CHAPTER I

Introduction

This environmental impact report (EIR) analyzes potential environmental effects associated with the implementation of the Central SoMa Plan (referred to as the “the Plan”), which was drafted by the San Francisco Planning Department and published in April 2013. Since 2013, the Planning Department has held a number of meetings with community groups in order to get stakeholder input on the Plan. The result is the latest draft Central SoMa Plan for adoption, published August 2016, which is the subject of this EIR.

As its name implies, the Plan Area is located within the City’s South of Market (SoMa) area. The 230-acre Plan Area encompasses 17 full and partial city blocks and area streets that in some cases extend beyond Plan borders, as illustrated on Figure II-1, Central SoMa Plan Area Boundaries, on page II-8 of Chapter II, Project Description. The Plan Area is bounded by Second Street on the east, Sixth Street on the west, Townsend Street on the south, and by an irregular border that generally jogs along Folsom, Howard and Stevenson Streets to the north.

This EIR analyzes Plan implementation programmatically within the area delineated on Figure II-1. The EIR also includes a project-level analysis of potential environmental effects associated with proposed open space improvements and changes to street network on portions of Howard, Folsom, Harrison, Bryant, Brannan, Third, and Fourth Streets that are included within but also extend beyond Plan Area boundaries.

I.A Environmental Review Process

The Planning Department, serving as lead agency responsible for administering the environmental review on behalf of the City and County of San Francisco (City), determined that preparation of an EIR was needed to evaluate potentially significant effects that could result from implementation of the Plan. The California Environmental Quality Act (CEQA) requires that before a decision can be made to approve a project (or in this case, a plan) that would result in potential adverse physical effects, an EIR must be prepared that fully describes the environmental effects of the project. An EIR is a public information document for use by governmental agencies and the public to identify and evaluate potential environmental impacts of a project, to identify mitigation measures to lessen or eliminate significant adverse impacts, and to examine feasible alternatives to the project. The information contained in this EIR will be reviewed and considered by the decision-makers prior to a decision to approve, disapprove, or modify the Plan.

CEQA requires that the lead agency neither approve nor implement a project unless its significant environmental effects have been reduced to less-than-significant levels, essentially “eliminating, avoiding, or substantially lessening” the expected impact(s), except when certain findings are made. If the lead agency approves a project that would result in the occurrence of significant adverse impacts that cannot be mitigated to less-than-significant levels, the agency must state the reasons for its action in writing, demonstrate that its action is based on the EIR or other information in the record, and adopt a Statement of Overriding Considerations. A Statement of Overriding Considerations provides substantial evidence of the balance of the
economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project.

On April 24, 2013, the Planning Department sent a Notice of Preparation (NOP) to governmental agencies, organizations and persons who may have an interest in the proposed project. The NOP requested that agencies and interested parties comment on environmental issues that should be addressed in the EIR (see Appendix A). A scoping meeting was held on May 15, 2013 to explain the environmental review process for this Plan and to provide opportunity to take public comment and concerns related to the Plan’s environmental issues. The Planning Department considered the public comments received at the scoping meeting and prepared an Initial Study in order to focus the scope of the EIR by assessing which of the Plan’s environmental topics would not result in significant impacts on the environment. The Planning Department published the Initial Study on February 12, 2014 (see Appendix B). The Initial Study determined that the Plan could not result in significant environmental effects (in some cases, with mitigation identified in the Initial Study) for the following environmental topics:

- Population and Housing;
- Greenhouse Gas Emissions;
- Recreation;
- Utilities and Service Systems (except for potential impacts related to the exceedance of wastewater treatment requirements of the Regional Water Quality Control Board, require the construction of new water or wastewater treatment facilities, or require the construction of new storm water drainage facilities, all of which are addressed in this EIR in Section IV.I, Hydrology and Water Quality);
- Public Services;
- Biological Resources (significant impact identified, but mitigated through measures identified in the Initial Study);
- Geology and Soils;
- Hydrology and Water Quality (except for potential impacts related to effects of combined sewer system operation on water quality and potential impacts of sea level rise, which are addressed in this EIR in Section IV.I, Hydrology and Water Quality);
- Hazardous Materials (significant impact identified, but mitigated through measures identified in the Initial Study);
- Mineral and Energy Resources; and
- Agricultural Resources.

Because the Initial Study analysis was based on a previous draft of the Plan circulated for review in 2013, the current 2016 draft of the Plan has been reviewed to ensure the Initial Study’s conclusions reached on the 2013 draft remain valid. No new information related to the draft 2016 Plan has come to light that would necessitate changing any of the Initial Study’s significance conclusions reached for the 11 topics that would be less than significant or less than significant with mitigation measures, which are included in the topical sections of Chapter IV, Environmental Setting, Impacts, and Mitigation Measures, of this EIR. As such, no further environmental analysis of these Initial Study topics is required in this EIR.
The following is a summary of the issues raised by the public and governmental agencies in response to the NOP and Initial Study prepared for the Plan in 2014. The general topic categories of the comments are shown in bolded text and are followed by clarifying remarks or general statements in parenthesis, as well as a reference to where the comment is addressed in this EIR:

- **Environmental Review Process** (how will subsequent development projects in the Plan Area undergo CEQA review?) (refer to Chapter I, Introduction, Subsequent Development Projects);

- **Project Objectives/Goals** (specific details should be provided and/or certain revisions to Plan objectives are recommended; one commenter suggests that the Plan accommodate more residential growth, rather than office development in Plan zoning options) (refer to Chapter II, Project Description);

- **Project Description** (specific street improvements including sidewalk widening, additional signals and signage are suggested; the Plan should include policies for local hiring and training goals; the Planning Department should consider an expansion of the Youth and Family Zone Special Use District; additional comments requested increasing height or floor plate limits at specific properties) (refer to Chapter II, Project Description);

- **Land Use and Land Use Planning** (concern that the Plan could in some way isolate the neighborhoods to the south) (refer to Section IV.A, Land Use and Land Use Planning);

- **Aesthetics** (concerns associated with the Plan’s potential to impact neighborhood character and to result in visually unappealing elements; the EIR should analyze the Plan’s potential to have an adverse effect on existing views) (refer to Section IV.B, Aesthetics);

- **Population and Housing** (potential displacement impacts to residences and businesses, impacts on affordable housing needs and obligations, and impacts on local employment opportunities; the EIR should evaluate whether the Plan could result in loss of land and jobs from rezoning areas that currently allow light industrial and manufacturing land uses) (refer to Appendix B, Initial Study, Population and Housing; Chapter II, Project Description; and Section IV.A, Land Use and Land Use Planning);

- **Cultural Resources** (concerns related to the Plan’s proposed mid-block pedestrian connections and whether constructing these could damage or demolish historical resources) (refer to Section IV.C, Cultural and Paleontological Resources);

- **Transportation and Traffic** (large Moscone Center events should be included in the analysis; impacts to cyclists and pedestrians should be evaluated, specifically impacts to the Yerba Buena Neighborhood and pedestrians with limited mobility; the EIR should evaluate impacts to local and State transportation facilities, public transit facilities, and reasonably foreseeable projects including those of Caltrain and Golden Gate Transit, including proposed bus route changes) (refer to Section IV.D, Transportation and Circulation);

- **Greenhouse Gases** (concerns about potential for the Plan to increase the City’s carbon footprint) (this issue was addressed in the Initial Study discussion of Greenhouse Gas Emissions, which concluded that the Plan would not have a significant effect of this kind; see Appendix B);

- **Wind and Shadow** (the potential for the Plan to result in increased shadow and wind impacts; Plan-induced development could add shadow to parks under the jurisdiction of the San Francisco Recreation and Park Department) (refer to Section IV.G, Wind, and Section IV.H, Shadow);
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SECTION I.B Purpose of this EIR

- **Recreation** (concern regarding direct and indirect impacts to parks and recreation facilities within and near the Plan Area, such as South Park, Yerba Buena Gardens, Gene Friend Recreation Center and Victoria Manalo Draves Park; additional demand will be placed on recreational facilities due to population growth) (This issue was considered in the Initial Study discussion of Recreation and Public Space, which concluded that the Plan would not have a significant effect of this kind; see Appendix B);

- **Public Services** (concern regarding the potential for additional demands on public services due to population growth resulting from the Plan; cumulative impacts to public facilities and conveniences, such as restrooms) (This issue was considered in the Initial Study discussion of Public Services, which concluded that the Plan would not have a significant effect of this kind; see Appendix B);

- **Geology and Soils** (the Plan should acknowledge the area’s soils which are largely fill and subject to seismic risk in conjunction with its proposed land uses and changes to the area’s urban form) (this issue was considered in the Initial Study discussion of Geology, Soils, and Seismicity, which concluded that the Plan would not have a significant effect of this kind; see Appendix B);

- **Hydrology** (concern that the Plan Area would be subject to sea level rise) (refer to Section IV.I, Hydrology and Water Quality);

- **Cumulative Impacts** (the EIR analysis should include construction and operations timelines for major projects including the Central Subway) (refer to the cumulative analyses provided in Appendix B, Initial Study, and Sections IV.A through IV.I of the EIR); and

- **Alternatives** ("mid-range" build-out zoning alternatives are suggested) (refer to Chapter VI, Alternatives).

During the 60-day period that this Draft EIR is available for public review, written comments on the accuracy and adequacy of the environmental analysis presented herein may be submitted to the Planning Department. Comments may also be given in person during the public hearing on the Draft EIR (the hearing date is on the cover.) Responses to all substantive comments received on the Draft EIR and submitted within the specified review period will be included and responded to in the Response to Comments document. The Response to Comments document will also contain any minor staff-initiated changes to the Draft EIR. The Draft EIR and the Response to Comments constitute the Final EIR. Prior to approval of the proposed project, the Planning Commission must certify the Final EIR as adequate, accurate and complete, adopt environmental findings and a mitigation monitoring and reporting program (MMRP) for mitigation measures identified in this Draft EIR or modified by the Response to Comments document. Following EIR certification, the Draft EIR and the Response to Comments document will be combined and published in an integrated Final EIR document.

I.B Purpose of this EIR

This EIR is intended as an informational document that in and of itself does not determine whether the Plan or any component of it, such as in the case of the Plan’s street network changes, will be approved. The EIR aids the planning and decision-making process by disclosing the potential for significant and adverse impacts. In conformance with CEQA, California Public Resources Code, Sections 21000 et seq., this EIR provides objective information addressing the environmental consequences of the proposed project and identifies the means of reducing or avoiding its significant impacts where feasible.
The CEQA Guidelines help define the role and expectations of this EIR as follows:

- **Information Document.** An EIR is an informational document that will inform public agency decision-makers and the public of the significant environmental effect(s) of a project, identify feasible ways to avoid or minimize significant effects, and describe reasonable alternatives to the project. The public agency shall consider the information in the EIR along with other information contained in the administrative record (Section 15121(a)).

- **Degree of Specificity.** An EIR on a construction project necessarily will be more detailed in the specific effects of the project than will an EIR on the adoption of a local general plan or comprehensive zoning ordinance because the effects of the construction can be predicted with greater accuracy. An EIR on a project such as the adoption or amendment of a comprehensive zoning ordinance or a local general plan should focus on the secondary effects that can be expected to follow from the adoption or amendment, but the EIR need not be as detailed as an EIR on the specific construction projects that might follow (Section 15146(b)).

- **Standards for Adequacy of an EIR.** An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information that enables them to make a decision that intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure (Section 15151).

The CEQA Guidelines, Section 15382, define a significant effect on the environment as “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.” Therefore, in identifying the significant impacts of the proposed project, this EIR concentrates on its substantial physical effects and on mitigation measures to avoid or reduce those effects.

### I.B.1 Program- and Project-Level Review of Potential Impacts

This EIR contains both analysis at a “program” level pursuant to CEQA Guidelines Section 15168 for adoption and implementation of the Plan and “project”-level environmental review for street network changes and open space improvements. A program EIR is appropriate for a project that will involve a series of actions that are (1) related geographically, (2) logical parts in a chain of contemplated actions, (3) connected as part of a continuing program, and (4) carried out under the same authorizing statute or regulatory authority and have similar environmental impacts that can be mitigated in similar ways (CEQA Guidelines Section 15168).

The EIR’s evaluation of the draft Central SoMa Plan is programmatic. Its assessment of potential environmental impacts is based on the various Plan components that are required for its implementation and would facilitate its goals and objectives. CEQA Guidelines Section 15168 notes that the use of a programmatic EIR “ensures consideration of cumulative impacts that might be slighted in a case-by-case analysis; avoids duplicative reconsideration of basic policy considerations; allows the lead agency to consider broad policy alternatives and program-wide mitigation measures at an early time, when the agency has greater flexibility to deal with basic problems or cumulative impacts; and allows for a reduction in paperwork.
With respect to the proposed open space improvements and street network improvements described in Chapter II, Project Description, these components are, unless otherwise noted, analyzed in this EIR at the project-level due to the sufficiency of detailed information available.

I.B.2 Analysis Assumptions

This EIR presents a set of reasonable assumptions (as described in Chapter II, Project Description, and Chapter IV, Environmental Setting, Impacts, and Mitigation Measures) pertaining to the overall types and levels of activities that the City anticipates under the Central SoMa Plan as the basis for evaluating the Plan’s environmental impacts. Within this context, the Plan components such as General Plan text and Zoning Map amendments; Planning Code amendments; and other related actions are those that may in some way result in indirect physical changes in the environment and are considered in the evaluation of potential Plan impacts. Pertinent goals, objectives, and policies from the Plan are identified in Chapter II, Project Description, and are considered in the impact evaluations as applicable.

This EIR bases the analyses of impacts on reasonably conservative assumptions to avoid understating the Plan’s overall environmental effects.

I.B.3 Alternatives to the Plan

Chapter VI, Alternatives, of this EIR considers a reasonable range of alternatives that would reduce, avoid or eliminate potential impacts of the Plan, while still feasibly meeting most of the Plan’s objectives. The five alternatives studied in this EIR include: a No Project Alternative; a Reduced Heights Alternative, which differs from the Plan in that the allowable building heights on several parcels would be lower; the Modified TODCO Plan, which is based on planning and policy proposals from members of the Tenants and Owners Development Corporation; the Land Use Variant, which differs from the Plan in that a portion of the Plan Area would be zoned to exclude new residential uses; and the Land Use Plan Only Alternative, which differs from the Plan in that the proposed street network changes are excluded.

I.B.4 Environmental Review of Subsequent Projects

CEQA Guidelines Section 15168(c) states that subsequent activities in the program must be examined in light of the program EIR to determine whether an additional environmental document must be prepared. Thus, this EIR assumes that subsequent development projects in the Plan Area would be subject to environmental review at such time as those projects are proposed. The analysis of subsequent projects would be based on existing conditions at the site and vicinity, at such time a project is proposed, and would take into account any updated information relevant to the environmental analysis of the subsequent project (e.g., changes to the environmental setting or updated growth forecasts, models, etc.).

Projects Consistent with the Development Density in the Central SoMa Plan

California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 mandate that projects that are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be
necessary to examine whether there are project-specific effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies. Therefore, subsequent projects in the Plan Area that are determined to be consistent with the development density established in the Central SoMa Plan would be evaluated in accordance with CEQA Guidelines Section 15183.

The Lead Agency, in most cases the San Francisco Planning Department, is required to limit its evaluation of a project in accordance with Section 15183. This evaluation would examine the environmental effects of the project that:

1) Are peculiar to the project or parcel on which the project is located;

2) Were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent;

3) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action; or

4) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to be a more severe adverse impact than discussed in the prior EIR.

Each subsequent development project consistent with the development density established in the Central SoMa Plan would be evaluated to determine whether any of the criteria above are met. This evaluation may include site- and project-specific studies (such as wind tunnel testing or shadow studies), which are appropriately analyzed at the time a specific project is proposed, when sufficient detail is available to enable such analysis. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact. In the case that a subsequent development project in the Plan Area may have site-specific impacts not accounted for in this Program EIR, a subsequent analysis in a Mitigated Negative Declaration or focused EIR may be required depending on whether that project would cause potentially significant impacts. If no such impacts are identified, the proposed project and applicable mitigation measures identified in this EIR would be exempt from further environmental review in accordance with Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

**Streamlining for Infill Projects**

*California Public Resources Code* Section 21094.5 and CEQA Guidelines Section 15183.3 provides a streamlined environmental review process for eligible infill projects by limiting the topics subject to review at the project level where the effects of infill development have been previously addressed in a planning-level decision\(^9\) or by uniformly applicable development policies.\(^10\) CEQA does not apply to the effects of an eligible infill project.

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\(^9\) Planning-level decision means the enactment of amendment of a general plan or any general plan element, community plan, specific plan, or zoning code.

\(^10\) Uniformly applicable development policies are policies or standards adopted or enacted by a city or county, or by a lead agency, that reduce one or more adverse environmental effects.
under two circumstances. First, if an effect was addressed as a significant effect in a prior EIR\(^\text{11}\) for a planning level decision, then that effect need not be analyzed again for an individual infill project even when that effect was not reduced to a less-than-significant level in the prior EIR. Second, an effect need not be analyzed, even if it was not analyzed in a prior EIR or is more significant than previously analyzed, if the lead agency makes a finding that uniformly applicable development policies or standards, adopted by the lead agency or a city or county, apply to the infill project and would substantially mitigate that effect. Depending on the effects addressed in the prior EIR and the availability of uniformly applicable development policies or standards that apply to the eligible infill project, the streamlined environmental review would range from exemption from environmental review to a narrowed, project-specific environmental document.

Pursuant to CEQA Guidelines Section 15183.3, an eligible infill project is examined in light of the prior EIR to determine whether the infill project would cause any effects that require additional review under CEQA. The evaluation of an eligible infill project must demonstrate the following:

1. The project satisfies the performance standards of Appendix M of the CEQA Guidelines;
2. The degree to which the effects of the infill project were analyzed in the prior EIR;
3. An explanation of whether the infill project will cause new specific effects\(^\text{12}\) not addressed in the prior EIR;
4. An explanation of whether substantial new information shows that the adverse effects of the infill project are substantially more severe than described in the prior EIR; and
5. If the infill project would cause new specific effects or more significant effects than disclosed in the prior EIR, the evaluation shall indicate whether uniformly applied development standards substantially mitigate\(^\text{13}\) those effects.\(^\text{14}\)

No additional environmental review is required if the infill project would not cause any new site-specific or project-specific effects or more significant effects, or if uniformly applied development standards would substantially mitigate such effects.

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\(^{11}\) Prior EIR means the environmental impact report certified for a planning level decision, as supplemented by any subsequent or supplemental environmental impact reports, negative declarations, or addenda to those documents.

\(^{12}\) A new specific effect is an effect that was not addressed in the prior EIR and that is specific to the infill project or the infill project site. A new specific effect may result if, for example, the prior EIR stated that sufficient site-specific information was not available to analyze the significance of that effect. Substantial changes in circumstances following certification of a prior EIR may also result in a new specific effect.

\(^{13}\) More significant means an effect will be substantially more severe than described in the prior EIR. More significant effects include those that result from changes in circumstances or changes in the development assumptions underlying the prior EIR’s analysis. An effect is also more significant if substantial new information shows that: (1) mitigation measures that were previously rejected as infeasible are in fact feasible, and such measures are not included in the project; (2) feasible mitigation measures considerably different than those previously analyzed could substantially reduce a significant effect described in the prior EIR, but such measures are not included in the project; or (3) an applicable mitigation measure was adopted in connection with a planning level decision, but the lead agency determines that it is not feasible for the infill project to implement that measure.

\(^{14}\) Substantially mitigate means that the policy or standard will substantially lessen the effect, but not necessarily below the levels of significance.
To be eligible for the streamlining procedures prescribed in Section 15183.3, an infill project must meet all of the following criteria:

a) The project site must be located in an urban area on a site that either has been previously developed or that adjoins existing qualified urban uses on at least seventy-five percent of the site’s perimeter.\(^\text{15}\)

b) The proposed project satisfies the performance standards provided in Appendix M of the CEQA Guidelines.

c) The proposed project is consistent with the general use designation, density, building intensity, and applicable policies specified in the Sustainable Communities Strategy or an alternative planning strategy.\(^\text{16}\)

To be consistent with *Plan Bay Area*, a proposed project must be located within a Priority Development Area (PDA), or must meet all of the following criteria:\(^\text{17}\)

- Conform with the jurisdiction’s General Plan and Housing Element;
- Be located within 0.5 miles of transit access;
- Be 100% affordable to low- and very-low income households for 55 years; and
- Be located within 0.5 miles of at least six neighborhood amenities.

The Plan Area is located with the Eastern Neighborhoods and Downtown-Van Ness-Geary PDAs specified in *Plan Bay Area*, the applicable Sustainable Communities Strategy.

Any amendments to the Central SoMa Plan would be evaluated consistent with CEQA Guidelines Section 15152, which states that the analysis of subsequent projects could be “tiered” from this program EIR, relying on the program EIR to the extent that it has evaluated the effects, including cumulative effects, that would result from their development.

### I.C Organization of the Draft EIR

This Draft EIR has been organized as follows:

- **Summary.** This chapter summarizes the EIR by providing a concise overview of the Plan, including the project description and requisite approvals, the environmental impacts that would result from the proposed project, mitigation measures identified to reduce or avoid these impacts, alternatives to the proposed project, and areas of controversy and issues to be resolved.

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\(^{15}\) For the purpose of this subdivision "adjoin" means the infill project is immediately adjacent to qualified urban uses, or is only separated from such uses by an improved public right-of-way. Qualified urban use means any residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses.

\(^{16}\) *Plan Bay Area* is the current Sustainable Communities Strategy and Regional Transportation Plan that was adopted by the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG) in July 2013, in compliance with California’s governing greenhouse gas reduction legislation, Senate Bill 375. Metropolitan Transportation Commission and Association of Bay Area Governments, *Plan Bay Area*. Available: http://onebayarea.org/plan-bay-area/final-plan-bay-area.html. Accessed April 25, 2016

\(^{17}\) Choin, Miriam, Association of Bay Area Governments (ABAG) Planning & Research Director, letter to Don Lewis, Environmental Planner, San Francisco Planning Department, February 22, 2016. This document is on file and available for review as part of Planning Department Case File No. 2011.1356E.
I.D Public Participation

CEQA and Chapter 31 of the San Francisco Administrative Code encourage public participation in the planning and environmental review processes. The City will provide opportunities for the public to present comments and concerns regarding the CEQA process. The public is invited to provide comments and concerns regarding the accuracy of the Draft EIR and the CEQA process. The comment period and public hearing dates are indicated on the front cover of this EIR. Written comments may be submitted to the Planning Department to the attention of Lisa M. Gibson, Acting Environmental Review Officer, at 1650 Mission Street, Suite 400, San Francisco, CA 94103 or email to lisa.gibson@sfgov.org, during the specified public review and comment period, and written and oral comments may be presented at public hearings concerning the proposed project. Written comments may also be submitted electronically through the Central SoMa Plan’s environmental review portal on the internet, accessible at the following address: http://centralsoma.sfplanning.commentinput.com. The comment period and public hearing dates are indicated on the cover of this EIR.
Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department’s website or in other public documents.