	61.00	0.09	0.44	0.21	0.65	0.16	0.17	0.33	8,947.89
Coating 07/01/2015-06/30/2016	37.76	0.05	0.91	0.00	0.01	0.00	0.01	0.00	0.00	0.00	133.41
Architectural Coating	37.73	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Coating Worker Trips	0.03	0.05	0.91	0.00	0.01	0.00	0.01	0.00	0.00	0.00	133.41
Time Slice 1/1/2016-6/30/2016 Active Days: 130	37.18	0.04	0.84	0.00	0.01	0.00	0.01	0.00	0.00	0.00	133.43
Coating 07/01/2015-06/30/2016	37.18	0.04	0.84	0.00	0.01	0.00	0.01	0.00	0.00	0.00	133.43
Architectural Coating	37.16	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Coating Worker Trips	0.02	0.04	0.84	0.00	0.01	0.00	0.01	0.00	0.00	0.00	133.43

Construction Related Mitigation Measures

The following mitigation measures apply to Phase: Mass Grading 7/1/2013 - 9/30/2013 - Default Mass Grading Description

For Soil Stablizing Measures, the Water exposed surfaces 2x daily watering mitigation reduces emissions by:

PM10: 55% PM25: 55%

For Unpaved Roads Measures, the Reduce speed on unpaved roads to less than 15 mph mitigation reduces emissions by:

PM10: 44% PM25: 44%

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The following mitigation measures apply to Phase: Architectural Coating 7/1/2015 - 6/30/2016 - Default Coating Description

For Nonresidential Architectural Coating Measures, the Nonresidential Exterior: Use Low VOC Coatings mitigation reduces emissions by:

ROG: 95%

For Nonresidential Architectural Coating Measures, the Nonresidential Interior: Use Low VOC Coatings mitigation reduces emissions by:

ROG: 10%

Area Source Unmitigated Detail Report:

AREA SOURCE EMISSION ESTIMATES Winter Pounds Per Day, Unmitigated

Source	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
Natural Gas	0.66	9.16	7.69	0.00	0.02	0.02	10,991.40
Hearth							
Landscaping - No Winter Emissions							
Consumer Products	0.00						
Architectural Coatings	0.40						
TOTALS (lbs/day, unmitigated)	1.06	9.16	7.69	0.00	0.02	0.02	10,991.40

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Area Source Mitigated Detail Report:

AREA SOURCE EMISSION ESTIMATES Winter Pounds Per Day, Mitigated

Source	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
Natural Gas	0.53	7.33	6.16	0.00	0.01	0.01	8,793.12
Hearth							
Landscaping - No Winter Emissions							
Consumer Products	0.00						
Architectural Coatings	0.40						
TOTALS (lbs/day, mitigated)	0.93	7.33	6.16	0.00	0.01	0.01	8,793.12

Area Source Mitigation Measures Selected

Mitigation Description	Percent Reduction
Commercial Increase Energy Efficiency Beyond Title 24	20.00

Area Source Changes to Defaults

The nonresidential percentage of surface area repainted each year changed from 10% to 0.5%

Operational Unmitigated Detail Report:

OPERATIONAL EMISSION ESTIMATES Winter Pounds Per Day, Unmitigated

Source	ROG	NOX	CO	SO2	PM10	PM25	CO2
Hardware/paint store	1.84	2.89	20.57	0.02	5.03	0.95	2,403.30
General office building	18.01	28.66	205.50	0.24	50.06	9.47	24,081.14
TOTALS (lbs/day, unmitigated)	19.85	31.55	226.07	0.26	55.09	10.42	26,484.44

Operational Settings:

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Does not include correction for passby trips

Does not include double counting adjustment for internal trips

Analysis Year: 2016 Temperature (F): 40 Season: Winter

Emfac: Version : Emfac2007 V2.3 Nov 1 2006

Summary of Land Uses

Land Use Type	Acreage	Trip Rate	Unit Type	No. Units	Total Trips	Total VMT
Hardware/paint store		24.06	1000 sq ft	16.50	396.99	2,934.95
General office building		2.67	1000 sq ft	1,350.00	3,604.50	29,205.46
					4,001.49	32,140.41

Vehicle Fleet Mix

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Auto	60.9	0.2	99.6	0.2
Light Truck < 3750 lbs	11.0	0.0	99.1	0.9
Light Truck 3751-5750 lbs	16.5	0.0	100.0	0.0
Med Truck 5751-8500 lbs	4.7	0.0	100.0	0.0
Lite-Heavy Truck 8501-10,000 lbs	0.5	0.0	80.0	20.0
Lite-Heavy Truck 10,001-14,000 lbs	0.5	0.0	60.0	40.0
Med-Heavy Truck 14,001-33,000 lbs	1.6	0.0	18.8	81.2
Heavy-Heavy Truck 33,001-60,000 lbs	0.1	0.0	0.0	100.0
Other Bus	0.1	0.0	0.0	100.0
Urban Bus	0.3	0.0	0.0	100.0
Motorcycle	3.5	45.7	54.3	0.0
School Bus	0.1	0.0	0.0	100.0

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Vehicle Fleet Mix

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Motor Home	0.2	0.0	100.0	0.0

Travel Conditions

	Residential			Commercial		
	Home-Work	Home-Shop	Home-Other	Commute	Non-Work	Customer
Urban Trip Length (miles)	10.8	7.3	7.5	9.5	7.4	7.4
Rural Trip Length (miles)	16.8	7.1	7.9	14.7	6.6	6.6
Trip speeds (mph)	35.0	35.0	35.0	35.0	35.0	35.0
% of Trips - Residential	32.9	18.0	49.1			
% of Trips - Commercial (by land use)						
Hardware/paint store				2.0	1.0	97.0
General office building				35.0	17.5	47.5

Operational Changes to Defaults

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Urbemis 2007 Version 9.2.4

Combined Annual Emissions Reports (Tons/Year)

File Name: C:\Users\kfh\AppData\Roaming\Urbemis\Version9a\Projects\Transit_Tower_rev_11-0705.urb924

Project Name: Transit Tower

Project Location: San Francisco County

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

Summary Report:

CONSTRUCTION EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10 Dust	PM10 Exhaust	PM10	PM2.5 Dust	PM2.5 Exhaust	PM2.5	CO2
2013 TOTALS (tons/year unmitigated)	0.27	2.18	3.47	0.01	25.09	0.10	25.19	5.24	0.09	5.33	696.59
2013 TOTALS (tons/year mitigated)	0.27	2.18	3.47	0.01	11.88	0.10	11.98	2.49	0.09	2.57	696.59
Percent Reduction	0.00	0.00	0.00	0.00	52.64	0.00	52.44	52.60	0.00	51.74	0.00
2014 TOTALS (tons/year unmitigated)	0.38	1.58	9.74	0.01	0.07	0.08	0.15	0.02	0.07	0.10	1,498.12
2014 TOTALS (tons/year mitigated)	0.38	1.58	9.74	0.01	0.07	0.08	0.15	0.02	0.07	0.10	1,498.12
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2015 TOTALS (tons/year unmitigated)	7.73	1.44	9.10	0.01	0.07	0.08	0.15	0.02	0.07	0.09	1,507.22
2015 TOTALS (tons/year mitigated)	2.84	1.44	9.10	0.01	0.07	0.08	0.15	0.02	0.07	0.09	1,507.22
Percent Reduction	63.20	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2016 TOTALS (tons/year unmitigated)	7.26	0.00	0.05	0.00	0.00	0.00	0.00	0.00	0.00	0.00	8.67

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2016 TOTALS (tons/year mitigated)	2.42	0.00	0.05	0.00	0.00	0.00	0.00	0.00	0.00	0.00	8.67
Percent Reduction	66.73	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

AREA SOURCE EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
TOTALS (tons/year, unmitigated)	0.21	1.67	1.68	0.00	0.00	0.00	2,006.44
TOTALS (tons/year, mitigated)	0.19	1.34	1.40	0.00	0.00	0.00	1,605.25
Percent Reduction	9.52	19.76	16.67	NaN	NaN	NaN	20.00

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
TOTALS (tons/year, unmitigated)	4.56	4.54	40.06	0.05	10.06	1.90	5,347.29

SUM OF AREA SOURCE AND OPERATIONAL EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
TOTALS (tons/year, unmitigated)	4.77	6.21	41.74	0.05	10.06	1.90	7,353.73

Both Area and Operational Mitigation must be turned on to get a combined mitigated total.

Table 1 Summary of Emissions From Construction[1,2,3]
Transit Tower Project Level Analysis
San Francisco, CA

Construction Year	DPM	$PM_{2.5}$	TOG
	[tons/yr]	[tons/yr]	[lbs/day]
2013	0.05	0.10	3.7
2014	0.03	0.03	--
2015	0.03	0.03	--
2016	0	0	--

Notes:

1. Emissions were calculated by California Emissions Estimator Model (CalEEMod).
2. Construction schedule and equipment information were obtained from Karl Heisler of Environmental Science Associates (ESA).
3. Default emissions factors for diesel equipment were used. No mitigation measures were assumed in the emissions calculations.

Abbreviations:

CalEEMod: California Emissions Estimator Model
DPM: Diesel Particulate Matter
ESA: Environmental Science Associates
lbs: pounds
$PM_{2.5}$: particles in the atmosphere with a diameter of 2.5 micrometers or less
TOG: Total Organic Gases
yr: year

Table 2 Summary of Emissions From Operation of an Emergency Generator
Transit Tower Project Level Analysis
San Francisco, CA

	BHP[1]	EF[2]	Hours per year[3]	Emissions	Emissions
		[g/hp-hr]	[hrs/yr]	[lbs/yr]	[lbs/hr]
DPM	1750	0.07	50	14	--
TOG	1750	0.3	--	--	1.2

Notes:
1. Brake horsepower was obtained from Karl Heisler of Environmental Science Associates (ESA).
2. Tier 4 interim standard was assumed to calculate emergency generator emissions.
3. Maximum hours of operation allowed by BAAQMD was assumed to be conservative.

Abbreviations:
BHP: Brake Horsepower
DPM: Diesel Particulate Matter
EF: Emission Factor
ESA: Environmental Science Associates
g: gram
hp: horsepower
hr: hour
lbs: pounds
TOG: Total Organic Gases
yr: year

Table 3 Estimated Health Risks from Construction on the Maximum Exposed Individual [1]
Transit Tower Project Level Analysis
San Francisco, CA

Analysis	MEI Location	Population	Building Level	Risk Value	Risk Unit
Cancer Risk	Millennium Tower	Residential Child	3rd Floor	17	# in one million
Chronic HI	Millennium Tower	Residential Child	3rd Floor	0.02	[-]
Acute HI	Proposed 50 1st St. Residential	Residential Adult	2nd Floor	0.35	[-]
$PM_{2.5}$ Concentration	Millennium Tower	Residential Child	3rd Floor	0.2	ug/m^3

Notes:
1. Resident child was assumed to be exposed to the construction emissions from the third trimester of pregnancy till the end of the construction.
2. All exposure assumptions were based on recommendations by the Office of Environmental Health Hazard Assessment OEHHA 2009 and BAAQMD 2010.

Abbreviations:
HI: Hazard Index
m: meter
MEI: Maximum Exposed Individual
$PM_{2.5}$: particles in the atmosphere with a diameter of 2.5 micrometers or less
ug: microgram

References:
Bay Area Air Quality Management District (BAAQMD). 2010. Air Toxics NSR Program Health Risk Screening Analysis (HRSA) Guidelines. January.
Office of Environmental Health Hazard Assessment (OEHHA). 2009. Technical Support Document for Cancer Potency Factors: Methodologies for derivation, listing of available values, and adjustments to allow for early life stage exposures. May.

Table 4 Estimated Health Risks from Operation of an Emergency Generator on the Maximum Exposed Individual[1]
Transit Tower Project Level Analysis
San Francisco, CA

Analysis	MEI Location	Population	Building Level	Risk Value	Risk Unit
Cancer Risk	Millennium Tower	Residential Adult	3rd Floor	0.7	# in one million
Chronic HI	Millennium Tower	Residential Adult	3rd Floor	0.0003	[-]
Acute HI	Millennium Tower	Residential Adult	3rd Floor	0.10	[-]
$PM_{2.5}$ Concentration	Millennium Tower	Residential Adult	3rd Floor	0.001	ug/m^3

Notes:
1. Resident adult was assumed to be exposed to the emergency generators emissions for the life time of 70 years.
2. All exposure assumptions were based on recommendations by the Office of Environmental Health Hazard Assessment OEHHA 2009 and BAAQMD 2010.

Abbreviations:
BAAQMD: Bay Area Air Quality Management District
HI: Hazard Index
m: meter
MEI: Maximum Exposed Individual
OEHHA: Office of Environmental Health Hazard Assessment
$PM_{2.5}$: particles in the atmosphere with a diameter of 2.5 micrometers or less
ug: microgram

References:
Bay Area Air Quality Management District (BAAQMD). 2010. Air Toxics NSR Program Health Risk Screening Analysis (HRSA) Guidelines. January.
Office of Environmental Health Hazard Assessment (OEHHA). 2009. Technical Support Document for Cancer Potency Factors: Methodologies for derivation, listing of available values, and adjustments to allow for early life stage exposures. May.

Summary Results

Project Name: Transit Tower

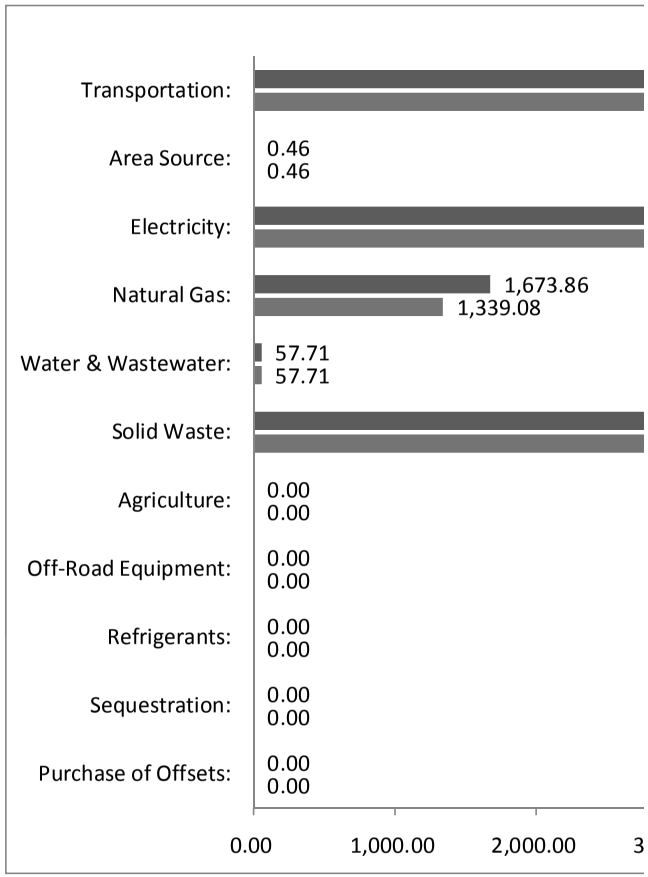
Project and Baseline Years: 2016 N/A

Results	Unmitigated Project-Baseline CO2e (metric tons/year)	Mitigated Project-Baseline CO2e (metric tons/year)
Transportation:	4,522.49	4,522.49
Area Source:	0.46	0.46
Electricity:	7,602.88	6,082.31
Natural Gas:	1,673.86	1,339.08
Water & Wastewater:	57.71	57.71
Solid Waste:	9,424.66	4,712.33
Agriculture:	0.00	0.00
Off-Road Equipment:	0.00	0.00
Refrigerants:	0.00	0.00
Sequestration:	N/A	0.00
Purchase of Offsets:	N/A	0.00
Total:	23,282.07	16,714.38

Baseline is currently: **OFF**

Baseline Project Name:

Go to Settings Tab to Turn On Baseline



Detailed Results

Unmitigated	CO2 (metric tpy)	CH4 (metric tpy)	N2O (metric tpy)	CO2e (metric tpy)	% of Total
Transportation*:				4,522.49	19.42%
Area Source:	0.46	0.00	0.00	0.46	0.00%
Electricity:	7,590.74	0.06	0.03	7,602.88	32.66%
Natural Gas:	1,669.58	0.16	0.00	1,673.86	7.19%
Water & Wastewater:	57.62	0.00	0.00	57.71	0.25%
Solid Waste:	68.09	445.55	N/A	9,424.66	40.48%
Agriculture:	0.00	0.00	0.00	0.00	0.00%
Off-Road Equipment:	0.00	0.00	0.00	0.00	0.00%
Refrigerants:	N/A	N/A	N/A	0.00	0.00%
Sequestration:	N/A	N/A	N/A	N/A	N/A
Purchase of Offsets:	N/A	N/A	N/A	N/A	N/A
Total:				23,282.07	100.00%

* Several adjustments were made to transportation emissions after they have been imported from URBEMIS.
After importing from URBEMIS, CO2 emissions are converted to metric tons and then adjusted to account for the "Pavley"
regulation. Then, CO2 is converted to CO2e by multiplying by 100/95 to account for the contribution of other GHGs (CH4, N2O, and HFCs [from leaking air condi
Finally, CO2e is adjusted to account for th low carbon fuels rule.

Mitigated	CO2 (metric tpy)	CH4 (metric tpy)	N2O (metric tpy)	CO2e (metric tpy)	% of Total
Transportation*:				4,522.49	27.06%
Area Source:	0.46	0.00	0.00	0.46	0.00%
Electricity:	6,072.59	0.05	0.03	6,082.31	36.39%
Natural Gas:	1,335.66	0.13	0.00	1,339.08	8.01%
Water & Wastewater:	57.62	0.00	0.00	57.71	0.35%
Solid Waste:	34.05	222.78	N/A	4,712.33	28.19%
Agriculture:	0.00	0.00	0.00	0.00	0.00%
Off-Road Equipment:	0.00	0.00	0.00	0.00	0.00%
Refrigerants:	N/A	N/A	N/A	0.00	0.00%
Sequestration:	N/A	N/A	N/A	0.00	0.00%
Purchase of Offsets:	N/A	N/A	N/A	0.00	0.00%
Total:				16,714.38	100.00%

Mitigation Measures Selected:

Transportation: Go to the following tab: Transp. Detail Mit for a list of the transportation mitigation measures selected (in URBE

Electricity: The following mitigation measure(s) have been selected to reduce electricity emissions.

Natural Gas: The following mitigation measure(s) have been selected to reduce natural gas emissions.

Water and Wastewater: The following mitigation measure(s) have been selected to reduce water and wastewater emissions.

Drought Tolerant Landscaping	68.23	% Reduction Outdoor Use
Low Flush Toilets	68.24	% Reduction Indoor Use

Solid Waste: The following mitigation measure has been selected to reduce solid waste related GHG emissions.

Reduce Solid Waste by the Following Percentage	50	Solid Waste Reduction %

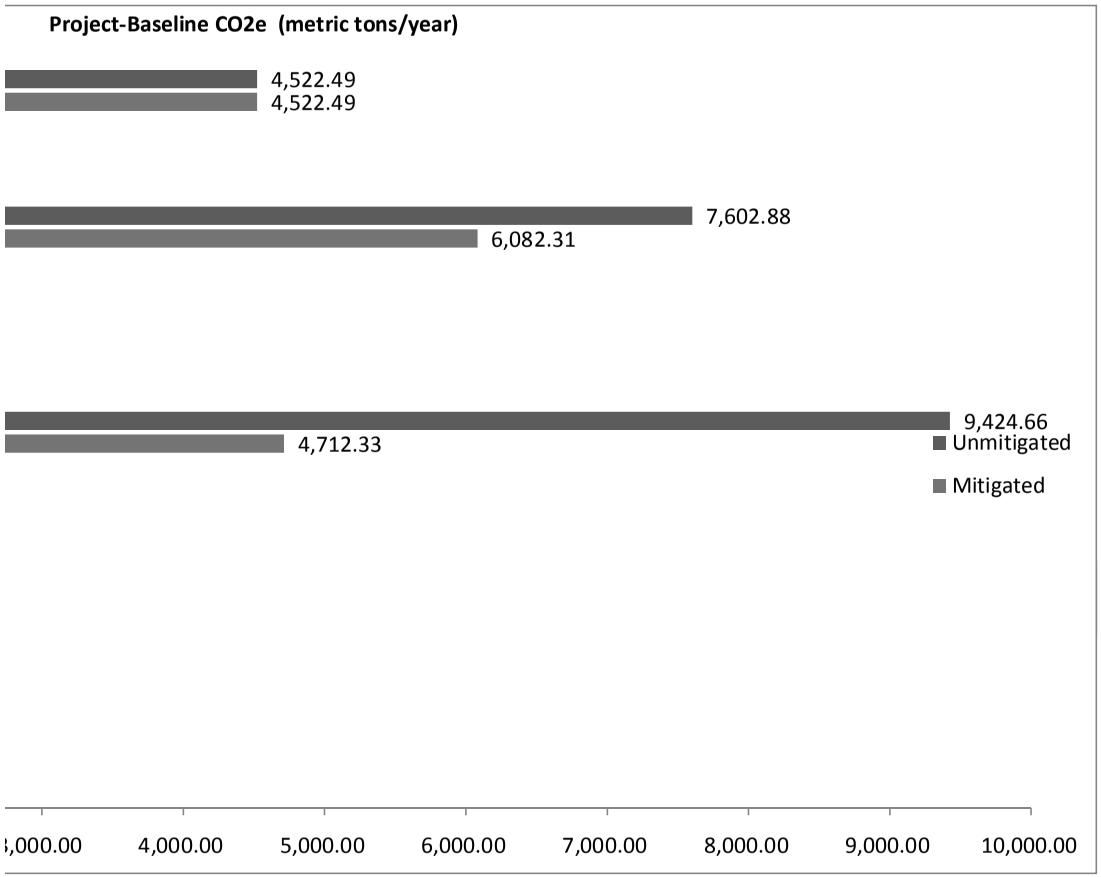
Ag: No existing mitigation measures available.

Off-Road Equipment: No existing mitigation measures available.

Refrigerants: The following mitigation measure has ben selected to reduce refrigerant emissions:

Carbon Sequestration: Project does not include carbon sequestration through tree planting.

Emission Offsets/Credits: Project does not include purchase of emission offsets/credits.


Project-Baseline CO2e (metric tons/year)
4,522.49
4,522.49
7,602.88
6,082.31
9,424.66
4,712.33
Unmitigated
Mitigated
3,000.00
4,000.00
5,000.00
6,000.00
7,000.00
8,000.00
9,000.00
10,000.00

Baseline	CO2 (metric tpy)	CH4 (metric tpy)	N2O (metric tpy)	CO2e (metric tpy)	% of Total
Transportation*:				0.00	N/A
Area Source:	0.00	0.00	0.00	0.00	N/A
Electricity:	0.00	0.00	0.00	0.00	N/A
Natural Gas:	0.00	0.00	0.00	0.00	N/A
Water & Wastewater:	0.00	0.00	0.00	0.00	N/A
Solid Waste:	0.00	0.00	N/A	0.00	N/A
Agriculture:	0.00	0.00	0.00	0.00	N/A
Off-Road Equipment:	0.00	0.00	0.00	0.00	N/A
Refrigerants:	N/A	N/A	N/A	0.00	N/A
Sequestration:	N/A	N/A	N/A	N/A	N/A
Purchase of Offsets:	N/A	N/A	N/A	N/A	N/A
Total:				0.00	0.00%

tioners]).

APPENDIX E

Transit Tower Wind-Tunnel Analysis

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Transbay Tower San Francisco, California

Pedestrian Level Wind Study

RWDI # 1012134
June 24, 2011

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Appendix A: Drawing List for Model Construction
Appendix B: San Francisco Planning Code Section 148

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1. INTRODUCTION

Rowan Williams Davies & Irwin Inc. (RWDI) was retained by the ESA | Environmental Science Associates to conduct a Pedestrian Wind Study for a portion of the proposed Transit Center District Plan (TCDP) in San Francisco, California. The purpose of the study was to assess the wind environment around the proposed Transbay Tower in terms of pedestrian comfort and hazard relative to wind metrics specified in the San Francisco Planning Code Section 148. The study objective was achieved through wind tunnel testing of a 1:400 (approximately 1 inch = 33 feet) scale model for the following three development configurations:

A – Existing: all existing buildings on-site and in the surroundings;

B – Existing plus Project: proposed Transbay Tower with existing surrounding buildings; and,

C – Project plus Cumulative: proposed Transbay Tower present with existing surrounding buildings, as well as anticipated proposed/future buildings.

The project site is located in the Financial District of San Francisco's downtown core. The development site is located south of Mission Street between 1st and Fremont Streets, and is directly north of the Transit Center Terminal. The proposed tower is approximately 1070 feet tall. The test model was constructed using the design information and drawings listed in Appendix A.

This report summarizes the methodology used for wind tunnel studies of pedestrian wind conditions, describes the wind comfort and wind hazard criteria associated with wind force, as used in the current study, and presents the test results and recommendations of conceptual wind control measures, where necessary.

The placement of wind measurement locations was based on our experience and understanding of pedestrian usage for this site. These were reviewed by ESA | Environmental Science Associates prior to the wind tunnel testing.

2. PRINCIPAL RESULTS

The results of the tests are discussed in detail in Section 5 of this report and may be summarized as follows:

- Wind comfort conditions for the Existing plus Project Configuration were similar to the existing conditions. Wind speeds increased slightly for the Project plus Cumulative Configuration.
- All test locations met the wind hazard criterion for the Existing and Existing plus Project Configurations. With the cumulative buildings in place (Project plus Cumulative Configuration), wind conditions increased slightly, in that one (1) out of 207 test locations exceeded the hazard criterion.

3. METHODOLOGY

3.1 Wind Tunnel Testing

As shown in Figures 1a through 1c, the wind tunnel model included the project site and all relevant surrounding buildings and topography within a 1600 foot radius of the study site at full scale and 4 feet at model scale. The mean speed profile and turbulence of the natural wind approaching the modelled area were simulated in RWDI's boundary-layer wind tunnel. The model was instrumented with 207 wind speed sensors to measure mean and gust wind speeds at a full-scale height of approximately 5 feet above the local grade. These measurements were recorded for 36 equally incremented wind directions; however, as required by the Planning Code, the analysis focused on the west-southwest, west, west-northwest and northwest wind directions only.

Surface wind speed sensors [1, 2] were used for the current wind-tunnel tests. They were calibrated against the more traditional thermal anemometers (i.e., hot-wire) and are capable of measuring mean speeds and turbulence fluctuations accurately and efficiently. These sensors are sturdy and suitable for a large amount of test points at a fixed height (e.g., 5 feet in full scale). No alignment with wind direction is required due to the axi-symmetric geometry of the surface wind sensor.

Upwind Profiles

Beyond the modeled area, the influence of the upwind terrain on the planetary boundary layer was simulated in the testing by appropriate roughness on the wind tunnel floor and flow conditioning spires at the upwind end of the working section for each wind direction. This simulation, and subsequent analysis of the data from the model, was targeted to represent the appropriate upwind terrain conditions.

The locations and coverage of all 207 wind speed sensors can be seen in Figures 2a through 2c. The scale model being 8 feet in diameter extends well beyond the furthest wind speed sensors from the center of the model. This coverage ensures that measurements are not taken too closely to the outer edge of the scale model where data may be less reliable due to edge and upwind blockage effects.

The methodology used for this wind tunnel study met or exceeded the requirements stated in the ASCE, “Manual of Practice for Wind Tunnel Studies of Buildings and Structures”, Manual Number 67, American Society of Civil Engineers, 1999.

Quality Assurance

RWDI considers quality to be an important part of every project. Consequently, our general Quality Control Policy contains the following requirements that are tailored specifically to each project:

- Each project must have a Project Director that is a Principal and/or Specialist whose role is to provide the overall technical direction and leadership and to ensure quality of services is provided. If the Project Director is not the technical expert in a certain area, a Technical Director will be assigned to provide technical direction.

- Each project must have a Project Manager whose role is the primary contact between the Client and the internal team and will ensure that the scope and quality of the services provided are consistent with the proposed objectives and schedule.

- The Project Director / Project Manager will define the scope of work and schedule for each activity in the work program to ensure that all team members are clear on project requirements.

- The Project Manager is supported technically by the Project Director and a Senior Engineer / Coordinator whose main responsibility is to provide technical guidance to the Technical Coordinator(s) performing the work and to conduct quality control reviews at pre-specified intervals throughout the process.

- RWDI project teams are comprised of RWDI staff, and have been selected based on their abilities to provide the specific expertise required to conduct thorough and comprehensive studies.

- Regular team meetings are used to facilitate coordination and information exchange.

- Where appropriate, standardized procedures are applied for completion of technical activities.

- Every study must undergo a review process during which QA/QC check sheets are used to facilitate a review of the work. Forms are developed, signed and dated by every team member upon completion of their critical task. The Senior Specialists and/or Project Director for the project will sign and date the forms once the quality review has been completed and they are satisfied that the level of quality is up to RWDI's standards.

3.2 Local Climate

Average wind speeds in San Francisco are the highest in the summer and lowest in winter. However the strongest peak winds occur in winter. On a daily basis, the highest average wind speeds occur in mid-afternoon and the lowest in the early morning. Westerly to northwesterly winds are the most frequent and strongest winds during all seasons.

Data describing the speed, direction, and frequency of occurrence of winds were gathered at the old San Francisco Federal Building at 50 United Nations Plaza (at a height of 132 feet) during the period of 1945 to 1950. Measurements taken hourly and averaged over one minute have been tabulated in three-hour periods using seven classes of wind speed and 16 compass directions. Analysis of these data shows that during the hours from 6:00 a.m. to 8:00 p.m., about 65% of all winds blow from four of the 16 directions as follows: Northwest (NW), 14%; West-Northwest (WNW), 28%; West (W), 19%; West-Southwest (WSW), 4%; and all other winds account for 35%. Calm conditions occur 4.9% of the time. More than 90% of measured winds over 13 mph blow from these four wind directions. Of the primary wind directions, four have the greatest frequency of occurrence and make up the majority of the strong winds that occur. These winds include the northwest, west-northwest, west and west-southwest.

3.3 San Francisco Planning Code Requirements

This project is located in an area that is subject to the San Francisco Planning Code Section 148, Reduction of Ground-level Wind Currents in C-3 Districts. The Code specifically outlines wind reduction

criteria for the C-3 District. This assessment is performed using the wind testing analysis and evaluation methods to determine conformity with the Code. These requirements are further described in Appendix B.

The Planning Code requires buildings to be shaped so as not to cause ground-level wind currents to exceed defined comfort and hazard criteria. The comfort criteria are that wind speeds will not exceed, more than 10% of the time, 11 mph in substantial pedestrian use areas, and 7 mph in public seating areas. Similarly, the hazard criterion of the Code requires that buildings not cause equivalent wind speeds to reach or exceed the hazard level of 26 mph as averaged from a single full hour of the year. The hazard criterion is based on winds that are measured for one hour and averaged corresponding to a one-minute average of 36 mph, to distinguish between the wind comfort conditions and hazardous winds. The Planning Code defines these wind speeds in terms of equivalent wind speeds, and average wind speed (mean velocity), adjusted to include the level of gustiness and turbulence.

The equivalent wind speeds were calculated according to the specifications in the San Francisco Planning Code Section 148, whereby the mean hourly wind speed is increased when the turbulence intensity is greater than 15% according to the following formula [3, 4]:

$$EWS = Vm(2*TI+0.7)$$

Where: *EWS* = equivalent wind speed
Vm = mean pedestrian-level wind speed
TI = turbulence intensity

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3.4 Cumulative Configuration

Anticipated proposed/future buildings are located to the south (TJPA "Parcel F", 524 Howard Street, 41 Tehama St., 181 Fremont Street, and six un-named projects in "Zone 1"), to the west (176 Second St, Howard (N.Side), 222 Second St., 2d/Howard (SE)), and to the north (Golden Gate University Site, 50 First Street).

Projects in the Cumulative Setting

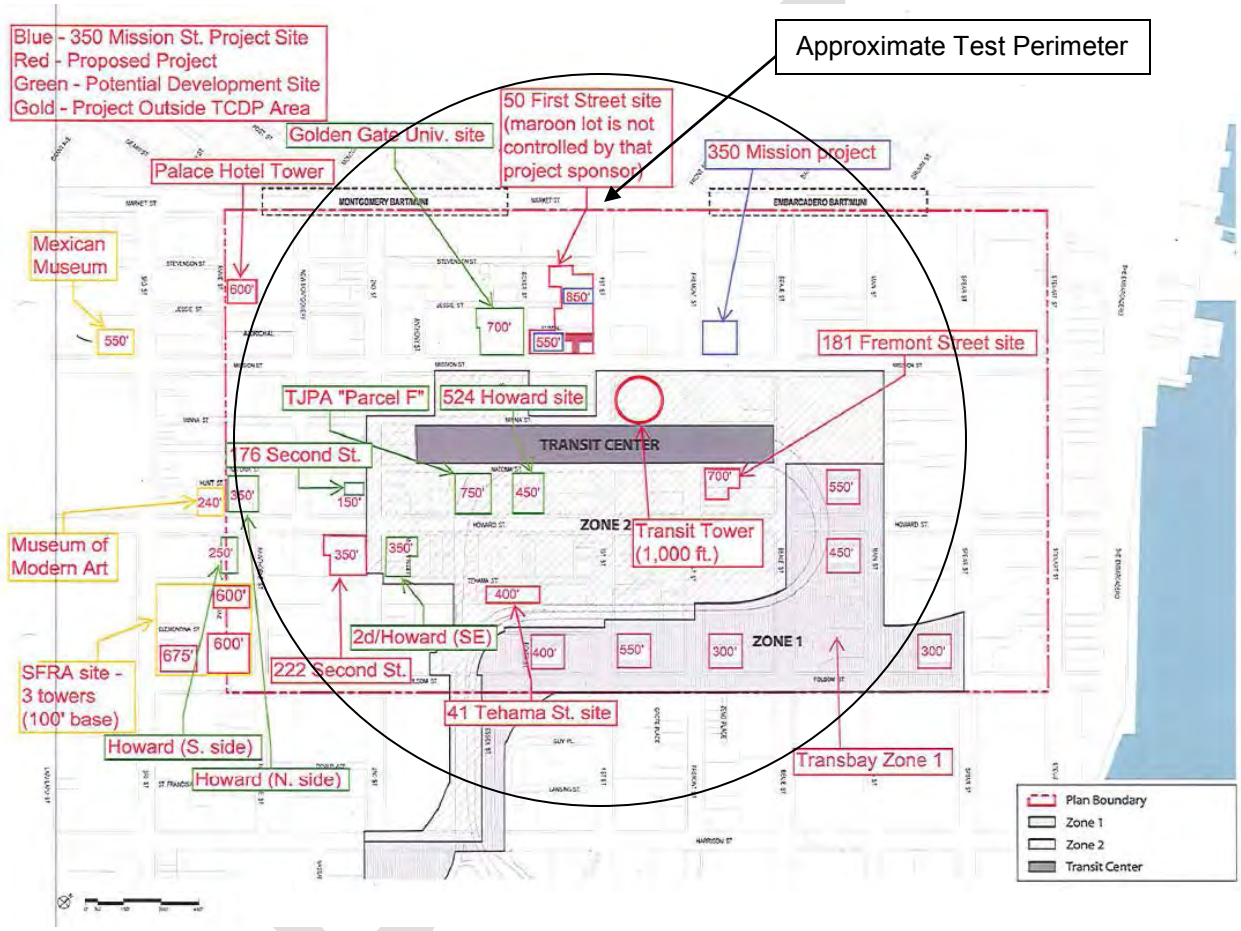

Figure Provided by ESA | Environmental Science Associates

For the Cumulative Configuration, a total of 16 new towers were added to the wind tunnel model, creating a considerable blockage effect in the wind tunnel. One potential impact of this effect is to induce higher wind speeds closer to the outer edge of the model (i.e., between the side walls of the wind tunnel and the large building mass at the center of the model disk). In addition, for the west and west-southwest winds, the sensors on the outer disk were close to the windward edge of the disk and there were not enough upwind buildings to provide shelter as in the actual city setting. Therefore, in the current study, sensors that were originally placed on the outer model diskdue to the unusually large size of the Transit Center

(i.e., along 2nd Street, Natoma Street, and Minna Street) were removed to ensure the quality of measurement results presented in this report.

Note that this study involved advanced measurement and analysis techniques to predict wind conditions on and around the development site. Some uncertainty remains in predicting wind comfort and hazard, and this must be kept in mind. For example, the sensation of comfort among individuals can be quite variable. Unforeseen changes in the project area can affect the conditions experienced at the site. Finally, the prediction of wind speeds is necessarily a statistical procedure. The wind speeds reported are for the frequency of occurrence stated (10% of the time or once per year). Higher wind speeds will occur but on a less frequent basis. Any conclusion drawn from a wind tunnel study should be based on not only the comparison of results against the city ordinance and guidelines, but also comparisons of the wind results between various development configurations.

4. TEST RESULTS

Table 1, located in the tables section of this report, presents the wind comfort results for the three development configurations tested. For each measurement point, the measured 10% exceeded (90th percentile) equivalent wind speed and the percentage of time that the wind speed exceeds 11 mph is shown for areas considered to be used primarily for walking. A lower-speed criterion (7 mph exceeded 10% of the time) can also be considered, which applies to “seating” areas, and in most cases refers to publicly accessible (although often privately owned) open spaces with passive pedestrian activities intended.

Table 2 presents the wind hazard results, and lists the predicted wind speed to be exceeded one hour per year. The predicted number of hours per year that the Section 148 wind hazard criterion (one minute wind speed of 36 mph) is exceeded is also provided.

Wind speed measurements were taken at 171 locations for the Existing Configuration, and 206 locations for the Existing plus Project and Project plus Cumulative Configurations. Measurement locations were also included on the roof of the Transbay Transit Terminal (Locations 25 through 74). Figures 2a through 2c depict the sensor locations on and around the project site. Discussions regarding building and sensor locations and direction refer to “Project North”, while wind directionality refers to “True North”.

4.1 Wind Comfort Conditions

Existing Conditions

For the Existing Configuration in the vicinity of the project site, wind activity was generally high with wind speeds averaging 9 mph, and the average percentage of time winds exceed the 11 mph comfort criteria at 5%. The highest wind speeds occurred between Mission and Minna Streets (20 mph at Location 150 in Table 1 and Figure 2b). These high wind speeds were caused by winds downwashing and accelerating between the existing buildings west of the proposed Transbay Tower. Wind speeds at 79 of the 171 test locations currently exceed the Planning Code's 7 and 11 mph pedestrian comfort criteria. For the Existing Configuration, of the 14 test locations immediately adjacent to the project site (Locations 1, 5, 8, 12, 14,

and 16 through 24 in Figure 2c) the 10% wind speeds range from 8 to 16 mph, with ten (Locations 1, 8, 12, 14, 16 through 19, 22 and 24) exceeding pedestrian comfort criterion.

Existing plus Project

For the Existing plus Project Configuration, wind speeds were generally similar to those recorded in the Existing Configuration with average wind speeds increasing slightly from 9 mph to 10 mph. The number of comfort criterion exceedances increased to 101 out of 206 sensor locations. The highest wind speed remained between Mission Street and Minna Street (19 mph at Locations 150 and 151). At test locations adjacent to the project (Locations 1 through 24 in Figure 2c), the 10% wind speeds ranged from 8 to 14 mph, with 20 of the 24 locations exceeding the 7 mph, and 11 mph pedestrian comfort criteria. Overall, the percent of time the winds exceeded 11 mph increased from 5% in the Existing Configuration, to 9% of the time in the Existing plus Project Configuration.

Project plus Cumulative

With the Project plus Cumulative Configuration in place, winds generally increased from the Existing Configuration and the Existing plus Project Configuration; the average wind speed for all test locations increased to 11 mph with winds exceeding the 11 mph criteria for 11% of the time. The highest wind speed area occurred on the top west side of the Transbay Transit Center (20 mph at Location 28). Of the 24 test locations around the project site (Figure 2c), 21 locations had winds that exceeded the pedestrian comfort criterion stipulated in the Planning Code. In the vicinity of the proposed project, wind speeds ranged from 8 to 15 mph, similar to those recorded in the other two configurations. With the Project plus Cumulative Configuration in place, the number of exceedances of the comfort criteria increased from the Existing and Existing plus Project Configurations from 79 out of 171, and 101 out of 206, to 117 out of 206. There was an average speed increase relative to existing conditions of 2 mph.

Summary of Pedestrian Wind Comfort

Overall, as indicated in Table 1, wind conditions were similar for the Existing and Existing plus Project Configurations, with an increase in the number of wind speed exceedances occurring around the tower. This increase was also observed for the Project plus Cumulative Configuration. The average wind speeds increased slightly from the Existing and Existing plus Project Configurations as well as for the Project plus Cumulative Configuration.

4.2 Wind Hazard Conditions

Existing

As indicated in Table 2, all test locations currently meet the wind hazard criterion. The average wind speed exceeded was 18 mph for the Existing Configuration.

Existing plus Project

All test locations met the wind hazard criterion for the Existing plus Project Configuration and the average wind speed exceeded was 19 mph.

Project plus Cumulative

The addition of the cumulative developments resulted in one additional hazardous wind exceedance. This hazardous wind condition was observed on the east side of 1st Street north of Mission Street (Location 101 in Table 2 and Figure 2b). The strong winds in this area were primarily caused by the predominant northwest winds accelerating around the southwest building at the corner of 1st Street and Market Street, and the northwest winds channelling between the buildings on 1st Street. As indicated at the bottom of Table 2, the average wind speed exceeded was 20 mph, slightly higher than those for the Existing (18 mph) and the Existing plus Project (19 mph) Configurations.

4.3 Recommendations

If improved wind comfort is desired at seating areas or areas where passive activities are anticipated, wind mitigation in the form of landscaping, trellises, and/or wind screens could be considered to provide localized protection from the wind (see Images 1 through 4). In addition, the massing of proposed future buildings could be refined (e.g., shape, orientation, tower setbacks, etc.) in an effort to further improve predicted wind conditions for the Project plus Cumulative Configuration.

For the wind hazard exceedance in the Project plus Cumulative Configuration (Location 101 in Figure 2b), wind mitigation should be further investigated during the design of the future building on the west side of 1st Street which is the primary cause for these strong wind conditions.

The model tested in the wind tunnel used the City of San Francisco's standard testing methodology, which does not account for the street furniture, landscaping, etc. present in the area. Depending on the placement and density of such elements, the wind comfort conditions recorded could be improved to be suitable for the intended usage at all but the most extreme cases. The impact of these elements in wind reduction tends to be localized, whereas high wind speeds were predicted in areas both near, and away from the development site. Therefore, it was determined that the potential for effective on-site wind control measures to reduce wind speeds off-site, was limited.

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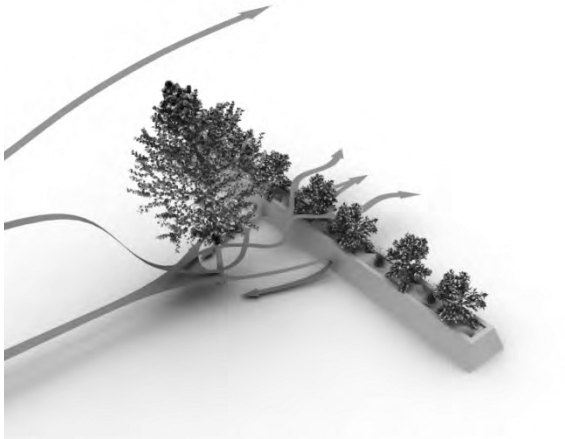

Image 1 – *Landscaping*

Image 2 – *Landscaping on the existing site of the Transit Center Tower building (Image Courtesy of Google Earth ™)*

Image 3 –*Landscaping at the corner of 2nd Street & Natoma Street (Image Courtesy of Google Earth ™)*

Image 4 – *Example Wind Screen / Shelter*

5. APPLICABILITY OF RESULTS

The results presented in this report pertain to the model of the proposed Transbay Tower and a portion of the Transit Center District Plan development constructed using the architectural design drawings listed in Appendix A. Should there be design changes that deviate from this list of drawings, the results presented may change. Therefore, if substantial changes in the design are made, it is recommended that RWDI be contacted and requested to review their potential effects on wind conditions.

6. REFERENCES

[1] Irwin, H.P.A.H. (1981), "A simple omni-directional sensor for wind-tunnel studies of pedestrian-level winds", *Journal of Wind Engineering and Industrial Aerodynamics*, vol. 7, pp 219-239.

[2] ASCE Task Committee on Outdoor Human Comfort (2004). *Outdoor Human Comfort and Its Assessment*, 68 pages, American Society of Civil Engineers, Reston, Virginia, USA.

[3] Arens, E., Ballanti, D, Bennet, C., Guldman, S. And White, B. (1989), "Developing the San Francisco wind ordinance and its guidelines for compliance", *Building and Environment*, vol 24(4), pp 297-303

[4] White, B.R. (1992), "Analysis and wind tunnel simulation of pedestrian level winds in San Francisco", *Journal of Wind Engineering and Industrial Aerodynamics*, vol. 41-44, pp 2353-2364.

[5] Irwin, P.A. (1981), *The Design of Spires for Wind Simulation*, Journal of Wind Engineering and Industrial Aerodynamics, vol. 7, pp. 361-366.

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TABLES

Table 1: Comfort Results

References		Existing			Existing plus Project				Project plus Cumulative			
Location Number	Comfort Criterion Speed (*mph*)	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11mph	exceeds	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11mph	Speed Change Relative to Existing (mph)	exceeds	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11mph	Speed Change Relative to Existing (mph)	exceeds
1	11	12	14%	e	14	24%	2	e	15	25%	3	e
2	7	-	-		14	23%	-	e	13	20%	-	e
3	7	-	-		9	4%	-	e	9	4%	-	e
4	7	-	-		11	10%	-	e	10	6%	-	e
5	11	10	6%		13	20%	3	e	12	14%	2	e
6	11	-	-		13	21%	-	e	13	20%	-	e
7	11	-	-		13	19%	-	e	13	21%	-	e
8	11	13	15%	e	13	19%	0	e	13	20%	0	e
9	11	-	-		12	13%	-	e	13	19%	-	e
10	11	-	-		10	5%	-		12	13%	-	e
11	7	-	-		14	24%	-	e	14	25%	-	e
12	7	11	10%	e	13	19%	2	e	13	17%	2	e
13	7	-	-		14	21%	-	e	11	10%	-	e
14	7	9	4%	e	12	12%	3	e	9	4%	0	e
15	7	-	-		9	3%	-	e	9	4%	-	e
16	7	11	10%	e	9	2%	-2	e	8	2%	-3	e
17	7	11	10%	e	9	2%	-2	e	8	3%	-3	e
18	7	11	10%	e	8	1%	-3	e	8	1%	-3	e
19	7	11	10%	e	9	2%	-2	e	8	1%	-3	e
20	11	10	6%		13	19%	3	e	12	14%	2	e
21	11	8	1%		10	7%	2		9	4%	1	
22	11	12	12%	e	12	15%	0	e	11	10%	-1	
23	11	9	2%		9	3%	0		9	3%	0	
24	11	16	29%	e	11	10%	-5		13	18%	-3	e
25	7	11	10%	e	13	20%	2	e	17	35%	6	e
26	7	8	1%	e	10	6%	2	e	15	25%	7	e
27	7	9	2%	e	12	12%	3	e	19	39%	10	e
28	7	9	2%	e	11	10%	2	e	20	42%	11	e
29	7	7	0%		6	0%	-1		12	13%	5	e
30	7	7	0%		6	0%	-1		12	14%	5	e

Table 1: Comfort Results

References		Existing			Existing plus Project				Project plus Cumulative			
Location Number	Comfort Criterion Speed (*mph*)	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11mph	exceeds	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11mph	Speed Change Relative to Existing (mph)	exceeds	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11mph	Speed Change Relative to Existing (mph)	exceeds
31	7	8	1%	e	9	3%	1	e	15	27%	7	e
32	7	8	1%	e	6	0%	-2		9	2%	1	e
33	7	8	0%	e	7	0%	-1		15	25%	7	e
34	7	8	1%	e	9	2%	1	e	19	37%	11	e
35	7	7	0%		8	1%	1	e	19	37%	12	e
36	7	8	1%	e	7	0%	-1		14	22%	6	e
37	7	8	1%	e	7	1%	-1		16	30%	8	e
38	7	8	2%	e	7	0%	-1		14	19%	6	e
39	7	7	0%		7	1%	0		17	32%	10	e
40	7	8	2%	e	8	1%	0	e	15	26%	7	e
41	7	8	3%	e	9	3%	1	e	13	18%	5	e
42	7	8	1%	e	7	1%	-1		16	27%	8	e
43	7	8	1%	e	7	1%	-1		17	31%	9	e
44	7	9	5%	e	11	10%	2	e	14	21%	5	e
45	7	9	3%	e	10	6%	1	e	12	14%	3	e
46	7	9	4%	e	8	1%	-1	e	14	22%	5	e
47	7	8	2%	e	10	5%	2	e	14	20%	6	e
48	7	9	3%	e	11	10%	2	e	7	1%	-2	
49	7	9	2%	e	13	18%	4	e	12	13%	3	e
50	7	10	7%	e	14	22%	4	e	10	6%	0	e
51	7	9	5%	e	13	18%	4	e	13	18%	4	e
52	7	10	6%	e	14	20%	4	e	13	19%	3	e
53	7	9	2%	e	11	10%	2	e	10	4%	1	e
54	7	8	1%	e	10	6%	2	e	8	1%	0	e
55	7	10	6%	e	13	19%	3	e	13	16%	3	e
56	7	10	6%	e	12	15%	2	e	11	10%	1	e
57	7	8	1%	e	10	6%	2	e	10	5%	2	e
58	7	9	2%	e	10	8%	1	e	10	7%	1	e
59	7	8	1%	e	12	16%	4	e	11	10%	3	e
60	7	11	10%	e	12	12%	1	e	10	9%	-1	e

Table 1: Comfort Results

References		Existing			Project				Cumulative			
Location Number	Comfort Criterion Speed (*mph*)	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11mph	exceeds	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11mph	Speed Change Relative to Existing (mph)	exceeds	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11mph	Speed Change Relative to Existing (mph)	exceeds
61	7	8	1%	e	8	1%	0	e	8	2%	0	e
62	7	10	6%	e	12	13%	2	e	11	10%	1	e
63	7	10	5%	e	12	15%	2	e	13	15%	3	e
64	7	11	10%	e	13	19%	2	e	13	15%	2	e
65	7	8	0%	e	4	0%	-4		5	0%	-3	
66	7	9	2%	e	12	14%	3	e	12	13%	3	e
67	7	10	6%	e	12	16%	2	e	12	12%	2	e
68	7	6	0%		8	1%	2	e	6	0%	0	
69	7	8	1%	e	10	5%	2	e	11	10%	3	e
70	7	9	2%	e	12	14%	3	e	12	12%	3	e
71	7	9	2%	e	11	10%	2	e	10	6%	1	e
72	7	8	2%	e	7	0%	-1		6	0%	-2	
73	7	12	13%	e	10	7%	-2	e	10	9%	-2	e
74	7	10	7%	e	12	13%	2	e	10	4%	0	e
75	11	5	0%		4	0%	-1		7	0%	2	
76	11	11	10%		9	4%	-2		10	5%	-1	
77	11	9	2%		7	1%	-2		7	0%	-2	
78	11	8	1%		6	0%	-2		6	0%	-2	
79	11	6	0%		7	1%	1		8	1%	2	
80	11	7	0%		8	1%	1		9	3%	2	
81	11	7	1%		7	1%	0		10	4%	3	
82	11	7	1%		4	0%	-3		4	0%	-3	
83	7	-	-		13	16%	-	e	13	16%	-	e
84	7	8	1%	e	11	10%	3	e	13	17%	5	e
85	7	11	10%	e	11	10%	0	e	11	10%	0	e
86	7	11	10%	e	13	16%	2	e	14	22%	3	e
87	11	7	0%		10	8%	3		10	7%	3	
88	11	9	3%		7	1%	-2		13	18%	4	e
89	11	8	1%		9	2%	1		11	10%	3	
90	11	8	1%		9	3%	1		12	13%	4	e

Table 1: Comfort Results

References		Existing			Existing plus Project				Project plus Cumulative			
Location Number	Comfort Criterion Speed (*mph*)	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11mph	exceeds	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11mph	Speed Change Relative to Existing (mph)	exceeds	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11mph	Speed Change Relative to Existing (mph)	exceeds
91	11	9	4%		8	2%	-1		9	2%	0	
92	11	9	4%		9	4%	0		8	3%	-1	
93	11	11	10%		10	6%	-1		9	5%	-2	
94	11	11	10%		12	15%	1	e	10	7%	-1	
95	11	10	8%		11	10%	1		11	10%	1	
96	11	14	22%	e	15	25%	1	e	14	23%	0	e
97	11	-	-		10	4%	-		9	4%	-	
98	11	-	-		11	10%	-		13	17%	-	e
99	11	-	-		11	10%	-		14	19%	-	e
100	11	-	-		9	5%	-		12	15%	-	e
101	7	-	-		15	22%	-	e	18	37%	-	e
102	11	-	-		10	8%	-		14	19%	-	e
103	7	-	-		9	2%	-	e	8	1%	-	e
104	7	-	-		17	34%	-	e	17	34%	-	e
105	11	-	-		14	20%	-	e	13	19%	-	e
106	11	-	-		17	34%	-	e	17	35%	-	e
107	7	-	-		13	17%	-	e	12	16%	-	e
108	11	-	-		9	2%	-		8	2%	-	
109	11	-	-		14	25%	-	e	12	15%	-	e
110	11	-	-		10	5%	-		10	4%	-	
111	11	11	10%		14	23%	3	e	13	20%	2	e
112	11	10	7%		12	14%	2	e	11	10%	1	
113	11	11	10%		12	15%	1	e	10	5%	-1	
114	11	10	5%		10	6%	0		8	3%	-2	
115	11	10	7%		10	6%	0		9	3%	-1	
116	11	8	1%		7	0%	-1		8	1%	0	
117	11	11	10%		9	4%	-2		9	3%	-2	
118	11	9	4%		8	3%	-1		11	10%	2	
119	11	9	4%		9	6%	0		11	10%	2	
120	11	7	0%		7	0%	0		9	3%	2	

Table 1: Comfort Results

References		Existing			Project				Cumulative			
Location Number	Comfort Criterion Speed (*mph*)	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11mph	exceeds	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11mph	Speed Change Relative to Existing (mph)	exceeds	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11mph	Speed Change Relative to Existing (mph)	exceeds
121	7	9	4%	e	11	10%	2	e	11	10%	2	e
122	11	8	1%		11	10%	3		11	10%	3	
123	11	9	2%		11	10%	2		7	0%	-2	
124	7	10	5%	e	10	5%	0	e	7	0%	-3	
125	11	7	0%		6	0%	-1		5	0%	-2	
126	11	11	10%		8	1%	-3		7	0%	-4	
127	11	8	1%		8	1%	0		6	0%	-2	
128	11	13	14%	e	6	1%	-7		7	1%	-6	
129	11	8	1%		8	1%	0		7	0%	-1	
130	11	13	16%	e	7	1%	-6		8	2%	-5	
131	11	8	4%		4	0%	-4		4	0%	-4	
132	11	13	10%	e	7	1%	-6		8	2%	-5	
133	11	11	10%		6	1%	-5		7	1%	-4	
134	11	13	10%	e	8	1%	-5		6	0%	-7	
135	11	8	2%		9	3%	1		6	0%	-2	
136	11	12	10%	e	9	4%	-3		9	3%	-3	
137	11	15	23%	e	6	0%	-9		7	1%	-8	
138	7	14	20%	e	11	10%	-3	e	9	6%	-5	e
139	11	15	23%	e	10	7%	-5		8	4%	-7	
140	11	-	-		10	5%	-		8	2%	-	
141	11	11	10%		10	7%	-1		9	3%	-2	
142	11	10	8%		10	4%	0		8	1%	-2	
143	11	-	-		12	16%	-	e	9	4%	-	
144	11	-	-		10	7%	-		9	4%	-	
145	11	-	-		13	17%	-	e	12	14%	-	e
146	11	12	14%	e	14	21%	2	e	16	30%	4	e
147	11	-	-		13	16%	-	e	18	36%	-	e
148	11	16	31%	e	14	22%	-2	e	16	32%	0	e
149	11	24	49%	e	19	-45%	-8	e	18	37%	-6	e
150	7	20	42%	e	19	42%	-1	e	17	35%	-3	e

Table 1: Comfort Results

References		Existing			Existing plus Project				Project plus Cumulative			
Location Number	Comfort Criterion Speed (*mph*)	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11mph	exceeds	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11mph	Speed Change Relative to Existing (mph)	exceeds	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11mph	Speed Change Relative to Existing (mph)	exceeds
151	7	18	37%	e	19	41%	1	e	17	34%	-1	e
152	7	16	29%	e	17	35%	1	e	17	37%	1	e
153	11	9	2%		9	3%	0		9	2%	0	
154	11	9	4%		10	6%	1		14	20%	5	e
155	11	12	12%	e	12	15%	0	e	15	24%	3	e
156	11	10	4%		9	3%	-1		13	19%	3	e
157	11	8	1%		8	2%	0		11	10%	3	
158	11	8	1%		8	1%	0		11	10%	3	
159	11	10	5%		13	17%	3	e	13	19%	3	e
160	11	9	3%		7	1%	-2		11	10%	2	
161	11	8	3%		7	0%	-1		11	10%	3	
162	11	10	8%		6	0%	-4		8	2%	-2	
163	11	10	4%		7	0%	-3		7	1%	-3	
164	11	14	10%	e	10	7%	-4		8	4%	-6	
165	11	8	1%		5	0%	-3		9	3%	1	
166	11	10	6%		11	10%	1		19	42%	9	e
167	11	8	1%		6	0%	-2		16	30%	8	e
168	11	10	5%		12	14%	2	e	17	34%	7	e
169	11	8	1%		9	3%	1		19	39%	11	e
170	11	7	0%		7	1%	0		14	22%	7	e
171	11	7	0%		8	2%	1		13	18%	6	e
172	11	6	0%		8	1%	2		10	4%	4	
173	11	5	0%		7	0%	2		11	10%	6	
174	11	7	0%		9	3%	2		12	13%	5	e
175	11	6	0%		8	1%	2		12	14%	6	e
176	11	6	0%		5	0%	-1		9	2%	3	
177	11	6	0%		6	0%	0		11	10%	5	
178	11	8	1%		7	0%	-1		10	5%	2	
179	11	16	28%	e	17	36%	1	e	11	10%	-5	
180	11	10	6%		10	4%	0		15	24%	5	e

Table 1: Comfort Results

References		Existing			Project				Cumulative			
Location Number	Comfort Criterion Speed (*mph*)	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11mph	exceeds	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11mph	Speed Change Relative to Existing (mph)	exceeds	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11mph	Speed Change Relative to Existing (mph)	exceeds
181	11	11	10%		12	12%	1	e	10	7%	-1	
182	11	10	7%		14	22%	4	e	17	33%	7	e
183	11	6	0%		7	0%	1		6	0%	0	
184	7	9	5%	e	10	6%	1	e	7	1%	-2	
185	7	-	-		8	1%	-	e	8	2%	-	e
186	7	7	1%		8	1%	1	e	8	1%	1	e
187	7	7	0%		7	0%	0		6	0%	-1	
188	7	8	2%	e	9	3%	1	e	10	4%	2	e
189	11	6	0%		6	0%	0		4	0%	-2	
190	11	7	0%		7	0%	0		5	0%	-2	
191	11	7	0%		7	0%	0		6	0%	-1	
192	11	5	0%		6	0%	1		4	0%	-1	
193	11	7	0%		7	1%	0		6	0%	-1	
194	11	6	0%		6	0%	0		5	0%	-1	
195	11	7	0%		8	1%	1		7	1%	0	
196	11	6	0%		10	4%	4		7	1%	1	
197	7	-	-		9	2%	-	e	10	5%	-	e
198	11	6	0%		7	1%	1		8	1%	2	
199	11	6	0%		7	0%	1		10	5%	4	
200	11	9	4%		12	12%	3	e	4	0%	-5	
201	11	6	0%		6	0%	0		6	0%	0	
202	11	5	0%		5	0%	0		5	0%	0	
203	11	7	0%		5	0%	-2		4	0%	-3	
204	7	-	-		9	3%	-	e	11	10%	-	e
205	7	-	-		12	16%	-	e	13	17%	-	e
206	11	10	5%		12	12%	2	e	14	19%	4	e
207	7	-	-		11	10%	-	e	10	7%	-	e
Average mph and %		9 mph	5%		10 mph	9%	1 mph		11 mph	11%	2 mph	
Exceedances		Existing	79 of 171		Project		101 of 206		Cumulative		117 of 206	

Table 2: Wind Hazard Results

References	Existing			Project				Cumulative			
Location Number	Wind Speed Exceeded 1hour/year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Exceeds	Wind Speed Exceeded 1hour/year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Hours Change Relative to Existing	Exceeds	Wind Speed Exceeded 1hour/year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Hours Change Relative to Existing	Exceeds
1	21	<1		25	<1	0		25	<1	0	
2	-	-		26	<1	-		24	<1	-	
3	-	-		18	<1	-		24	<1	-	
4	-	-		20	<1	-		18	<1	-	
5	20	<1		24	<1	0		22	<1	0	
6	-	-		23	<1	-		25	<1	-	
7	-	-		23	<1	-		25	<1	-	
8	26	<1		22	<1	0		25	<1	0	
9	-	-		21	<1	-		23	<1	-	
10	-	-		18	<1	-		20	<1	-	
11	-	-		26	<1	-		28	<1	-	
12	19	<1		24	<1	0		24	<1	0	
13	-	-		26	<1	-		23	<1	-	
14	18	<1		22	<1	0		22	<1	0	
15	-	-		17	<1	-		23	<1	-	
16	21	<1		16	<1	0		19	<1	0	
17	19	<1		16	<1	0		19	<1	0	
18	21	<1		14	<1	0		14	<1	0	
19	21	<1		16	<1	0		15	<1	0	
20	20	<1		24	<1	0		22	<1	0	
21	16	<1		19	<1	0		17	<1	0	
22	27	<1		23	<1	0		24	<1	0	
23	16	<1		19	<1	0		17	<1	0	
24	30	<1		22	<1	0		25	<1	0	
25	22	<1		23	<1	0		30	<1	0	
26	17	<1		19	<1	0		25	<1	0	
27	20	<1		22	<1	0		32	<1	0	
28	19	<1		20	<1	0		35	<1	0	
29	13	<1		14	<1	0		20	<1	0	
30	12	<1		13	<1	0		21	<1	0	

Table 2: Wind Hazard Results

References	Existing			Project				Cumulative			
Location Number	Wind Speed Exceeded 1hour/year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Exceeds	Wind Speed Exceeded 1hour/year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Hours Change Relative to Existing	Exceeds	Wind Speed Exceeded 1hour/year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Hours Change Relative to Existing	Exceeds
31	14	<1		17	<1	0		26	<1	0	
32	13	<1		12	<1	0		16	<1	0	
33	15	<1		15	<1	0		28	<1	0	
34	15	<1		17	<1	0		33	<1	0	
35	14	<1		17	<1	0		33	<1	0	
36	14	<1		16	<1	0		24	<1	0	
37	14	<1		18	<1	0		28	<1	0	
38	16	<1		16	<1	0		24	<1	0	
39	14	<1		17	<1	0		29	<1	0	
40	16	<1		18	<1	0		27	<1	0	
41	20	<1		18	<1	0		24	<1	0	
42	15	<1		17	<1	0		27	<1	0	
43	15	<1		17	<1	0		29	<1	0	
44	19	<1		21	<1	0		25	<1	0	
45	17	<1		19	<1	0		21	<1	0	
46	18	<1		17	<1	0		25	<1	0	
47	15	<1		18	<1	0		24	<1	0	
48	17	<1		19	<1	0		16	<1	0	
49	15	<1		22	<1	0		20	<1	0	
50	19	<1		23	<1	0		21	<1	0	
51	18	<1		24	<1	0		22	<1	0	
52	19	<1		27	<1	0		23	<1	0	
53	16	<1		19	<1	0		16	<1	0	
54	15	<1		21	<1	0		15	<1	0	
55	19	<1		25	<1	0		23	<1	0	
56	19	<1		21	<1	0		20	<1	0	
57	15	<1		18	<1	0		18	<1	0	
58	16	<1		23	<1	0		18	<1	0	
59	15	<1		24	<1	0		20	<1	0	
60	19	<1		21	<1	0		19	<1	0	

Table 2: Wind Hazard Results

References	Existing			Project				Cumulative			
Location Number	Wind Speed Exceeded 1hour/year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Exceeds	Wind Speed Exceeded 1hour/year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Hours Change Relative to Existing	Exceeds	Wind Speed Exceeded 1hour/year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Hours Change Relative to Existing	Exceeds
61	14	<1		14	<1	0		15	<1	0	
62	18	<1		23	<1	0		20	<1	0	
63	17	<1		22	<1	0		24	<1	0	
64	19	<1		23	<1	0		23	<1	0	
65	13	<1		7	<1	0		8	<1	0	
66	16	<1		21	<1	0		22	<1	0	
67	18	<1		22	<1	0		22	<1	0	
68	12	<1		17	<1	0		12	<1	0	
69	15	<1		19	<1	0		20	<1	0	
70	17	<1		22	<1	0		22	<1	0	
71	16	<1		20	<1	0		18	<1	0	
72	16	<1		12	<1	0		11	<1	0	
73	25	<1		19	<1	0		19	<1	0	
74	20	<1		22	<1	0		17	<1	0	
75	10	<1		8	<1	0		13	<1	0	
76	19	<1		19	<1	0		18	<1	0	
77	16	<1		15	<1	0		13	<1	0	
78	15	<1		13	<1	0		10	<1	0	
79	11	<1		14	<1	0		14	<1	0	
80	13	<1		15	<1	0		16	<1	0	
81	14	<1		14	<1	0		17	<1	0	
82	17	<1		7	<1	0		7	<1	0	
83	-	-		24	<1	-		22	<1	-	
84	17	<1		20	<1	0		22	<1	0	
85	19	<1		20	<1	0		20	<1	0	
86	21	<1		25	<1	0		25	<1	0	
87	15	<1		19	<1	0		18	<1	0	
88	17	<1		13	<1	0		23	<1	0	
89	14	<1		15	<1	0		19	<1	0	
90	14	<1		16	<1	0		20	<1	0	

Table 2: Wind Hazard Results

References	Existing			Project				Cumulative			
Location Number	Wind Speed Exceeded 1hour/year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Exceeds	Wind Speed Exceeded 1hour/year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Hours Change Relative to Existing	Exceeds	Wind Speed Exceeded 1hour/year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Hours Change Relative to Existing	Exceeds
91	17	<1		15	<1	0		16	<1	0	
92	22	<1		17	<1	0		21	<1	0	
93	24	<1		18	<1	0		23	<1	0	
94	25	<1		25	<1	0		29	<1	0	
95	26	<1		20	<1	0		27	<1	0	
96	25	<1		25	<1	0		24	<1	0	
97	-	-		19	<1	-		22	<1	-	
98	-	-		25	<1	-		27	<1	-	
99	-	-		27	<1	-		30	<1	-	
100	-	-		25	<1	-		28	<1	-	
101	-	-		35	<1	-		37	3		e
102	-	-		22	<1	-		35	<1	-	
103	-	-		16	<1	-		14	<1	-	
104	-	-		29	<1	-		29	<1	-	
105	-	-		24	<1	-		22	<1	-	
106	-	-		30	<1	-		29	<1	-	
107	-	-		22	<1	-		21	<1	-	
108	-	-		16	<1	-		16	<1	-	
109	-	-		26	<1	-		23	<1	-	
110	-	-		18	<1	-		18	<1	-	
111	19	<1		26	<1	0		24	<1	0	
112	21	<1		24	<1	0		19	<1	0	
113	19	<1		22	<1	0		21	<1	0	
114	18	<1		18	<1	0		19	<1	0	
115	18	<1		19	<1	0		20	<1	0	
116	13	<1		13	<1	0		16	<1	0	
117	19	<1		19	<1	0		16	<1	0	
118	17	<1		18	<1	0		21	<1	0	
119	17	<1		20	<1	0		21	<1	0	
120	12	<1		13	<1	0		17	<1	0	

Table 2: Wind Hazard Results

References	Existing			Project				Cumulative			
Location Number	Wind Speed Exceeded 1hour/year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Exceeds	Wind Speed Exceeded 1hour/year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Hours Change Relative to Existing	Exceeds	Wind Speed Exceeded 1hour/year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Hours Change Relative to Existing	Exceeds
121	18	<1		22	<1	0		21	<1	0	
122	16	<1		19	<1	0		21	<1	0	
123	16	<1		19	<1	0		13	<1	0	
124	19	<1		19	<1	0		14	<1	0	
125	13	<1		11	<1	0		9	<1	0	
126	24	<1		15	<1	0		13	<1	0	
127	15	<1		15	<1	0		11	<1	0	
128	27	<1		16	<1	0		16	<1	0	
129	15	<1		15	<1	0		13	<1	0	
130	27	<1		18	<1	0		17	<1	0	
131	18	<1		8	<1	0		8	<1	0	
132	27	<1		17	<1	0		18	<1	0	
133	24	<1		15	<1	0		16	<1	0	
134	28	<1		15	<1	0		13	<1	0	
135	16	<1		16	<1	0		12	<1	0	
136	27	<1		20	<1	0		18	<1	0	
137	30	<1		12	<1	0		15	<1	0	
138	30	<1		22	<1	0		22	<1	0	
139	31	<1		18	<1	0		20	<1	0	
140	-	-		17	<1	-		18	<1	-	
141	31	<1		21	<1	0		20	<1	0	
142	23	<1		17	<1	0		14	<1	0	
143	-	-		24	<1	-		19	<1	-	
144	-	-		19	<1	-		20	<1	-	
145	-	-		23	<1	-		21	<1	-	
146	21	<1		24	<1	0		28	<1	0	
147	-	-		24	<1	-		35	<1	-	
148	29	<1		24	<1	0		28	<1	0	
149	-	-	-	-	-	-		-	-	-	
150	34	<1		33	<1	0		29	<1	0	

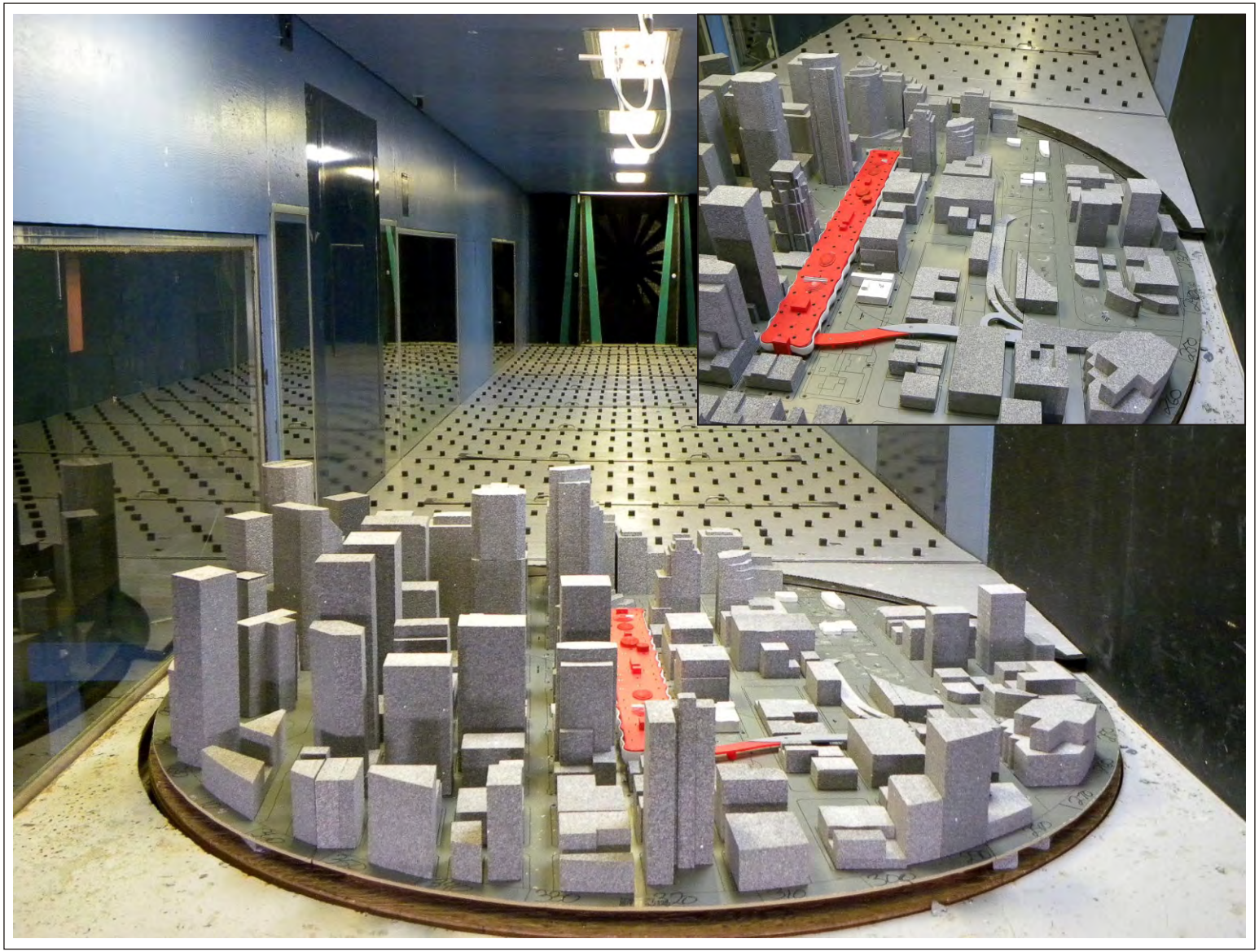
Table 2: Wind Hazard Results

References	Existing			Project				Cumulative			
Location Number	Wind Speed Exceeded 1hour/year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Exceeds	Wind Speed Exceeded 1hour/year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Hours Change Relative to Existing	Exceeds	Wind Speed Exceeded 1hour/year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Hours Change Relative to Existing	Exceeds
151	31	<1		35	<1	0		30	<1	0	
152	28	<1		31	<1	0		30	<1	0	
153	15	<1		17	<1	0		16	<1	0	
154	17	<1		19	<1	0		24	<1	0	
155	20	<1		23	<1	0		26	<1	0	
156	17	<1		18	<1	0		24	<1	0	
157	13	<1		16	<1	0		20	<1	0	
158	15	<1		14	<1	0		21	<1	0	
159	18	<1		22	<1	0		23	<1	0	
160	18	<1		14	<1	0		21	<1	0	
161	19	<1		12	<1	0		19	<1	0	
162	25	<1		13	<1	0		18	<1	0	
163	18	<1		14	<1	0		15	<1	0	
164	26	<1		20	<1	0		24	<1	0	
165	14	<1		10	<1	0		16	<1	0	
166	18	<1		20	<1	0		33	<1	0	
167	15	<1		11	<1	0		28	<1	0	
168	18	<1		21	<1	0		30	<1	0	
169	15	<1		16	<1	0		32	<1	0	
170	14	<1		13	<1	0		26	<1	0	
171	14	<1		15	<1	0		23	<1	0	
172	13	<1		14	<1	0		16	<1	0	
173	11	<1		13	<1	0		20	<1	0	
174	17	<1		16	<1	0		20	<1	0	
175	15	<1		14	<1	0		22	<1	0	
176	12	<1		10	<1	0		15	<1	0	
177	12	<1		11	<1	0		19	<1	0	
178	13	<1		13	<1	0		17	<1	0	
179	28	<1		30	<1	0		19	<1	0	
180	18	<1		17	<1	0		26	<1	0	

Table 2: Wind Hazard Results

References	Existing			Existing plus Project				Project plus Cumulative			
Location Number	Wind Speed Exceeded 1hour/year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Exceeds	Wind Speed Exceeded 1hour/year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Hours Change Relative to Existing	Exceeds	Wind Speed Exceeded 1hour/year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Hours Change Relative to Existing	Exceeds
181	21	<1		21	<1	0		18	<1	0	
182	22	<1		27	<1	0		30	<1	0	
183	11	<1		12	<1	0		10	<1	0	
184	21	<1		18	<1	0		14	<1	0	
185	-	-		14	<1	-		15	<1	-	
186	14	<1		16	<1	0		15	<1	0	
187	13	<1		16	<1	0		15	<1	0	
188	17	<1		19	<1	0		19	<1	0	
189	11	<1		11	<1	0		7	<1	0	
190	13	<1		14	<1	0		9	<1	0	
191	12	<1		14	<1	0		11	<1	0	
192	10	<1		11	<1	0		8	<1	0	
193	12	<1		14	<1	0		11	<1	0	
194	11	<1		12	<1	0		9	<1	0	
195	12	<1		14	<1	0		14	<1	0	
196	11	<1		18	<1	0		16	<1	0	
197	-	-		16	<1	-		17	<1	-	
198	11	<1		15	<1	0		14	<1	0	
199	11	<1		13	<1	0		17	<1	0	
200	21	<1		22	<1	0		7	<1	0	
201	11	<1		11	<1	0		10	<1	0	
202	10	<1		9	<1	0		8	<1	0	
203	12	<1		9	<1	0		7	<1	0	
204	-	-		16	<1	-		19	<1	-	
205	-	-		23	<1	-		25	<1	-	
206	21	<1		20	<1	0		24	<1	0	
207	-	-		19	<1	-		19	<1	-	
Average mph and total hours per year	18 mph	0 hrs		19 mph	0 hrs	0 hrs		20 mph	3 hrs	3 hrs	
Exceedances	Existing	0 of 171		Project		0 of 206		Cumulative		1 of 206	

FIGURES



Wind Tunnel Study Model
Configuration - Existing

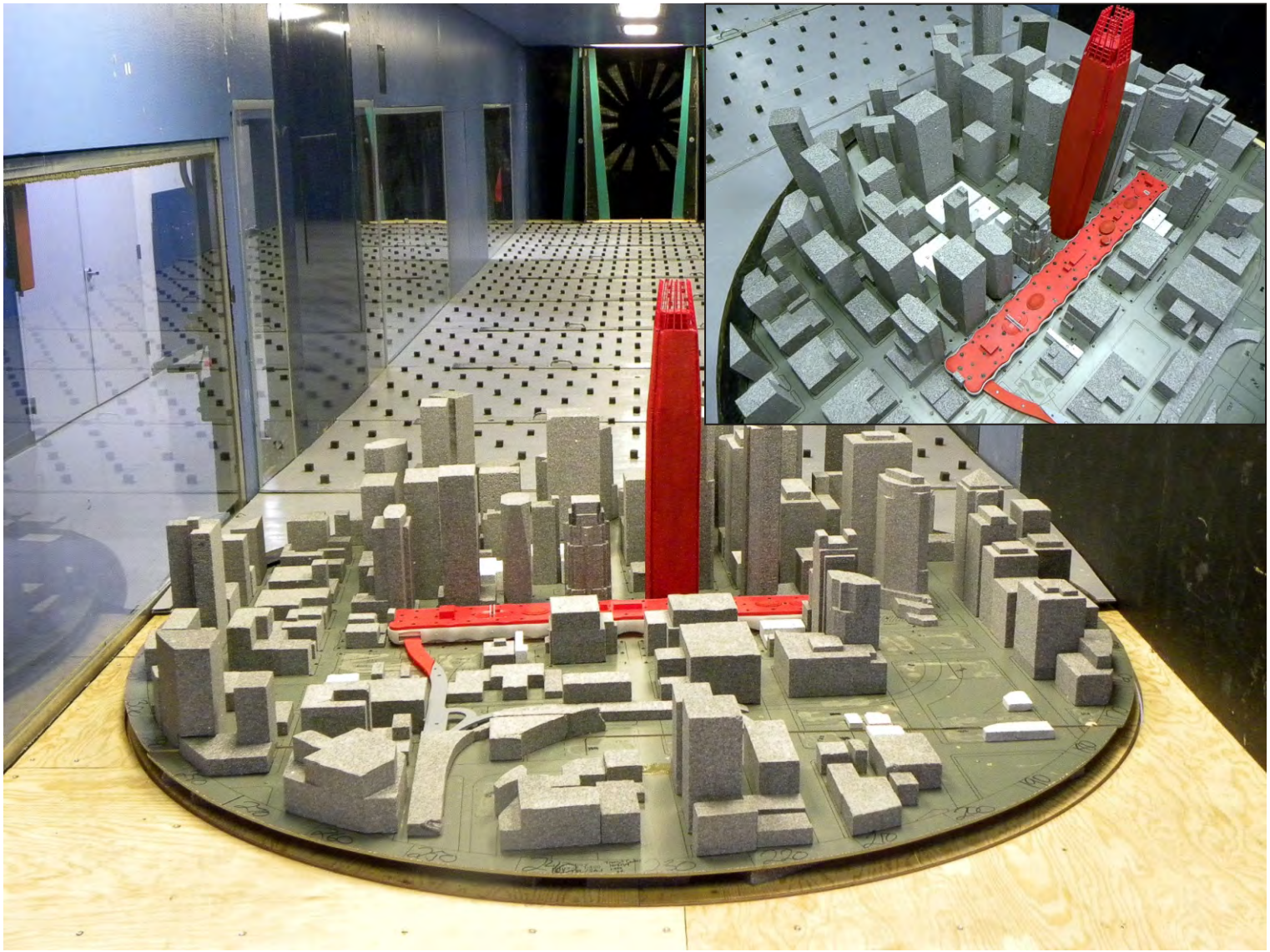
Transit Center District Plan - San Francisco, California

Project #1012134

Figure: 1a

Date: March 31, 2011

RWDI



Wind Tunnel Study Model
Configuration - Existing plus Project

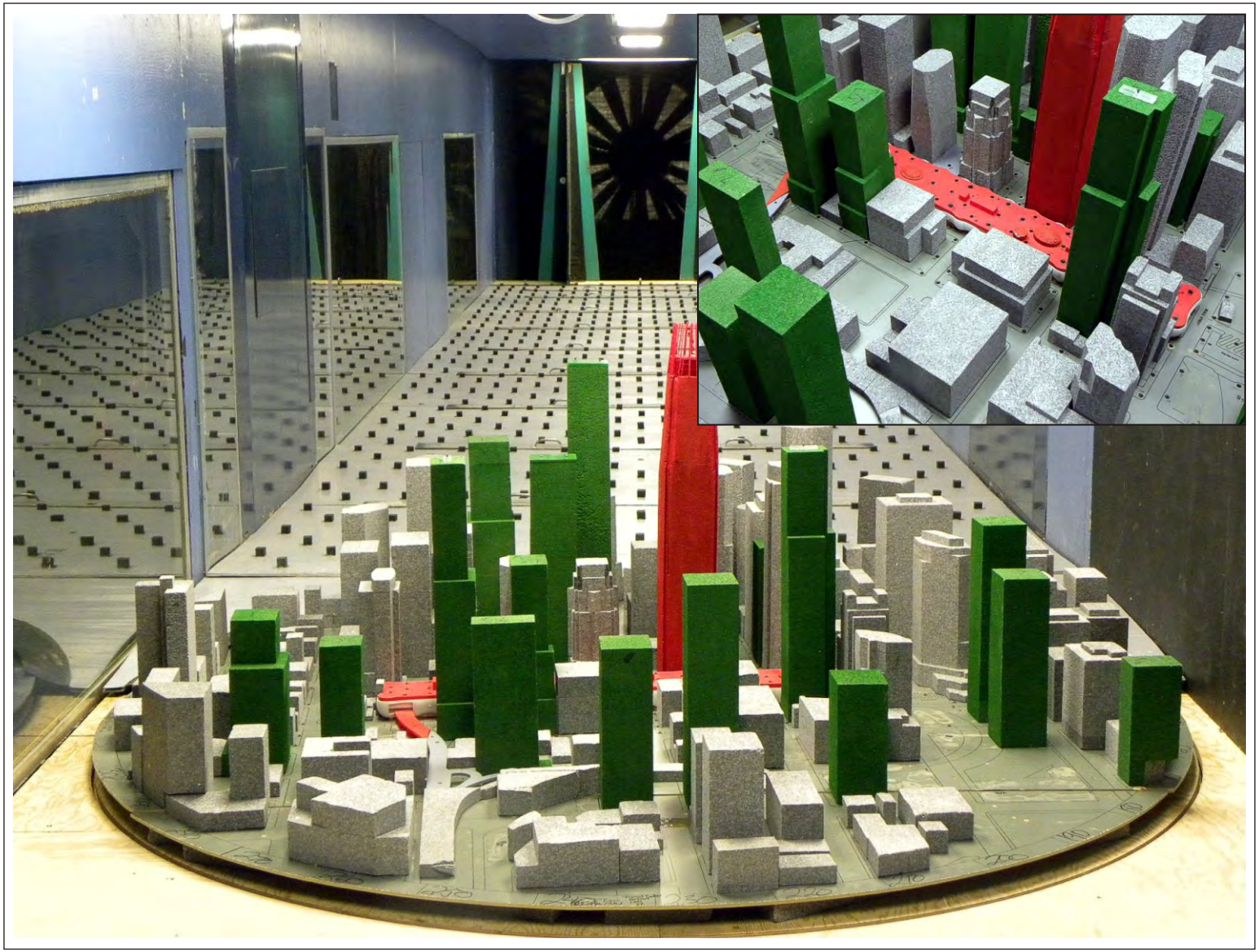
Transit Center District Plan - San Francisco, California

Project #1012134

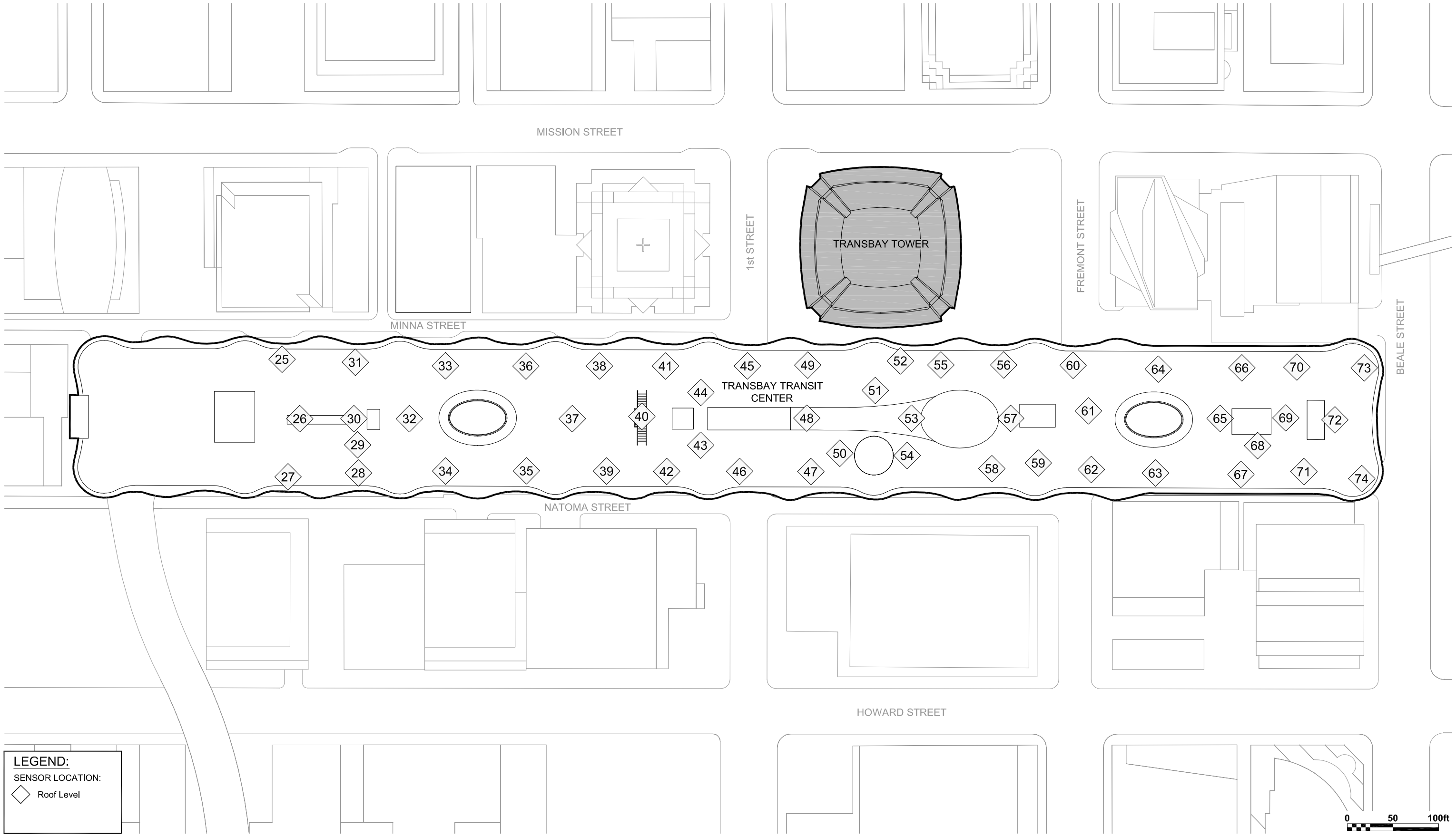
Figure: 1b

Date: March 31, 2011

RWDI



Wind Tunnel Study Model **Configuration - Project plus Cumulative** Transit Center District Plan - San Francisco, California Project #1012134	Figure: 1c Date: March 31, 2011	RWDI



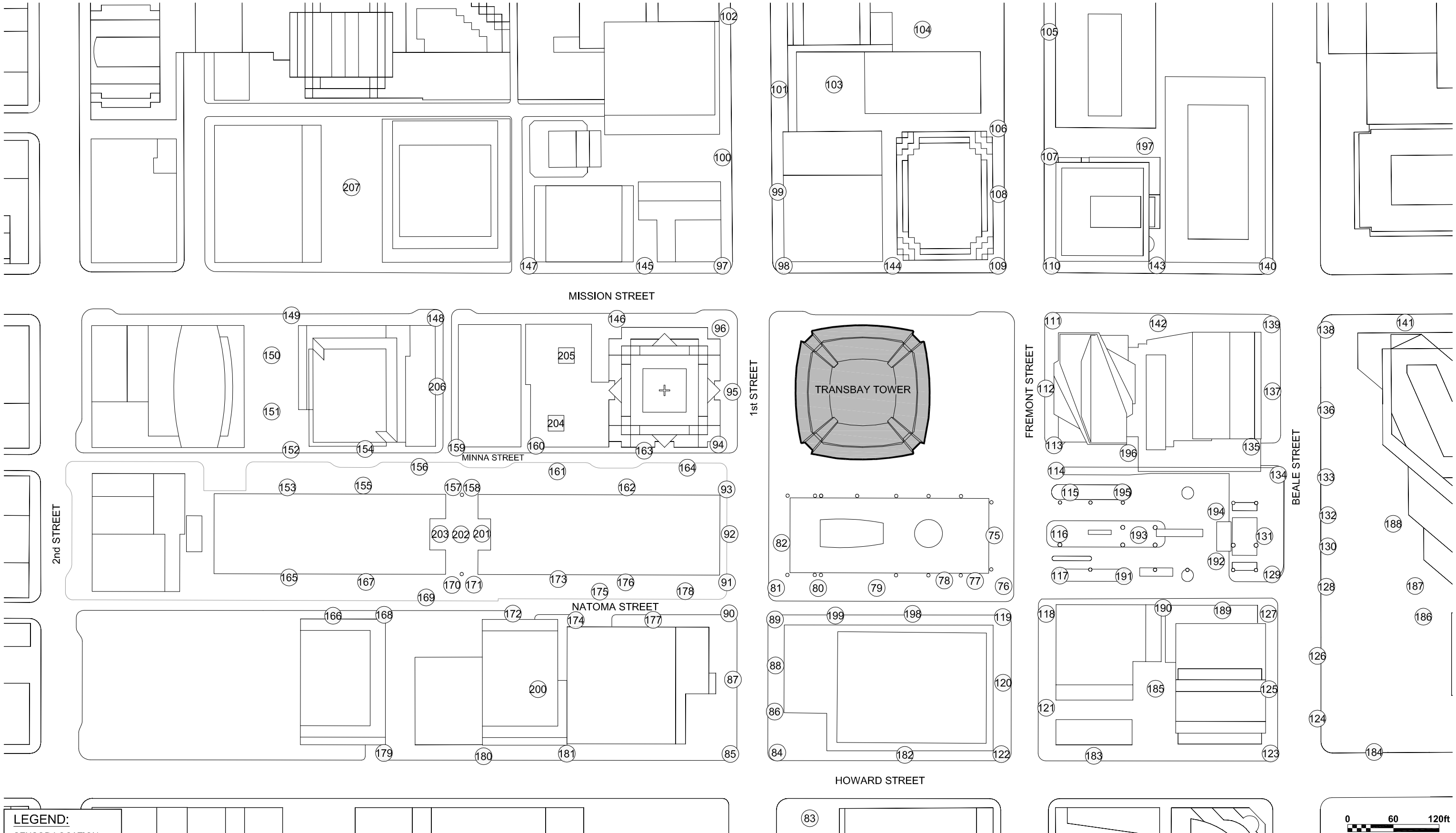
Sensor Location Plan - Transbay Roof Level

Transit Center District Plan - San Francisco, California

Project North True North

Project #1012134

Drawn by: EJS	Figure: 2a	RWDI	
Approx. Scale: 1"=100'			
Date Revised: May 13, 2011			



LEGEND:

SENSOR LOCATION:

- Grade Level
- Podium Level

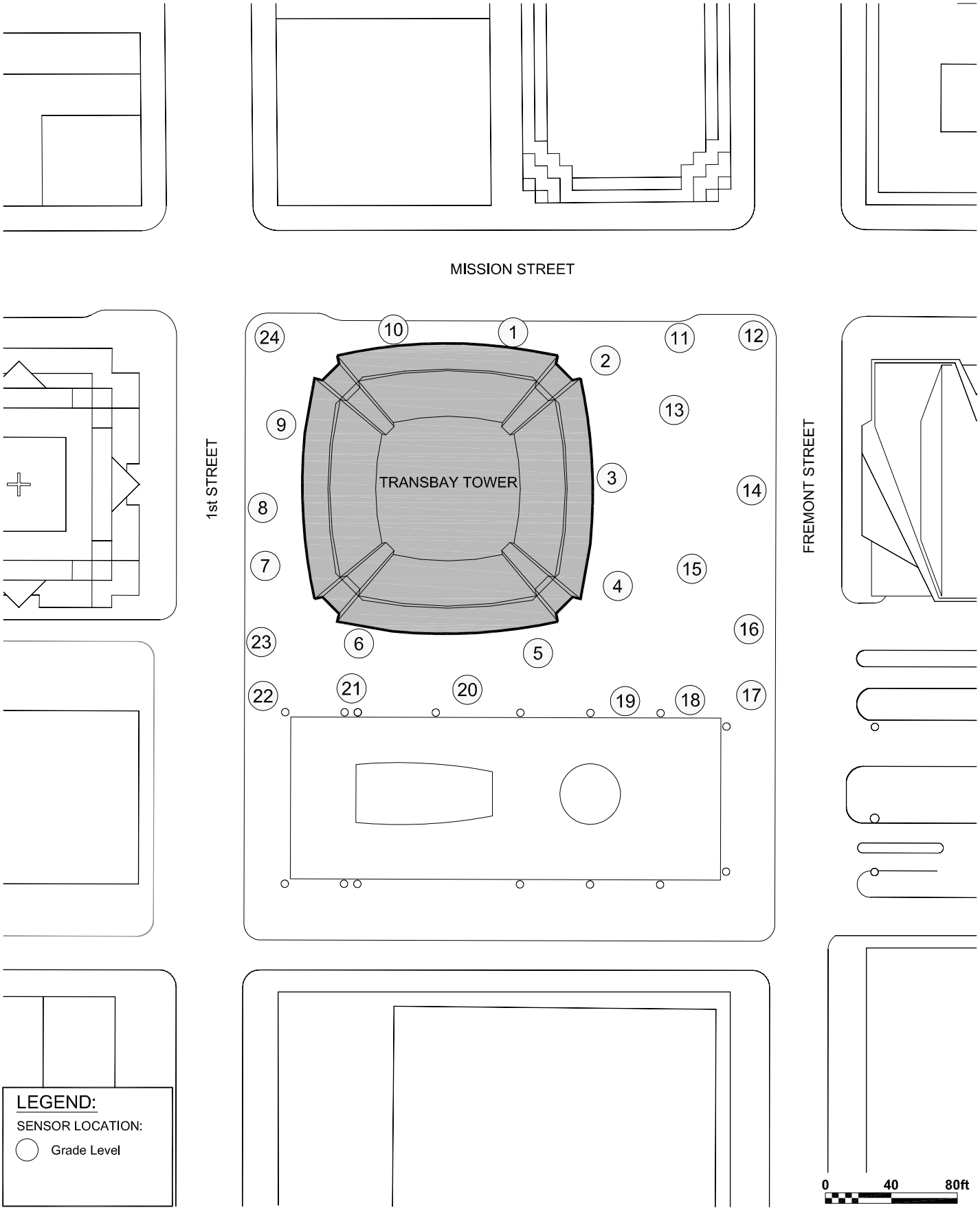
Sensor Location Plan - Off Site

Transit Center District Plan - San Francisco, California

Project North True North

Project #1012134

Drawn by: EJS	Figure: 2b		RWDI
Approx. Scale: 1"=120'			
Date Revised: May 13, 2011			



Sensor Location Plan - On Site

Project North True North

Transit Center District Plan - San Francisco, California

Project #1012134

Drawn by: EJS	Figure: 2c	RWDI	
Approx. Scale:	1"=80'		
Date Revised: May 13, 2011			

APPENDIX A

APPENDIX A: DRAWING LIST FOR MODEL CONSTRUCTION

The drawings and information listed below were received from Environmental Science Associates and were used to construct the scale model of the proposed Transbay Tower. Should there be any design changes that deviate from this list of drawings, the results may change. Therefore, if changes in the design area made, it is recommended that RWDI be contacted and requested to review their potential effects on wind conditions.

File Name	File Type	Date Received (dd/mm/yyyy)
Blk-3708_50First+GGUniv	PDF	09/09/2010
Blk-3710_350Mission	PDF	09/09/2010
Blk-3722_Moma+NoHoward	PDF	09/09/2010
Blk-3735_SFRA+SoHoward	PDF	09/09/2010
Palace_100%25_SD_April_4_2008	PDF	20/10/2010
222 Second elevations	PDF	20/10/2010
TCDP-bulding-sites4_BW_Alts	PDF	11/04/2010
Transbay Tower Design Update	PDF	12/3/2010
Scan of plan	PDF	10/28/2010

APPENDIX B

APPENDIX B: SAN FRANCISCO PLANNING CODE SECTION 148

Reduction of Ground-level Wind Currents in C-3 Districts

a) **Requirement and Exception.** In C-3 Districts, buildings and additions to existing buildings shall be shaped, or other wind-baffling measures shall be adopted, so that the developments will not cause ground-level wind currents to exceed, more than 10 percent of the time year round, between 7:00 a.m. and 6:00 p.m., the comfort level of 11 m.p.h. equivalent wind speed in areas of substantial pedestrian use and seven m.p.h. equivalent wind speed in public seating areas.

When preexisting ambient wind speeds exceed the comfort level, or when a proposed building or addition may cause ambient wind speeds to exceed the comfort level, the building shall be designed to reduce the ambient wind speeds to meet the requirements. An exception may be granted, in accordance with the provisions of Section 309, allowing the building or addition to add to the amount of time that the comfort level is exceed by the least practical amount if (1) it can be shown that a building or addition cannot be shaped and other wind-baffling measures cannot be adopted to meet the foregoing requirements without creating an unattractive and ungainly building form and without unduly restricting the development potential of the building site in question, and (2) it is concluded that, because of the limited amount by which the comfort level is exceeded, the limited location in which the comfort level is exceeded, or the limited time during which the comfort level is exceeded, the addition is insubstantial.

No exception shall be granted and no building or addition shall be permitted that causes equivalent wind speeds to reach or exceed the hazard level of 26 miles per hour for a single hour of the year.

b) **Definition.** The term "equivalent wind speed" shall mean and hourly mean wind speed adjusted to incorporate the effects of gustiness or turbulence on pedestrians.

c) **Guidelines.** Procedures and Methodologies for implementing this section shall be specified by the Office of Environmental Review of the Department of City Planning. (added by Ord. 414-85, App. 9/17/85)

APPENDIX F

Special-Status Plant and Animal Species

California Department of Fish and Game
Natural Diversity Database
Selected Elements by Scientific Name - Landscape
Database query for SF North 7.5 minute USGS topographic quadrangle

	Scientific Name	Common Name	Element Code	Federal Status	State Status	Global Rank	State Rank	CNPS	CDFG
1	Arctostaphylos franciscana	Franciscan manzanita	PDERI040J3			G1	S1	1B.1	
2	Arctostaphylos hookeri ssp. ravenii	Presidio manzanita	PDERI040J2	Endangered	Endangered	G3T1	S1	1B.1	
3	Arenaria paludicola	marsh sandwort	PDCAR040L0	Endangered	Endangered	G1	S1	1B.1	
4	Astragalus tener var. tener	alkali milk-vetch	PDFAB0F8R1			G1T1	S1.1	1B.2	
5	Carex comosa	bristly sedge	PMCYP032Y0			G5	S2?	2.1	
6	Chorizanthe cuspidata var. cuspidata	San Francisco Bay spineflower	PDPGN04081			G2T2	S2.2	1B.2	
7	Cicindela hirticollis gravida	sandy beach tiger beetle	IICOL02101			G5T2	S1		
8	Cirsium andrewsii	Franciscan thistle	PDAST2E050			G2	S2.2	1B.2	
9	Clarkia franciscana	Presidio clarkia	PDONA050H0	Endangered	Endangered	G1	S1.1	1B.1	
10	Collinsia corymbosa	round-headed Chinese-houses	PDSCR0H060			G1	S1.2	1B.2	
11	Collinsia multicolor	San Francisco collinsia	PDSCR0H0B0			G2	S2.2	1B.2	
12	Cordylanthus maritimus ssp. palustris	Point Reyes bird's-beak	PDSCR0J0C3			G4?T2	S2.2	1B.2	
13	Corynorhinus townsendii	Townsend's big-eared bat	AMACC08010			G4	S2S3		SC
14	Danaus plexippus	monarch butterfly	IILEPP2010			G5	S3		
15	Emys marmorata	western pond turtle	ARAAD02030			G3G4	S3		SC
16	Enhydra lutris nereis	southern sea otter	AMAJF09012	Threatened		G4T2	S2		
17	Euphydryas editha bayensis	Bay checkerspot butterfly	IILEPK4055	Threatened		G5T1	S1		
18	Fritillaria liliacea	fragrant fritillary	PMLIL0V0C0			G2	S2.2	1B.2	
19	Gilia capitata ssp. chamissonis	blue coast gilia	PDPLM040B3			G5T2	S2.1	1B.1	
20	Gilia millefoliata	dark-eyed gilia	PDPLM04130			G2	S2.2	1B.2	
21	Grindelia hirsutula var. maritima	San Francisco gumplant	PDAST470D3			G5T2	S2.1	1B.2	
22	Hemizonia congesta ssp. congesta	seaside tarplant	PDAST4R065			G5T2T3	S2S3	1B.2	
23	Hesperolinon congestum	Marin western flax	PDLIN01060	Threatened	Threatened	G2	S2.1	1B.1	
24	Horkelia cuneata ssp. sericea	Kellogg's horkelia	PDROS0W043			G4T1	S1.1	1B.1	
25	Lasiurus blossevillii	western red bat	AMACC05060			G5	S3?		SC
26	Lasiurus cinereus	hoary bat	AMACC05030			G5	S4?		
27	Laterallus jamaicensis coturniculus	California black rail	ABNME03041		Threatened	G4T1	S1		
28	Layia carnosa	beach layia	PDAST5N010	Endangered	Endangered	G2	S2.1	1B.1	
29	Leptosiphon rosaceus	rose leptosiphon	PDPLM09180			G1	S1.1	1B.1	
30	Lessingia germanorum	San Francisco lessingia	PDAST5S010	Endangered	Endangered	G1	S1.1	1B.1	
31	Lichnanthe ursina	bumblebee scarab beetle	IICOL67020			G2	S2		
32	Melospiza melodia samuelis	San Pablo song sparrow	ABPBXA301W			G5T2?	S2?		SC
33	Microseris paludosa	marsh microseris	PDAST6E0D0			G2	S2.2	1B.2	

	Scientific Name	Common Name	Element Code	Federal Status	State Status	Global Rank	State Rank	CNPS	CDFG
34	Pentachaeta bellidiflora	white-rayed pentachaeta	PDAST6X030	Endangered	Endangered	G1	S1.1	1B.1	
35	Phalacrocorax auritus	double-crested cormorant	ABNFD01020			G5	S3		
36	Plagiobothrys chorisianus var. chorisianus	Choris' popcorn-flower	PDBOR0V061			G3T2Q	S2.2	1B.2	
37	Plagiobothrys diffusus	San Francisco popcorn-flower	PDBOR0V080		Endangered	G1Q	S1.1	1B.1	
38	Plagiobothrys glaber	hairless popcorn-flower	PDBOR0V0B0			GH	SH	1A	
39	Plebejus icarioides missionensis	Mission blue butterfly	IILEPG801A	Endangered		G5T1	S1		
40	Polemonium carneum	Oregon polemonium	PDPLM0E050			G4	S1	2.2	
41	Rana draytonii	California red-legged frog	AAABH01022	Threatened		G4T2T3	S2S3		SC
42	Riparia riparia	bank swallow	ABPAU08010		Threatened	G5	S2S3		
43	Sanicula maritima	adobe sanicle	PDAPI1Z0D0		Rare	G2	S2.2	1B.1	
44	Scapanus latimanus insularis	Angel Island mole	AMABB02032			G5T1	S1		
45	Silene verecunda ssp. verecunda	San Francisco campion	PDCAR0U213			G5T2	S2.2	1B.2	
46	Speyeria callippe callippe	callippe silverspot butterfly	IILEPJ6091	Endangered		G5T1	S1		
47	Stebbinsoseris decipiens	Santa Cruz microseris	PDAST6E050			G2	S2.2	1B.2	
48	Taxidea taxus	American badger	AMAJF04010			G5	S4		SC
49	Trachusa gummifera	A leaf-cutter bee	IIHYM80010			G1	S1		
50	Triphysaria floribunda	San Francisco owl's-clover	PDSCR2T010			G2	S2.2	1B.2	
51	Triquetrella californica	coastal triquetrella	NBMUS7S010			G1	S1	1B.2	
52	Vespericola marinensis	Marin hesperian	IMGASA4140			G2G3	S2S3		
53	Zapus trinotatus orarius	Point Reyes jumping mouse	AMAFH01031			G5T1T3Q	S1S3		SC

United States Department of the Interior
FISH AND WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, California 95825

July 30, 2010

Document Number: 100730110200

Martha E. Lowe
Environmental Science Associates
350 Frank H. Ogawa Plaza
Suite 300
Oakland, CA 94612

Subject: Species List for San Francisco Transit Center District Plan and Transit Tower

Dear: Ms. Lowe

We are sending this official species list in response to your July 30, 2010 request for information about endangered and threatened species. The list covers the California counties and/or U.S. Geological Survey 7½ minute quad or quads you requested.

Our database was developed primarily to assist Federal agencies that are consulting with us. Therefore, our lists include all of the sensitive species that have been found in a certain area *and also ones that may be affected by projects in the area*. For example, a fish may be on the list for a quad if it lives somewhere downstream from that quad. Birds are included even if they only migrate through an area. In other words, we include all of the species we want people to consider when they do something that affects the environment.

Please read Important Information About Your Species List (below). It explains how we made the list and describes your responsibilities under the Endangered Species Act.

Our database is constantly updated as species are proposed, listed and delisted. If you address proposed and candidate species in your planning, this should not be a problem. However, we recommend that you get an updated list every 90 days. That would be October 28, 2010.

Please contact us if your project may affect endangered or threatened species or if you have any questions about the attached list or your responsibilities under the Endangered Species Act. A list of Endangered Species Program contacts can be found at www.fws.gov/sacramento/es/branches.htm.

Endangered Species Division

TAKE PRIDE IN AMERICA

U.S. Fish & Wildlife Service

Sacramento Fish & Wildlife Office

Federal Endangered and Threatened Species that Occur in or may be Affected by Projects in the Counties and/or U.S.G.S. 7 1/2 Minute Quads you requested

Document Number: 100730110200

Database Last Updated: April 29, 2010

Quad Lists

Listed Species

Invertebrates

Haliotes cracherodii
- black abalone (E) (NMFS)

Haliotes sorenseni
- white abalone (E) (NMFS)

Icaricia icarioides missionensis
- mission blue butterfly (E)

Speyeria callippe callippe
- callippe silverspot butterfly (E)

Fish

Acipenser medirostris
- green sturgeon (T) (NMFS)

Eucyclogobius newberryi
- tidewater goby (E)

Hypomesus transpacificus
- delta smelt (T)

Oncorhynchus kisutch
- coho salmon - central CA coast (E) (NMFS)
- Critical habitat, coho salmon - central CA coast (X) (NMFS)

Oncorhynchus mykiss
- Central California Coastal steelhead (T) (NMFS)
- Central Valley steelhead (T) (NMFS)
- Critical habitat, Central California coastal steelhead (X) (NMFS)
- Critical habitat, Central Valley steelhead (X) (NMFS)

Oncorhynchus tshawytscha
- Central Valley spring-run chinook salmon (T) (NMFS)
- Critical habitat, winter-run chinook salmon (X) (NMFS)
- winter-run chinook salmon, Sacramento River (E) (NMFS)

Amphibians

Rana draytonii
- California red-legged frog (T)

Birds

Charadrius alexandrinus nivosus

western snowy plover (T)

Diomedea albatrus
short-tailed albatross (E)

Pelecanus occidentalis californicus
California brown pelican (E)

Sternula antillarum (=Sterna, =albifrons) browni
California least tern (E)

Mammals

Arctocephalus townsendi
Guadalupe fur seal (T) (NMFS)

Balaenoptera borealis
sei whale (E) (NMFS)

Balaenoptera musculus
blue whale (E) (NMFS)

Balaenoptera physalus
finback (=fin) whale (E) (NMFS)

Enhydra lutris nereis
southern sea otter (T)

Eubalaena (=Balaena) glacialis
right whale (E) (NMFS)

Eumetopias jubatus
Critical Habitat, Steller (=northern) sea-lion (X) (NMFS)
Steller (=northern) sea-lion (T) (NMFS)

Physeter catodon (=macrocephalus)
sperm whale (E) (NMFS)

Reithrodontomys raviventris
salt marsh harvest mouse (E)

Plants

Arctostaphylos hookeri ssp. ravenii
Presidio (=Raven's) manzanita (E)

Clarkia franciscana
Presidio clarkia (E)

Hesperolinon congestum
Marin dwarf-flax (=western flax) (T)

Lessingia germanorum
San Francisco lessingia (E)

Quads Containing Listed, Proposed or Candidate Species:

SAN FRANCISCO NORTH (466C)

County Lists

San Francisco County

Listed Species

Invertebrates

Haliotes cracherodii
black abalone (E) (NMFS)

Haliotes sorenseni
white abalone (E) (NMFS)

Icaricia icarioides missionensis
mission blue butterfly (E)

Incisalia mossii bayensis
San Bruno elfin butterfly (E)

Fish

Acipenser medirostris
green sturgeon (T) (NMFS)

Eucyclogobius newberryi
tidewater goby (E)

Oncorhynchus kisutch
coho salmon - central CA coast (E) (NMFS)

Oncorhynchus mykiss
Central California Coastal steelhead (T) (NMFS)
Critical habitat, Central California coastal steelhead (X) (NMFS)
Critical habitat, Central Valley steelhead (X) (NMFS)

Oncorhynchus tshawytscha
Critical habitat, winter-run chinook salmon (X) (NMFS)
winter-run chinook salmon, Sacramento River (E) (NMFS)

Amphibians

Rana draytonii
California red-legged frog (T)

Reptiles

Caretta caretta
loggerhead turtle (T) (NMFS)

Chelonia mydas (incl. agassizi)
green turtle (T) (NMFS)

Dermochelys coriacea
leatherback turtle (E) (NMFS)

Lepidochelys olivacea
olive (=Pacific) ridley sea turtle (T) (NMFS)

Birds

Charadrius alexandrinus nivosus
western snowy plover (T)

Diomedea albatrus
short-tailed albatross (E)

Pelecanus occidentalis californicus
California brown pelican (E)

Rallus longirostris obsoletus
California clapper rail (E)

Mammals

Arctocephalus townsendi
Guadalupe fur seal (T) (NMFS)

Balaenoptera borealis
sei whale (E) (NMFS)

Balaenoptera musculus
blue whale (E) (NMFS)

Balaenoptera physalus
finback (=fin) whale (E) (NMFS)

Eubalaena (=Balaena) glacialis
right whale (E) (NMFS)

Eumetopias jubatus
Critical Habitat, Steller (=northern) sea-lion (X) (NMFS)
Steller (=northern) sea-lion (T) (NMFS)

Megaptera novaeangliae
humpback whale (E) (NMFS)

Physeter catodon (=macrocephalus)
sperm whale (E) (NMFS)

Reithrodontomys raviventris
salt marsh harvest mouse (E)

Plants

Arctostaphylos hookeri ssp. ravenii
Presidio (=Raven's) manzanita (E)

Clarkia franciscana
Presidio clarkia (E)

Hesperolinon congestum
Marin dwarf-flax (=western flax) (T)

Lessingia germanorum
San Francisco lessingia (E)

Key:

(E) *Endangered* - Listed as being in danger of extinction.

(T) *Threatened* - Listed as likely to become endangered within the foreseeable future.

(P) *Proposed* - Officially proposed in the Federal Register for listing as endangered or threatened.

(NMFS) Species under the Jurisdiction of the National Oceanic & Atmospheric Administration Fisheries Service. Consult with them directly about these species.

Critical Habitat - Area essential to the conservation of a species.

(PX) *Proposed Critical Habitat* - The species is already listed. Critical habitat is being proposed for it.

(C) *Candidate* - Candidate to become a proposed species.

(V) Vacated by a court order. Not currently in effect. Being reviewed by the Service.

(X) *Critical Habitat* designated for this species

Important Information About Your Species List

How We Make Species Lists

We store information about endangered and threatened species lists by U.S. Geological Survey 7½ minute quads. The United States is divided into these quads, which are about the size of San Francisco.

The animals on your species list are ones that occur within, **or may be affected by** projects within, the quads covered by the list.

- Fish and other aquatic species appear on your list if they are in the same watershed as your quad or if water use in your quad might affect them.
- Amphibians will be on the list for a quad or county if pesticides applied in that area may be carried to their habitat by air currents.
- Birds are shown regardless of whether they are resident or migratory. Relevant birds on the county list should be considered regardless of whether they appear on a quad list.

Plants

Any plants on your list are ones that have actually been observed in the area covered by the list. Plants may exist in an area without ever having been detected there. You can find out what's in the surrounding quads through the California Native Plant Society's online Inventory of Rare and Endangered Plants.

Surveying

Some of the species on your list may not be affected by your project. A trained biologist and/or botanist, familiar with the habitat requirements of the species on your list, should determine whether they or habitats suitable for them may be affected by your project. We recommend that your surveys include any proposed and candidate species on your list. See our Protocol and Recovery Permits pages.

For plant surveys, we recommend using the Guidelines for Conducting and Reporting Botanical Inventories. The results of your surveys should be published in any environmental documents prepared for your project.

Your Responsibilities Under the Endangered Species Act

All animals identified as listed above are fully protected under the Endangered Species Act of 1973, as amended. Section 9 of the Act and its implementing regulations prohibit the take of a federally listed wildlife species. Take is defined by the Act as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect" any such animal.

> Take may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or shelter (50 CFR §17.3).

Take incidental to an otherwise lawful activity may be authorized by one of two procedures:

- If a Federal agency is involved with the permitting, funding, or carrying out of a project that may result in take, then that agency must engage in a formal consultation with the Service.

  During formal consultation, the Federal agency, the applicant and the Service work together to avoid or minimize the impact on listed species and their habitat. Such consultation would result in a biological opinion by the Service addressing the anticipated effect of the project on listed and proposed species. The opinion may authorize a limited level of incidental take.

- If no Federal agency is involved with the project, and federally listed species may be taken as part of the project, then you, the applicant, should apply for an incidental take permit. The Service may issue such a permit if you submit a satisfactory conservation plan for the species that would be affected by your project.

  Should your survey determine that federally listed or proposed species occur in the area and are likely to be affected by the project, we recommend that you work with this office and the California Department of Fish and Game to develop a plan that minimizes the project's direct and indirect impacts to listed species and compensates for project-related loss of habitat. You should include the plan in any environmental documents you file.

Critical Habitat

When a species is listed as endangered or threatened, areas of habitat considered essential to its conservation may be designated as critical habitat. These areas may require special management considerations or protection. They provide needed space for growth and normal behavior; food, water, air, light, other nutritional or physiological requirements; cover or shelter; and sites for breeding, reproduction, rearing of offspring, germination or seed dispersal.

Although critical habitat may be designated on private or State lands, activities on these lands are not restricted unless there is Federal involvement in the activities or direct harm to listed wildlife.

If any species has proposed or designated critical habitat within a quad, there will be a separate line for this on the species list. Boundary descriptions of the critical habitat may be

found in the Federal Register. The information is also reprinted in the Code of Federal Regulations (50 CFR 17.95). See our Map Room page.

Candidate Species

We recommend that you address impacts to candidate species. We put plants and animals on our candidate list when we have enough scientific information to eventually propose them for listing as threatened or endangered. By considering these species early in your planning process you may be able to avoid the problems that could develop if one of these candidates was listed before the end of your project.

Species of Concern

The Sacramento Fish & Wildlife Office no longer maintains a list of species of concern. However, various other agencies and organizations maintain lists of at-risk species. These lists provide essential information for land management planning and conservation efforts. More info

Wetlands

If your project will impact wetlands, riparian habitat, or other jurisdictional waters as defined by section 404 of the Clean Water Act and/or section 10 of the Rivers and Harbors Act, you will need to obtain a permit from the U.S. Army Corps of Engineers. Impacts to wetland habitats require site specific mitigation and monitoring. For questions regarding wetlands, please contact Mark Littlefield of this office at (916) 414-6580.

Updates

Our database is constantly updated as species are proposed, listed and delisted. If you address proposed and candidate species in your planning, this should not be a problem. However, we recommend that you get an updated list every 90 days. That would be October 28, 2010.

California Native Plant Society listed plant species for SF County and SF North USGS 7.5 minute topographic quadrangle

Scientific name	Family	Life form	Bloom period	Communities	Elevation	Status
Arctostaphylos franciscana	Ericaceae	perennial evergreen shrub	Feb-Apr	•Coastal scrub (CoScr)(serpentinite)	60 - 300 meters	List 1B.1
Arctostaphylos hookeri* ssp. *ravenii	Ericaceae	perennial evergreen shrub	Feb-Mar	•Chaparral (Chprl) •Coastal prairie (CoPrr) •Coastal scrub (CoScr)/serpentinite outcrop	45 - 215 meters	List 1B.1
Arenaria paludicola	Caryophyllaceae	perennial stoloniferous herb	May-Aug	•Marshes and swamps (MshSw)(freshwateror brackish)/sandy, openings	3 - 170 meters	List 1B.1
Astragalus tener* var. *tener	Fabaceae	annual herb	Mar-Jun	•Playas (Plyas) •Valley and foothill grassland (VFGrs)(adobe clay) •Vernal pools (VnPls)/alkaline	1 - 60 meters	List 1B.2
Carex comosa	Cyperaceae	perennial rhizomatous herb	May-Sep	•Coastal prairie (CoPrr) •Marshes and swamps (MshSw)(lake margins) •Valley and foothill grassland (VFGrs)	0 - 625 meters	List 2.1
Chorizanthe cuspidata* var. *cuspidata	Polygonaceae	annual herb	Apr-Jul(Aug) Months in parentheses are uncommon.	•Coastal bluff scrub (CBScr) •Coastal dunes (CoDns) •Coastal prairie (CoPrr) •Coastal scrub (CoScr)/sandy	3 - 215 meters	List 1B.2
Cirsium andrewsii	Asteraceae	perennial herb	Mar-Jul	•Broadleafed upland forest (BUFrs) •Coastal bluff scrub (CBScr) •Coastal prairie (CoPrr) •Coastal scrub (CoScr)/mesic, sometimes serpentinite	0 - 150 meters	List 1B.2
Clarkia franciscana	Onagraceae	annual herb	May-Jul	•Coastal scrub (CoScr) •Valley and foothill grassland (VFGrs)(serpentinite)	25 - 335 meters	List 1B.1
Collinsia corymbosa	Scrophulariaceae	annual herb	Apr-Jun	•Coastal dunes (CoDns)	0 - 20 meters	List 1B.2

California Native Plant Society listed plant species for SF County and SF North USGS 7.5 minute topographic quadrangle

Scientific name	Family	Life form	Bloom period	Communities	Elevation	Status
Collinsia multicolor	Scrophulariaceae	annual herb	Mar-May	•Closed-cone coniferous forest (CCFrs) •Coastal scrub (CoScr)/sometimes serpentinite	30 - 250 meters	List 1B.2
Cordylanthus maritimus* ssp. *palustris	Scrophulariaceae	annual herb hemiparasitic	Jun-Oct	•Marshes and swamps (MshSw)(coastal salt)	0 - 10 meters	List 1B.2
Fritillaria liliacea	Liliaceae	perennial bulbiferous herb	Feb-Apr	•Cismontane woodland (CmWld) •Coastal prairie (CoPrr) •Coastal scrub (CoScr) •Valley and foothill grassland (VFGrs)/often serpentinite	3 - 410 meters	List 1B.2
Gilia capitata* ssp. *chamissonis	Polemoniaceae	annual herb	Apr-Jul	•Coastal dunes (CoDns) •Coastal scrub (CoScr)	2 - 200 meters	List 1B.1
Gilia millefoliata	Polemoniaceae	annual herb	Apr-Jul	•Coastal dunes (CoDns)	2 - 30 meters	List 1B.2
Grindelia hirsutula* var. *maritima	Asteraceae	perennial herb	Jun-Sep	•Coastal bluff scrub (CBScr) •Coastal scrub (CoScr) •Valley and foothill grassland (VFGrs)/sandy or serpentinite	15 - 400 meters	List 1B.2
Hemizonia congesta* ssp. *congesta	Asteraceae	annual herb	Apr-Nov	•Valley and foothill grassland (VFGrs)/sometimes roadsides	20 - 560 meters	List 1B.2
Hesperolinon congestum	Linaceae	annual herb	Apr-Jul	•Chaparral (Chprl) •Valley and foothill grassland (VFGrs)/serpentinite	5 - 370 meters	List 1B.1
Horkelia cuneata* ssp. *sericea	Rosaceae	perennial herb	Apr-Sep	•Closed-cone coniferous forest (CCFrs) •Chaparral (Chprl)(maritime) •Coastal dunes (CoDns) •Coastal scrub (CoScr)/sandy or gravelly, openings	10 - 200 meters	List 1B.1
Layia carnosa	Asteraceae	annual herb	Mar-Jul	•Coastal dunes (CoDns) •Coastal scrub (CoScr)(sandy)	0 - 60 meters	List 1B.1
Leptosiphon rosaceus	Polemoniaceae	annual herb	Apr-Jul	•Coastal bluff scrub (CBScr)	0 - 100 meters	List 1B.1
Lessingia germanorum	Asteraceae	annual herb	(Jun)Jul-Nov Months in parentheses are uncommon.	•Coastal scrub (CoScr)(remnant dunes)	25 - 110 meters	List 1B.1

California Native Plant Society listed plant species for SF County and SF North USGS 7.5 minute topographic quadrangle

Scientific name	Family	Life form	Bloom period	Communities	Elevation	Status
Micropus amphibolus	Asteraceae	annual herb	Mar-May	•Broadleafed upland forest (BUFrs) •Chaparral (Chprl) •Cismontane woodland (CmWld) •Valley and foothill grassland (VFGrs)/rocky	45 - 825 meters	List 3.2
Microseris paludosa	Asteraceae	perennial herb	Apr-Jun(Jul) Months in parentheses are uncommon.	•Closed-cone coniferous forest (CCFrs) •Cismontane woodland (CmWld) •Coastal scrub (CoScr) •Valley and foothill grassland (VFGrs)	5 - 300 meters	List 1B.2
Plagiobothrys chorisianus* var. *chorisianus	Boraginaceae	annual herb	Mar-Jun	•Chaparral (Chprl) •Coastal prairie (CoPrr) •Coastal scrub (CoScr)/mesic	15 - 160 meters	List 1B.2
Plagiobothrys diffusus	Boraginaceae	annual herb	Mar-Jun	•Coastal prairie (CoPrr) •Valley and foothill grassland (VFGrs)	60 - 360 meters	List 1B.1
Polemonium carneum	Polemoniaceae	perennial herb	Apr-Sep	•Coastal prairie (CoPrr) •Coastal scrub (CoScr) •Lower montane coniferous forest (LCFrs)	0 - 1830 meters	List 2.2
Sanicula maritima	Apiaceae	perennial herb	Feb-May	•Chaparral (Chprl) •Coastal prairie (CoPrr) •Meadows and seeps (Medws) •Valley and foothill grassland (VFGrs)/clay, serpentinite	30 - 240 meters	List 1B.1
Silene verecunda* ssp. *verecunda	Caryophyllaceae	perennial herb	Mar-Jun(Aug) Months in parentheses are uncommon.	•Coastal bluff scrub (CBScr) •Chaparral (Chprl) •Coastal prairie (CoPrr) •Coastal scrub (CoScr) •Valley and foothill grassland (VFGrs)/sandy	30 - 645 meters	List 1B.2
Stebbinsoseris decipiens	Asteraceae	annual herb	Apr-May	•Broadleafed upland forest (BUFrs) •Closed-cone coniferous forest (CCFrs) •Chaparral (Chprl) •Coastal prairie (CoPrr) •Coastal scrub (CoScr) •Valley and foothill grassland (VFGrs)/open areas, sometimes serpentinite	10 - 500 meters	List 1B.2

California Native Plant Society listed plant species for SF County and SF North USGS 7.5 minute topographic quadrangle

Scientific name	Family	Life form	Bloom period	Communities	Elevation	Status
Triphysaria floribunda	Scrophulariaceae	annual herb	Apr-Jun	•Coastal prairie (CoPrr) •Coastal scrub (CoScr) •Valley and foothill grassland (VFGrs)/usually serpentinite	10 - 160 meters	List 1B.2
Triquetrella californica	Pottiaceae	moss	•Coastal bluff scrub (CBScr) •Coastal scrub (CoScr)/soil	10 - 100 meters	List 1B.2	

CHAPTER IX
EIR Authors and Consultants

EIR Authors

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Deputy City Attorney: John Malamut

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