

File No. 120981

Committee Item No. 2

Board Item No. \_\_\_\_\_

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date October 15, 2012

Board of Supervisors Meeting Date \_\_\_\_\_

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- MOU
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- Municipal Transportation Agency Board Resolution No. 08-150
- CEQA Findings
- \_\_\_\_\_
- \_\_\_\_\_
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Completed by: Alisa Miller Date October 12, 2012

Completed by: \_\_\_\_\_ Date \_\_\_\_\_

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

1 [Approval of Construction of Structures in Union Square Park for Central Subway Project]

2  
3 **Resolution approving, under Charter Section 4.113, construction of surface and**  
4 **subsurface structures in Union Square Park for the Central Subway Project's Union**  
5 **Square Market Street Station.**

6  
7 WHEREAS, The San Francisco Recreation and Park Department (RPD) maintains and  
8 operates real property in the City and County of San Francisco (City) bounded by Geary,  
9 Powell, Post and Stockton Streets known as "Union Square Park"; and

10 WHEREAS, The San Francisco Municipal Transportation Agency (SFMTA) is  
11 undertaking construction of the Central Subway Project (the Project), which is designed to  
12 address mobility and transit deficiencies in the northeastern part of San Francisco by  
13 improving connections from the northeastern part of the City to communities in the  
14 southeastern part for the City and improving reliability of transit services; and

15 WHEREAS, The Project will include the construction of three subway stations,  
16 including one with an entrance in Union Square Park, known as the Union Square Market  
17 Street (UMS) Station; and

18 WHEREAS, The San Francisco Planning Commission on August 7, 2008, certified the  
19 Final Environmental Impact Statement / Environmental Impact Report (SEIS/SEIR) for the  
20 Project, and on August 19, 2008, the San Francisco Municipal Transportation Agency Board  
21 of Directors approved the Project in Resolution No. 08-150, which can be found in Board of  
22 Supervisors file No. 081138, which resolution included findings under the California  
23 Environmental Quality Act (CEQA), and

24 WHEREAS, The Planning Department staff has reviewed the current status of the  
25 Central Subway Project, including the UMS Station design, and in a memorandum to the file

1 dated September 12, 2012, which can be found in Board of Supervisors' File No. 120981,  
2 has confirmed that there have been no substantial changes proposed for the Project, and no  
3 substantial changes in Project circumstances, that would require major revisions to the  
4 SEIS/SEIR due to the involvement of new significant environmental effects or a substantial  
5 increase in the severity of previously identified significant impacts; and that there is no new  
6 information of substantial importance that was not known and could not have been known at  
7 the time the SEIS/SEIR was certified, that shows significant environmental effects not  
8 discussed in the SEIS/SEIR, a substantial increase in the severity of previously examined  
9 significant effects, or that unadopted mitigation measures or alternatives previously found not  
10 to be feasible, would be feasible and capable of substantially reducing one or more of the  
11 significant effects of the Project; and

12 WHEREAS, SFMTA staff presented the Recreation and Park Commission with its final  
13 plans for the construction of structures required for the UMS Station in the southeastern  
14 corner of Union Square Park, consisting of an escalator, stairs, two elevators, emergency  
15 ventilation equipment, glass deck (public space) and ancillary components such as overhead  
16 doors to close off the station entrance, as shown in Exhibit 1 on file with the Clerk of the Board  
17 of Supervisors in File No. 120981, which is hereby declared to be a part of this motion as if set  
18 forth fully herein; and

19 WHEREAS, The SFMTA has designed the UMS Station Entrance, which is the only  
20 visible portion of the UMS Station in the Park, to be as compact as possible in both plan and  
21 elevation to preserve open space, and to blend in with its surroundings by mimicking the  
22 existing retaining walls and planter terraces and by incorporating existing treatments,  
23 materials and finishes; and

24 WHEREAS, Approximately 2,135 square feet of exterior park space, which is less than  
25 two percent of the 2.6-acre (113,256 square feet) Union Square Park, will be redesigned or

1 used in some respect for UMS Station facilities, and 1,410 square feet of that 2,135 square  
2 feet will continue to be some form of pedestrian open space or landscaped area; and

3 WHEREAS, Although the Union Square Station Entrance will displace approximately  
4 1,200 feet of terraced seating on the surface of the Park, the roof of the station entrance will  
5 incorporate approximately 950 square feet of a translucent glass walk-on roof deck, resulting  
6 in a net loss of only 250 square feet of the open space that was previously occupied by  
7 terraced seating; and

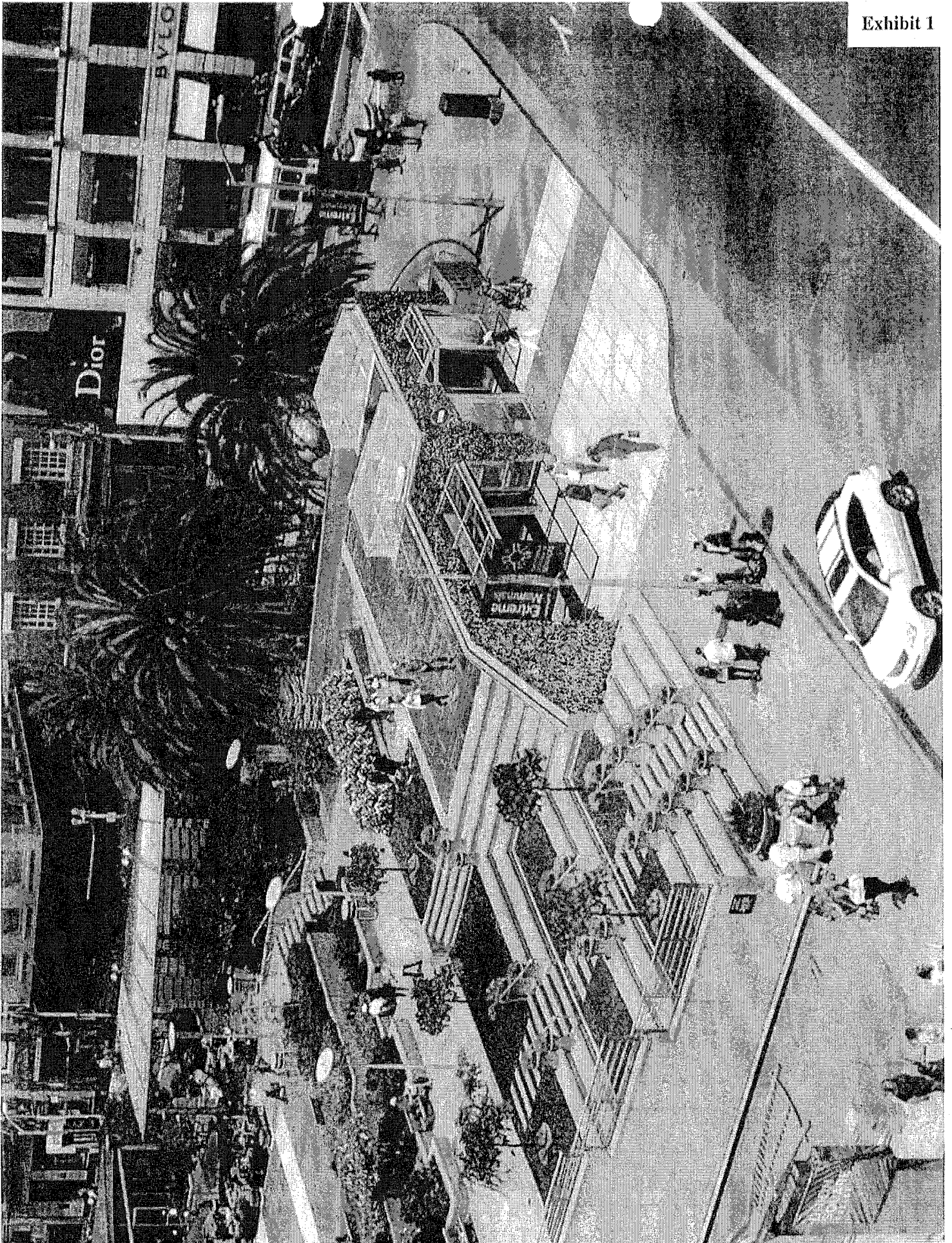
8 WHEREAS, At its meeting on September 20, 2012, the Recreation and Park  
9 Commission found that the construction of the surface and subsurface structures in Union  
10 Square Park for the UMS Station is consistent with and supportive of a recreational purpose  
11 as required by Charter Section 4.113 because the proposed use (1) will occupy an  
12 insubstantial portion of the surface area of the Park and impact less than 2 percent of the  
13 Park's total square footage; (2) will not substantially impair or interfere with the use and  
14 enjoyment of the Park for recreational purposes because of the location and dimension of the  
15 proposed structures, and the nature and existing use of the affected park area; and (3) will  
16 substantially improve public access to and from the Park, thereby enhancing the Park's use  
17 and enjoyment by the public; and

18 WHEREAS, Under Charter Section 4.113, the construction of buildings or structures in  
19 Union Square Park generally requires approval by a vote of two-thirds of the Board of  
20 Supervisors; and

21 WHEREAS, On September 20, 2012, the Recreation and Park Commission adopted  
22 Resolution No. 1209-005, in which it approved the construction of the surface and subsurface  
23 structures in Union Square Park for the UMS Station in substantially the same form as set  
24 forth in the aforementioned Exhibit 1 and recommended that the Board of Supervisors  
25 similarly approve such construction; now, therefore, be it

1           RESOLVED, That the Board of Supervisors adopts and incorporates by reference  
2 herein the CEQA findings adopted in SFMTA Resolution No. 08-150, and further finds that  
3 that there have been no substantial changes proposed for the Project, including construction  
4 of the surface and subsurface structures for the UMS Station of the Project, and no  
5 substantial changes in Project circumstances, that would require major revisions to the  
6 SEIS/SEIR due to the involvement of new significant environmental effects or a substantial  
7 increase in the severity of previously identified significant impacts; and that there is no new  
8 information of substantial importance that was not known and could not have been known at  
9 the time the SEIS/SEIR was certified, that shows significant environmental effects not  
10 discussed in the SEIS/SEIR, a substantial increase in the severity of previously examined  
11 significant effects, or that unadopted mitigation measures or alternatives previously found not  
12 to be feasible, would be feasible and capable of substantially reducing one or more of the  
13 significant effects of the Project; and be it

14           FURTHER RESOLVED, That the Board of Supervisors approves the construction of  
15 the surface and subsurface structures in Union Square Park for the UMS Station in  
16 substantially the same form as set forth in Exhibit 1.



Edwin M. Lee | Mayor  
Tom Nolan | Chairman  
Cheryl Brinkman | Vice-Chairman  
Leona Bridges | Director  
Malcolm Heinicke | Director  
Jerry Lee | Director  
Joél Ramos | Director  
Cristina Rubke | Director  
Edward D. Reiskin | Director of Transportation

September 28, 2012

Angela Calvillo, Clerk of the Board  
Board of Supervisors  
City and County of San Francisco  
1 Carlton B. Goodlett Place, Room 244  
San Francisco, California 94102

**RE: Central Subway Project Design Reconfiguration of Union Square/Market Street Station in Union Square Park**

Dear Ms. Calvillo:

Attached please find an original and four copies of the proposed <sup>resolution</sup> ~~ordinance~~ for Board of Supervisors' consideration. The <sup>resolution</sup> ~~ordinance~~ requests authorization, under Charter Section 4.113, to construct surface and subsurface structures in Union Square Park, including an escalator, stairs, two elevators and ventilation equipment, required for the UMS Central Subway Station.

In addition to the resolution, please find enclosed the following attachments:

1. Briefing Letter
2. Proposed Resolution
3. SFMTA Board Resolution 08-150 and CEQA findings
4. Planning Department Memo re: Central Subway Project Alternative 3B (Modified Locally Preferred Alternative)

Please contact Jane Wang of my staff at 415.701.4287 if you have any questions regarding this matter.

Sincerely,



Edward D. Reiskin  
Director of Transportation

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Edwin M. Lee | Mayor  
Tom Nolan | Chairman  
Cheryl Brinkman | Vice-Chairman  
Leona Bridges | Director  
Malcolm Heinicke | Director  
Jerry Lee | Director  
Joél Ramos | Director  
Cristina Rubke | Director  
Edward D. Reiskin | Director of Transportation

September 28, 2012

Honorable Board of Supervisors  
City and County of San Francisco  
1 Carlton B. Goodlett Place, Room 244  
San Francisco, California 94102

**RE: Central Subway Project Design Reconfiguration of Union Square/Market Street Station in Union Square Park**

**Honorable Members of the Board of Supervisors:**

The San Francisco Municipal Transportation Agency (SFMTA) requests that the Board of Supervisors approve a Resolution authorizing, under Charter Section 4.113, construction of surface and subsurface structures in Union Square Park, including an escalator, stairs, two elevators and ventilation equipment, required for the UMS Central Subway Station.

**Background**

The Central Subway Project is the second phase of the Third Street Light Rail Project and would provide Muni service from the present terminus of the T-Third Line at Fourth and King streets along Fourth Street through South of Market with a surface station at Fourth and Brannan streets and an underground station at Moscone Center, through Downtown at Union Square with connections to BART and SFMTA Powell Station, and under Stockton Street to Chinatown, with a station between Clay and Jackson streets.

In 1998, SFMTA completed a Final Environmental Impact Statement/ Environmental Impact Report (EIS/EIR) to describe and summarize the environmental and transportation impacts for both the Initial Operating Segment and Central Subway phases of the project, along with measures to improve, avoid, minimize or mitigate impacts for both phases of the project.

In February 2009, SFMTA completed a Supplemental EIS/EIR to update information in the Central Subway Project study area and address impacts focused on changes to the Central Subway portion of the Third Street Light Rail Project that occurred since the 1998 environmental document. These changes included a new segment along Fourth and Stockton streets between Brannan and Geary streets; extensions of the planning year from 2015 to 2030; aboveground emergency vent shafts for the subway; a need to locate station entries off sidewalks, where possible; use of tunnel boring equipment rather than cut-and-cover construction to minimize surface disruption during construction; and a potential construction tunnel extension to Columbus and Union streets to extract the tunnel boring equipment.

There are seven San Francisco Recreation and Park Department parks within two blocks of the alignment: South Park, Yerba Buena Gardens, Union Square, Willie Woo Woo Wong Playground, Woh Hei Yuen Recreation Center, Portsmouth Square, and Washington Square. Only Union Square would be directly affected by the construction.





### **Approvals Needed**

Under Federal Law enacted as part of the Department of Transportation Act of 1966, known as Section 4(f), an assessment must be prepared when a transportation project affects a public park or recreation area, wildlife or waterfowl refuges, or significant historic sites. The SFMTA prepared a Section 4(f) assessment for this project and concluded that the impacts on the parks would be de minimus under Section 4(f) – in other words, they would not adversely affect the activities, features and attributes of the parks. Additionally, under Section 4(f), the landholder of the Section 4(f) resource (San Francisco Recreation and Park Department) had to concur with the findings of the assessment prior to approval of the Supplemental EIS/EIR. On February 21, 2008, the Recreation and Park Commission unanimously adopted Resolution No. 0802-011, supporting the Federal Transit Administration's finding of de minimus impacts on Union Square for SFMTA's Central Subway Project Preferred Alternative 3B, which includes a station entrance at the southeast corner of Union Square – stairs and escalators along Geary Street, and two elevators along Stockton Street.

Since certification of the SEIS/SEIR in 2008, there have been no substantial changes to the Project as it was described and analyzed in the SEIS/SEIR (see Wycko memo). A number of design developments have resulted in the need to revisit the layout of the station entrance at Union Square Garage and Plaza, Yerba Buena/Moscone Station, and the Chinatown Station. Most importantly, the Union Square/Market Street Station is substantially the same as it was presented in the 2008 SEIS/SEIR, particularly in terms of impacts on Union Square from both construction and operation. Design development summary updates to the Central Subway stations are as follows:

#### **Union Square/Market Street Station**

- On August 19, 2008, the SFMTA Board of Directors approved Resolution No. 08-150 adopting the Central Subway Project Alternative 3B, Fourth/Stockton Alignment and directing staff to continue with otherwise necessary approvals and to carry out the actions to implement the project.
- In May 2009, SFMTA presented the Central Subway Project for Phase 1 Civic Design Review, and it was suggested that the elevators be relocated to the same plaza area as the escalators at Union Square.
- In July 2010, SFMTA approved an engineering change proposal that changes the fan configuration for the emergency ventilation system, resulting in a reduction of the vent shaft requirements (from two 250-sq. ft. shafts to a single 300-sq. ft shaft).
- On December 2, 2010, the Recreation and Parks Commission unanimously adopted Resolution No. 1012-005 to support the SFMTA's proposal to reconfigure the Central Subway's station entrance at Union Square and to locate the emergency ventilation shaft within the terraces along Stockton Street with the condition that the final financial mitigation package be brought back to the Commission for approval.
- On March 3, 2011, SFMTA, the Mayor's Office of Disability, and the Union Square Business Improvement District reached programmatic agreement on the station configuration (single escalator, dual elevators, access to plaza).
- On June 17, 2011, the Mayor's Office of Disability accepted the dual elevator scheme without elevator access to the plaza.
- On August 15, 2011, the UMS Station received Phase 2 Design Approval from the San Francisco Arts Commission.

- On April 16, 2012, the UMS Station received Phase 3 Design Approval from the San Francisco Arts Commission (Resolution No. 0402-12-099).
- On June 20, 2012, the Union Square Entrance received design approval from the Historic Preservation Committee (Motion No. 0162, Case No. 2012.0136H).
- On September 12, 2012, Bill Wycko from the Planning Department issued a memo to the file finding that there have been no major changes to the project since certification of the SEIS/SEIR that would necessitate further environmental review.
- On September 20, 2012, the Recreation and Park Commission approved, under Charter Section 4.113, construction of surface and subsurface structures in Union Square Park.

#### **Structures in Union Square Park:**

The Union Square entrance is the visible portion of the UMS Station, a new underground light rail transit station that will be more than 700 feet long and nearly 100 feet deep under Stockton Street. At the south end, the station will connect to the Muni/BART Powell Station below Market Street, and at the north end it will emerge at Union Square on Geary Boulevard near Stockton Street. The station entrance has been designed to be as compact as possible in both plan and elevation to minimize operational impacts, to preserve open space, and to blend in with its surroundings by matching the existing plaza features and by incorporating existing treatments, materials, and finishes. The roof of the station entrance functions as a walk-on glass deck, optimizing the open space of the plaza.

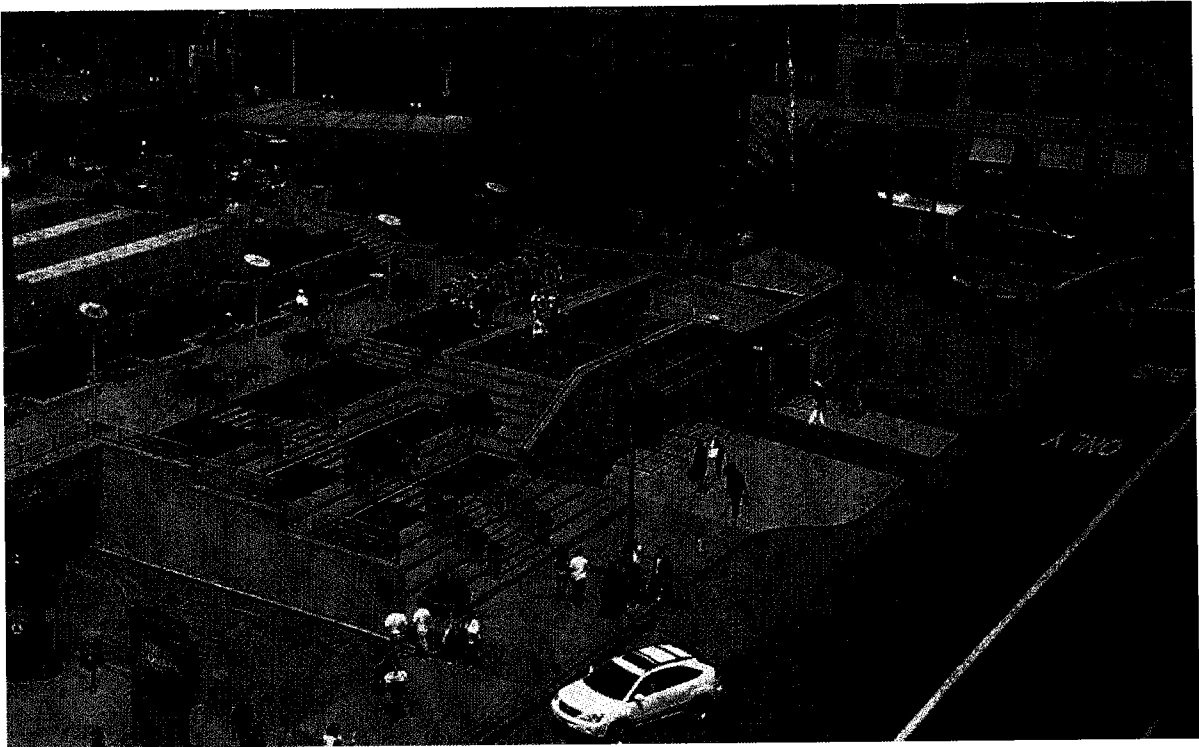
On the west side of the station entrance, stepped terraces will match the finish and composition of the existing terraced seating; on the east side, a new enclosure wall will rise behind the existing palm trees; on the south side along Geary Street, the station entrance will be framed by concrete walls transitioning to a parapet. The concrete surfaces of the south and east facades of the station entrance will be treated to match the finish of the existing retaining walls within the plaza; these surfaces will eventually be covered with vines planted at the base of the walls.

At the surface, the station entrance will permanently displace approximately 1,200 square feet of terraced seating. However, the roof of the station entrance will incorporate approximately 950 square feet of translucent glass walk-on roof deck, resulting in a net loss of only 250 square feet of open space. The roof deck will be accessible from a short ramp at Union Square's intermediate plaza level and via the terraced seating along the west edge of the deck.

Within the parking garage, an existing vehicular ramp must be reconfigured and the garage structure must be altered to accommodate the station entrance and a portion of the station's concourse below. Approximately 80 parking spaces will be permanently impacted by the station entrance. To minimize the impacts to parking garage operations during station construction, the contract documents stipulate reconfiguration of the vehicular ramp as the first order of work and impose schedule constraints for work related to restoration of the garage.

The structures to be constructed in Union Square Park under the final design are as follows:

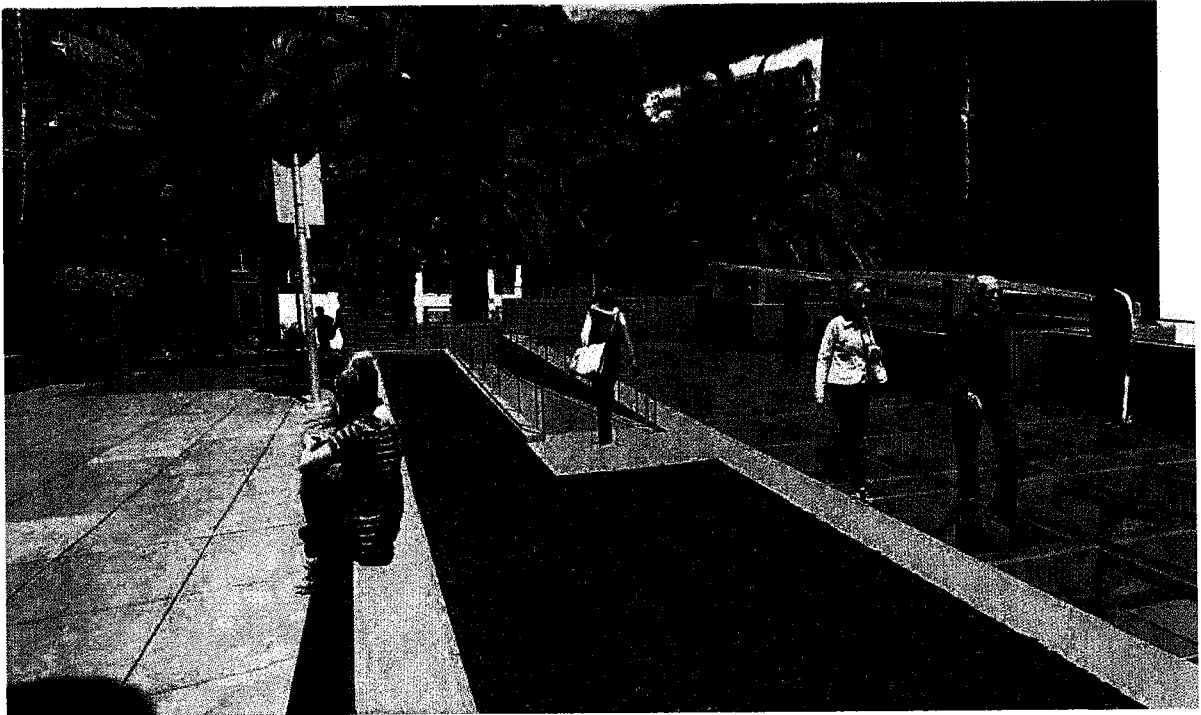
1. Escalator
2. Stairs
3. Two elevators
4. Emergency ventilation equipment
5. Glass deck (public space)
6. Ancillary components such as overhead doors to close off station entrance.



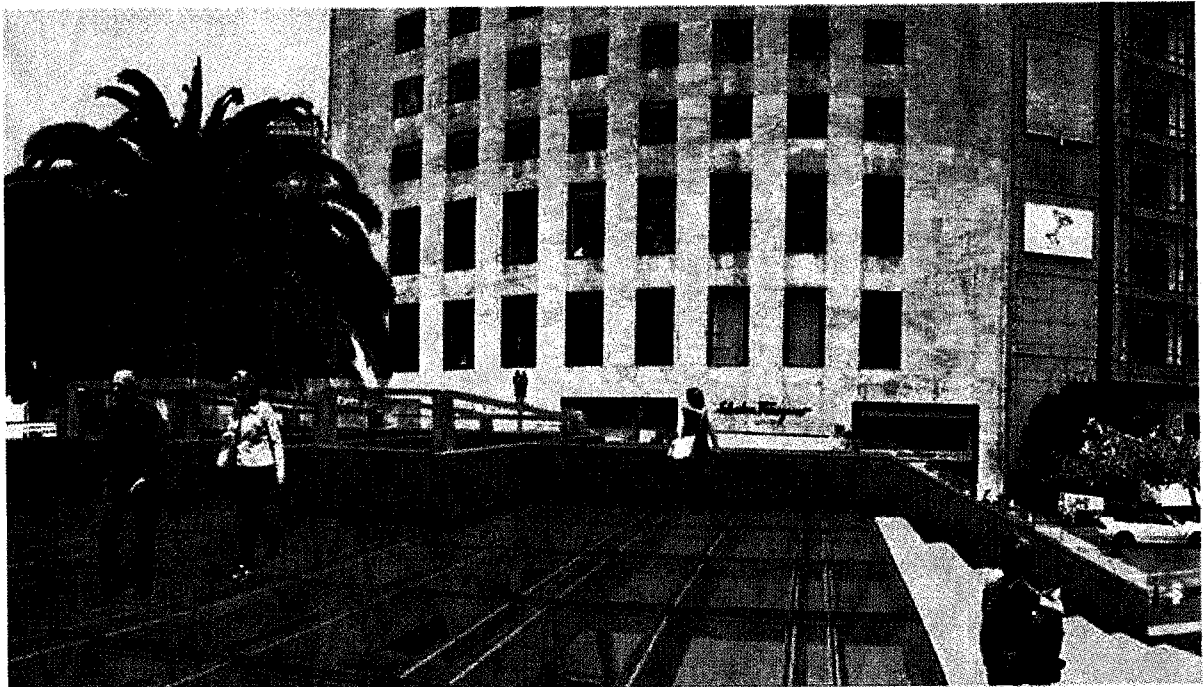
**Figure 1 - Rendering of UMS Union Square Entrance**



**Figure 2 - Union Square Entrance: South and East Façades**



**Figure 3 - Union Square Entrance: Translucent Glass Roof Deck**



**Figure 4 - Union Square Entrance: View from Roof Deck Looking South**

**Community Outreach on Design Refinements**

Below is a summary of meetings and presentations related to the Union Square Entrance:

<u>Description</u>	<u>Date(s)</u>
Meetings/Briefings with Union Square Business Improvement District	9/22/10; 9/29/10; 11/4/10; 11/5/10; 11/12/10; 11/17/10; 11/18/10; 1/13/11; 2/22/11; 3/3/11; 3/24/11; 4/18/11; 4/26/11; 5/12/11
Meetings/Briefings with Recreation and Parks Department	9/8/10; 9/14/10; 11/16/10; 12/2/10; 2/7/11; 8/29/11
SFMTA Community Advisory Group Meeting	11/18/10
Meetings with Mayor's Office of Disability	2/1/11; 2/7/11; 2/23/11; 3/3/11; 3/14/11; 3/24/11
Presentations to San Francisco Arts Commission (Phase 2 and 3 Approvals)	3/21/11; 5/2/11; 5/16/11; 6/20/11; 7/18/11; 8/15/11; 4/16/12
Presentations to San Francisco Planning Department	1/12/12, 2/9/12, 4/11/12
Presentation to San Francisco Historic Preservation Commission	6/20/12
Recreation and Park Commission Approval of Resolution	9/20/12

**Cost and Source Funding**

The capital cost of the Central Subway Project including the purchase of four vehicles, is estimated at \$1.578 billion. Funding comes from a combination of federal New Starts funds (\$948 million), State Transportation funds (\$375 million) and Local Transportation funds (\$255 million).

**Schedule**

The Central Subway Project's UMS Station construction contract is anticipated to be awarded in the first quarter of 2013. Construction of Union Square/Market Street Station will take approximately four and a half years to complete.

**Recommendation**

The SFMTA recommends that the Board of Supervisors adopt this Resolution. If you have any questions, please contact Jane Wang of my staff at 701-4287.

Sincerely,



**Edward D. Reiskin**  
**Director of Transportation**

Enclosures: SFMTA Board Resolution No. 08-150 and CEQA findings  
 Planning Department Memo re: Central Subway Project Alternative 3B (Modified Locally Preferred Alternative)

SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY  
BOARD OF DIRECTORS  
CITY AND COUNTY OF SAN FRANCISCO

RESOLUTION NO. 08-150

WHEREAS, The Third Street Light Rail Project Final Environmental Impact Statement/Environmental Impact Report (FEIS/FEIR) was certified in November 1998; and,

WHEREAS, On January 19, 1999, the Public Transportation Commission approved Resolution No. 99-009, which adopted the environmental findings for the Third Street Light Rail Project, including mitigation measures set forth in the 1998 FEIS/FEIR and Mitigation Monitoring Report; and,

WHEREAS, The Federal Transit Administration issued a Record of Decision on the 1998 FEIS/FEIR for the IOS on March 16, 1999; and,

WHEREAS, The Central Subway is the second phase of the Third Street Light Rail Project; and,

WHEREAS, Studies undertaken subsequent to the Final EIS/EIR certification identified a new Fourth/Stockton Alignment to be evaluated for the Central Subway Project; and,

WHEREAS, On June 7, 2005, the San Francisco Municipal Transportation Agency (SFMTA) Board of Directors adopted Resolution 05-087, selecting the Fourth/Stockton Alternative (Alternative 3A) as the Locally Preferred Alternative (LPA) to be carried through the Supplemental EIS/EIR (SEIS/SEIR) and the federal New Starts process; and,

WHEREAS, Alternative 3B, Fourth/Stockton Alignment, was developed as a modified LPA in response to comments received through the public scoping process for the SEIS/SEIR initiated in June 2005 and also as a result of preliminary cost estimates identifying the need for Project cost savings; and,

WHEREAS, On October 17, 2007, SFMTA released for public comment a Draft SEIS/SEIR for the Central Subway Project, which evaluated a reasonable range of alternatives including: No Build/TSM (Alternative 1); Enhanced EIS/EIR Alternative (Alternative 2); Fourth/Stockton Alignment, LPA (Alternative 3A); and Fourth/Stockton Alignment, Modified LPA (Alternative 3B) with semi-exclusive surface right-of-way and mixed-flow surface operation options; and,

WHEREAS, The semi-exclusive surface right-of-way option for Alternative 3B, Fourth/Stockton Alignment, Modified LPA, would improve surface rail operations on Fourth

Street and reduce travel times for Central Subway patrons when compared to the mixed-flow option; and,

WHEREAS, The majority of comments received during the public comment period that concluded on December 10, 2007 supported construction of the Central Subway Project, and support was greater for Alternative 3B as the LPA; and,

WHEREAS, The SEIS/SEIR concluded that Alternative 3B will have significant unavoidable environmental impacts to traffic, historic resources and socioeconomics; and,

WHEREAS, The SEIS/SEIR identified Alternative 3B as the environmentally superior Build Alternative and the only fully funded alternative; and,

WHEREAS, The three other alternatives analyzed in the SEIS/SEIR, including a No Project/TSM Alternative, an Enhanced EIS/EIR Alignment (Alternative 2) and a Fourth/Stockton Alignment (Alternative 3A), are addressed, and found to be infeasible, in the CEQA Findings attached as Enclosure 3, which are incorporated herein by reference as though fully set forth. The CEQA Findings also set forth the benefits of the project that override its unavoidable significant impacts to traffic, historic resources and socioeconomics; and,

WHEREAS, The Final SEIS/SEIR was prepared to respond to comments on the Draft SEIS/SEIR and was distributed on July 11, 2008; and,

WHEREAS, the San Francisco Planning Commission certified the SEIS/SEIR as adequate, accurate and objective and reflecting the independent judgment of the Commission on August 7, 2008; and,

WHEREAS, The SFMTA Board has reviewed and considered the information contained in the SEIS/SEIR; and,

WHEREAS, the Central Subway project will assist SFMTA in meeting the objectives of Strategic Plan Goal No. 1 to provide safe, accessible, clean, environmentally sustainable service and encourage the use of auto-alternative modes through the Transit First policy; Goal No. 2 to improve transit reliability; Goal No. 3 to improve economic vitality through improved regional transportation; and Goal No. 4 to ensure the efficient and effective use of resources; now, therefore, be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors adopts the Central Subway Project Alternative 3B, Fourth/Stockton Alignment with semi-exclusive surface rail operations on Fourth Street and a construction variant to extend the tunnel another 2,000 feet north of Jackson Street to extract the Tunnel Boring Machine in a temporary shaft on Columbus Avenue near Union Street; and be it further

RESOLVED, That the San Francisco Municipal Transportation Agency Board of

Directors adopts the CEQA Findings and Statement of Overriding Considerations for the SEIS/SEIR attached as Enclosure 3, and adopts the Mitigation Monitoring and Reporting Plan attached as Enclosure 4; and be it further

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors authorizes the Executive Director/CEO to direct staff to continue with otherwise necessary approvals and to carry out the actions to implement the project.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of AUG 19 2008

R. Boomer

Secretary, San Francisco Municipal Transportation Agency Board



## CENTRAL SUBWAY/THIRD STREET LIGHT RAIL PHASE 2

### FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT MUNICIPAL TRANSPORTATION AGENCY

#### I. INTRODUCTION

The following Findings are hereby adopted by the San Francisco Municipal Transportation Agency Board ("SFMTA Board") with respect to the Central Subway/Third Street Light Rail Phase 2 Final Supplemental Environmental Impact Statement/Final Supplemental Environmental Impact Report ("SEIS/SEIR") pursuant to the requirements of the National Environmental Policy Act of 1969, §102 (42 U.S.C. §4332); Federal Transit Laws (49 U.S.C. §5301(e), §5323(b) and §5324(b)); Section 4(f) of the Department of Transportation Act of 1966 (49 U.S.C. §303); National Historic Preservation Act of 1966, §106 (16 U.S.C. §470f); 40 CFR Parts 1500-1508; 23 CFR Part 771; Executive Order 12898 (Environmental Justice); and California Environmental Quality Act, California Public Resources Code Sections 21000 et seq. ("CEQA"), the Guidelines for Implementation of CEQA, 14 California Code of Regulations Sections 15000 et seq., (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code.

This document is organized as follows:

Article II describes the Project.

Article III describes the actions to be taken by the SFMTA Board.

Article IV provides the basis for approval of the Project (the Locally Preferred Alternative identified in the Final SEIS/SEIR), a description of each alternative, and the economic, legal, social, technological, and other considerations which lead to the rejection of such alternatives as infeasible.

Article V sets forth Findings as to the disposition of each of the mitigation measures proposed in the Final SEIS/SEIR. Mitigation measures are grouped in the following categories:

- (1) Measures which are within the jurisdiction and responsibility of another governmental agency and which are recommended by the SFMTA Board for adoption by that agency;
- (2) Measures which are within the jurisdiction and responsibility of the City and County of San Francisco and which are proposed for adoption by the SFMTA Board.

Article VI identifies the location and custodians of the records for the Central Subway Final SEIS/SEIR.

Article VII identifies the unavoidable, significant adverse impacts of the Project which have not been mitigated to a level of insignificance by the adoption of mitigation measures as provided in Article V.

Article VIII contains a Statement of Overriding Considerations, setting forth specific reasons in support of the SFMTA Board's actions in light of the significant unavoidable impacts discussed in Article VII.

Exhibit 1, attached to these Findings, contains the Mitigation Monitoring and Reporting Program ("MMRP"). It provides a table summarizing the mitigation measures, grouped by subject, in the order that they are proposed and analyzed in the Final SEIS/SEIR; specifies the agency responsible for implementation of each measure; and establishes monitoring actions and a monitoring schedule.

## **II. PROJECT DESCRIPTION**

### **A. Project Approvals**

The Project consists of a series of approvals that together define the terms under which the Project will occur. The Project Sponsor is the San Francisco Municipal Transportation Agency ("SFMTA"). The City and County of San Francisco's Board of Supervisors, the San Francisco Transportation Authority, the San Francisco Planning Commission, Caltrans, the California Public Utilities Commission, the Bay Area Rapid Transit District and other governmental agencies and districts will be taking various approval actions related to the Project. The Project is composed of the following major permits and approvals, and related and collateral actions:

1. CPUC permit for all at-grade or grade-separated railroad, highway, street and pedestrian crossings (CPUC Code Section 1200);
2. Caltrans Encroachment permit for use of right-of-way;
3. BART amendment of existing MUNI/BART Joint Station Maintenance Agreement for Powell Street Station and approval of Station Improvement Coordination Plan;
4. Board of Supervisors initiation and approval of acquisition and eminent domain of properties; use of city right-of-way, including easements, for stations or track alignments; use of park property at Union Square Park; and adoption of San Francisco Planning Code amendments to allow demolition of residential uses in Chinatown at 933-949 Stockton Street;
5. Planning Commission adoption of General Plan Consistency/Planning Code § 101.1 findings in regard to various actions and Transit Oriented Development at stations and recommendation of San Francisco Planning Code amendments for demolition of residential uses in Chinatown at 933-949 Stockton Street;
6. Recreation and Parks Commission approval of Section 4(f) findings of de minimis impacts to Union Square (approval granted Resolution 0802-011, February 21, 2008);
7. Advisory Council on Historic Preservation and California State Historic Preservation Officer (SHPO) concurrence with Findings of Effect and Historic Property Survey Report

and approval of Cultural Resources Memorandum of Agreement with SFMTA and FTA describing procedures for protection and mitigation of impacts to historic and cultural resources pursuant to Section 106 of the National Historic Preservation Act;

8. SF Landmarks Preservation Advisory Board concurrence with findings of Historic Properties Architecture Report and Mitigation Monitoring and Reporting Program;
9. SF Department of Public Works approval of construction in, and changes to, City Streets and sidewalks;

These approvals, along with implementation actions related thereto, are referred to collectively herein as the "Project."

B. Detailed Project Description/Relationship to the Final SEIS/SEIR

The following is a description of the uses contemplated by the Project and the Project's relationship to the Final SEIS/SEIR.

A Draft Supplemental Environmental Impact Statement/Environmental Impact Report ("Draft SEIS/SEIR") was prepared and distributed to the public on October 17, 2007. Notice of availability of the Draft SEIS/SEIR was published in the San Francisco Independent newspaper and posted at the San Francisco Planning Department. A Notice of Availability for the Draft SEIS was published in the Federal Register (Vol. 72, No 207, page 60847), October 26, 2007. Newsletters were sent to the project mailing list announcing the availability of the Draft SEIS/SEIR, and a letter was sent directly to property owners whose properties could be directly affected by the Project. Announcements were posted throughout the Project area, including along Fourth Street beginning at King Street to Market Street and along Stockton Street to Washington Square (in both English and Chinese). Notices were sent to all property owners within 300 feet of the Project boundary. The Draft SEIS/SEIR was available for on-line review on the SFMTA web site. Over 160 copies, both printed and compact disc versions, of the Draft SEIS/SEIR were mailed to agencies and individuals.

The document was also available for review at the following locations:

- SFMTA Central Subway project office at 821 Howard Street, 2<sup>nd</sup> floor
- San Francisco Central Library, 100 Larkin Street;
- Hastings College of Law Library, 200 McAllister Street;
- Chinatown Library, 1135 Powell Street;
- North Beach Library, 2000 Mason Street;
- San Francisco Planning Department, 1660 Mission Street, First Floor Public Information Center; and
- Stanford University Libraries, Stanford, CA.

In addition to the public meetings held over the course of the project, three community meetings

to share information about the Draft SEIS/SEIR were held in 2007 (October 30 at the Pacific Energy Center at 851 Howard Street; November 8, at the Gordon J. Lau Elementary School in Chinatown, and November 13 at 1 South Van Ness with the Community Advisory Group). The Public Hearing on the Draft SEIS/SEIR was held on November 15, 2007 at the San Francisco Planning Commission in San Francisco City Hall.

The Project, described below, is based on the Alternative 3B description contained in the Final SEIS/SEIR. The SFMTA Board, after a duly noticed public hearing on February 19, 2008 adopted the Fourth and Stockton Alignment 3B as the new Locally Preferred Alternative. The Project would be located in the northeastern section of San Francisco, from downtown to Chinatown, and has the following major features:

- 1.7-mile extension of T-Third LRT at Fourth and King Streets as Phase 2 of the project primarily in a semi-exclusive right of way along surface alignment on Fourth Street to a portal between Bryant and Harrison Streets where it transitions to twin bore tunnels proceeding under Fourth and Stockton Streets to the Central Subway terminus in Chinatown located near Stockton and Jackson Streets;
- One surface station on Fourth Street, north of Brannan Street, and three subway stations at Moscone Center on Fourth Street between Folsom and Howard Streets, Union Square/Market Street on Stockton Street between Market and Geary Streets, and Chinatown on Stockton between Clay and Jackson Streets;
- The Moscone Station located between Folsom and Howard Streets would have mezzanine and concourse levels and a platform level that would serve both northbound and southbound trains. The main station entrance (escalators, stairs, and tow elevators) would be in the off-street property at 266 Fourth Street. An emergency exit would be provided on the west side of Fourth Street mid-block between Folsom and Howard Streets. Ventilation shafts would be located on the west side of the station entrance.
- A deep crossing under the Market Street Subway and BART tunnels and an easement under buildings at 790 and 798 Market Street and 2 Stockton Street to a combined Union Square/Market Street Station.
- A combined Union Square/Market Street Station would be located on Stockton Street between Geary and Market Streets, and would have a platform centered on O'Farrell Street with a connecting concourse to BART and one platform level that would serve both northbound and southbound Central Subway trains. The south end of the Union Square/Market Street Station would connect to the BART/Muni Metro Market Street Subway at the Powell Street Station using existing and improved pedestrian entrances on Market Street and at the northeast corner entrance on Stockton and Ellis Streets. Potential improvements to the existing station access/egress on Ellis Street may require a bulb-out of the sidewalk and potential elimination of three parking spaces and a street tree. At the north end of the station the main entrance would be located at the southeast corner of Union Square Park on Geary Street just west of Stockton Street. The entry would include new escalators and stairs. Up to two elevators would be constructed off Stockton Street near the corner at Geary Street. Up to 34 parking spaces in the Union Square garage would be displaced. Emergency exits would be located on O'Farrell Street. Ventilation shafts are located in the Ellis/O'Farrell garage.

- The Chinatown Station would be located on Stockton Street between Clay and Jackson Streets and would have a mezzanine and concourse and one platform level for north and southbound trains. The main pedestrian entrance would be in a building that Muni would construct on the west side of Stockton Street south of Washington Street (933-949 Stockton Street) requiring the demolition of the existing building to accommodate escalators, stairs, two elevators, and two emergency ventilation shafts. SFMTA would acquire the parcel and one building and relocate eight businesses and 17 residential units. Existing zoning would allow for a 65-foot high building above the station entry. Twin storage tracks, capable of storing two-car trains, would extend north of the underground station, about 60 feet beyond Jackson Street. An emergency exit is provided on the west side of Stockton Street, between Washington and Jackson Streets. Ventilation shafts would be located in the southwest corner of the station entrance property.
- An approximately 2,000 foot tunnel would extend north of Jackson Street to facilitate extraction of the Tunnel Boring Machine in a temporary shaft under the middle two lanes of Columbus Avenue near Washington Square Park.

### III. ACTIONS

The SFMTA Board is taking various actions in furtherance of the Project. The Actions of the Board in connection with the Project include the following:

1. Adoption of the Project;
2. Adoption of CEQA Findings, including a statement of overriding considerations, mitigation measures, and a mitigation monitoring and reporting program;
3. Approval of surface street changes, traffic operation changes, traffic control measures, and on-street parking changes.

### IV. ALTERNATIVES CONSIDERED BUT ELIMINATED

Design options and alternatives considered for the Central Subway Project, but eliminated from further review during the SEIS/SEIR process are described below.

#### **Tunnel Construction Methods**

During conceptual engineering, a deep crossing of the BART/Muni Metro Market Street Subway at Third Street using a Tunnel Boring Machine (TBM) to bore the northbound and southbound tunnels was considered for the Enhanced EIS/EIR Alignment (Alternative 2) as compared to the shallow tunnel alignment proposed in the 1998 FEIS/FEIR. In this scheme the TBM would have been deployed between the single portals on Third and Fourth Streets and the intersection of Stockton and Geary Streets. This alignment would have passed under several properties between Third Street at Market Street and Stockton Street at Geary Street thus allowing for a straighter alignment compared to the shallow tunnel construction alignment. From that point northward

the Sequential Excavation Method (SEM) of tunneling would have been used to reach the Chinatown terminus. The potential for incorporation of a deep Market Street crossing into the Enhanced EIS/EIR Alignment was evaluated in the "Special Alignment and Validation Studies." The Third Street deep tunnel under Market Street was found to have a longer construction schedule and greater tunnel construction impacts to a sewer main, and higher costs, than a deep crossing on the Fourth/Stockton Alignment. These factors were discussed at public meetings in the summer and fall of 2004. The Alternative 2-Enhanced EIS/EIR Alignment was subsequently eliminated from further consideration and the Fourth/Stockton Alignment was selected by the SFMTA Board as the Locally Preferred Alternative (LPA). A deep crossing of Market Street is proposed, as part of the Alternative 3 – Fourth/Stockton Alignment.

The use of a mega tunnel with a single large diameter bore for tunnels and stations was explored as an alternative to the twin tunnel construction method. Station access and ventilation shafts would be constructed via cut-and-cover techniques from the surface. The mega tunnel would require stacked stations that would push the platform levels to even greater depths. This tunneling concept was eliminated from further consideration because soil conditions are not optimal and settlement concerns would be greater with this approach, the larger TBM radii turns would impact more right-of-way requiring more costly right-of-way acquisition, and the platform depths would result in longer station access times for patrons. In addition, the deeper alignment under the BART/Muni Metro Market Street Subway would force the relocation of the Union Square/Market Street Station (UMS) for the Fourth/Stockton Alignment further north, creating a longer walk for passengers transferring to UMS from the BART/Muni Metro Powell Street Station.

### **Station Locations**

The station locations and the northern boundary of the Phase 2, Central Subway were initially established early in the Third Street Light Rail planning process as part of the **Bayshore Transit Study** completed in 1993 and incorporated into the **Four Corridor Study** prepared by the San Francisco Transportation Authority in 1995. The northern limit of the Third Street Light Rail Corridor was originally at California Street (**Four Corridor Plan**) and was later extended to Jackson Street, the northern project boundary analyzed in the 1998 EIS/EIR. The study limit of Jackson Street, established in the 1998 EIS/EIR, was important in distinguishing funding priorities for transportation corridors in the City and also for establishing the Project eligible for federal funding.

As studied in the 1998 EIS/EIR, all station access points for the Project were provided in sidewalk areas within the public right-of-way. Early in the Phase 2 planning process for the Central Subway, station location and access studies were undertaken to evaluate the opportunities for locating station access points out of the public right-of-way to minimize disruption to the congested sidewalks and pedestrian traffic along the Project Corridor. At the same time, an alternative with a more direct alignment for the rail corridor, the Fourth/Stockton Alignment, was also being studied. When the Notice of Preparation (NOP) was issued in June 2005, off-street station access locations had been incorporated in several locations into both the Enhanced EIS/EIR Alignment alternative and the Fourth/Stockton Alignment alternative.

Further refinement of the station locations occurred between June of 2005 and summer of 2006 when the environmental process was reactivated. The northern boundary for the Project remained fixed at Jackson Street consistent with the 1998 EIS/EIR.

During conceptual engineering and public outreach discussed above, the San Francisco Planning Department and members of the public expressed concerns about the location of the Moscone Station on the Fourth/Stockton Alignment. Three locations for a Moscone Station were identified and discussed with the public at meetings in 2004 and 2005. The options included 1) Fourth Street between Howard and Folsom Streets, 2) Fourth Street between Folsom and Harrison Streets, and 3) Fourth Street between Howard and Folsom Streets with an additional subway station on Fourth Street south of Harrison Street. A member of the public and the cost reduction panel suggested a fourth option locating the station on Fourth Street between Mission and Howard Streets. The second and third options were developed in response to the Planning Department's concern about serving the anticipated development on Fourth Street, south of Harrison Street and north of the Fourth/King Station. The second Moscone Station location on Fourth Street between Folsom and Harrison Streets was eliminated from further consideration in this SEIS/SEIR because of potential safety conflicts between vehicles and pedestrians at the ramps leading to the I-80 freeway and a lack of public support expressed at meetings in the summer and fall of 2004.<sup>1</sup> The third option was eliminated due to the cost of an additional subway station on Fourth Street between Brannan and Bryant Streets, however, when Fourth/Stockton Alignment Option B (Modified LPA) was developed a surface station was added at that location. The fourth option between Mission and Howard Streets was eliminated due to the conflict with a major sewer line on Fourth Street in this area, and station spacing concerns given the proximity of the Moscone Station between Mission and Howard Streets and a Union Square/Market Street Station between Ellis and O'Farrell Streets.

In Union Square, merchants expressed concerns in meetings held during 2004 and 2005 about the narrowing of sidewalks in the busy retail core and the potential impacts on businesses adjacent to subway entrances. The redesigned Union Square Plaza was identified for potential access to the Union Square Station for the Enhanced EIS/EIR Alignment and was favorably received by the business community and civic organizations. This station access proposal was incorporated into the Fourth/Stockton Alignment Option A and later refinements to Union Square Station access were incorporated into Alternative 3B.2<sup>3</sup>

Four potential off-site locations were identified for locating an entrance to the Chinatown station centered on Clay Street: 1) the southwest corner of Stockton and Sacramento Streets intersection (777 Stockton Street); 2) the east side of Stockton Street north of Sacramento Street (814-828 Stockton Street); 3) the north side of Clay Street, west of the Stockton Street intersection (910-918 Clay Street); and 4) mid-block on the east side of Stockton Street between Jackson and Pacific Streets (site located in Ping Yuen Housing Complex at 799 Pacific). These sites were

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<sup>1</sup> PB/Wong and San Francisco Municipal Railway, "Working Paper Task 1.60-11 Additional Station Location and Access Studies, Revision", May 24, 2005.

<sup>2</sup> Ibid.

<sup>3</sup> PB/Wong and San Francisco Municipal Railway, "Summary Report Task 1.60-4 Special Alignment and Validation Studies" Revision 0, June 30, 2005.

identified and evaluated based on factors such as building size and heights (one to two-story buildings were preferred to minimize neighborhood disruption to multi-story residential buildings), ability to accommodate station facilities and vent shafts, overall accessibility, constructability, business and residential displacement, development potential, possible environmental impacts, and consistency with previous planning studies such as the Four Corridors Plan. The 814-828 Stockton Street site emerged as the preferred site. The parking structure at 777 Stockton Street was eliminated from consideration because of its small size, which restricted the ability to accommodate the station entrance/exits and the vent shafts and to retain existing residential uses on the property. The 910-918 Clay Street site was eliminated from further consideration also because of its small size, which restricted the ability to accommodate station facilities and the vent shaft, the number of community organizations located in the building that would be affected, and because of its distance to the station at Stockton Street relative to other station location options. The steep grades on Clay Street, in combination with the distance from Stockton Street, made this site less accessible than others under consideration. The Ping Yuen site was eliminated as a station entrance due to its relative distance from the next closest station (Union Square/Market Street) and its location beyond the established study area in the Third Street Light Rail EIS/EIR and the Four Corridor Plan. Further restrictions on this site included a 12-foot drop from street level to the site with no access from the street level for construction equipment and staging areas, displacement of an existing child care center on the site, and construction impacts to residents of the public housing occupying the site.

In community meetings that were held subsequent to the publication of the initial NOP in 2005, the meeting participants suggested that the Chinatown Station site be moved closer to the heart of the Chinatown business district. Based on further assessments and screening, two additional access points were evaluated at that time in conjunction with a subway station site between Clay and Washington Streets at the southwest corner of the Stockton and Washington Streets intersection (933-949 Stockton Street) and the east side of Stockton Street, south of Washington Street (944-960 Stockton Street). The 944-960 Stockton Street site was eliminated from further consideration as it only afforded limited access through the basement of the existing Mandarin Towers building making the provision of station entrances/exits and vent shafts difficult. Thus only the 933-949 Stockton Street site was incorporated into the Fourth/Stockton Alignment, Option B. Both the two story building at 933-949 Stockton Street, near Washington Street, and the two story building at 814-828 Stockton Street near Sacramento Street are analyzed in the SEIS/SEIR.

The purpose of the SEIS/SEIR is to examine alternative transit improvements in the Central Subway Corridor in terms of their potential environmental and social-economic impacts and to compare the alternatives based on the following Project goals: 1) improve travel and mobility for transit riders; 2) improve transit access to employment opportunities and to other areas of the City and region; 3) enhance physical environment while minimizing adverse environmental impacts; 4) ensure compatibility with transit-supportive policies; 5) implement a financially feasible project and 6) gain community acceptance and support from City officials. The Project's Final SEIS/SEIR presents more details on selection and rejection of alternatives.



**A. Reasons for Selecting the Project Set Forth in the Project Approvals:**

As noted in Article II above, the Project is based generally on the Project Description of Alternative 3B – Fourth/Stockton Alignment Option B presented in Chapter 2 of the Final SEIS/SEIR.

In approving the aspects of the Project within the SFMTA Board's jurisdiction, the SFMTA Board has carefully considered the attributes and environmental effects of the Project and the Alternatives discussed in the Final SEIS/SEIR. This consideration, along with the reports from staff and considerable public testimony, has resulted in the Project. The Project represents the combination of features which, in the opinion of the SFMTA Board, most closely meets the Project's purpose and need as set forth in Chapter 1 of the Final SEIS/SEIR and summarized as follows.

As the Project Sponsor, SFMTA's objective for the proposed Project is to complete the second phase of the Third Street Light Rail Project and provide Muni transit improvements in the Central Subway Corridor. SFMTA is seeking federal funding assistance to construct the proposed Central Subway Project. In 2003 SFMTA began conceptual engineering on the 1998 Phase 2 Central Subway alignment that used King, Third, Harrison, Kearny, and Geary Streets, as well as Fourth and Stockton Streets, and included a shallow tunnel crossing of Market Street at Third Street. In response to a series of community meetings and two years of conceptual engineering and design refinement efforts, a new alignment was identified to avoid, minimize, or mitigate potential impacts described in the 1998 FEIS/FEIR. On June 8, 2005, the SFMTA Board designated the new alignment that was entirely located on Fourth and Stockton Streets, as the Central Subway Locally Preferred Alternative (LPA). This alternative was developed to avoid surface impacts along King, Third, Harrison, Kearny, and Geary Streets and to use a deep tunnel crossing of Market Street to avoid the existing sewer system on Mission Street.

In June 2005 the City circulated an NOP to notify the public of the preparation of a Supplemental EIS/EIR (SEIS/SEIR) to evaluate the Central Subway alternatives. FTA will determine if the preferred alternative meets their transit investment objectives and decide whether to recommend federal funding for the Project. Transit investment objectives include:

- Achieve transit service and mobility goals, while minimizing social, economic, and environmental impacts;
- Increase transit use and reduce travel time at a reasonable cost;
- Link public transportation investments with land use planning and community revitalization;
- Have strong public and political support and compatibility with local, regional, and state planning initiatives; and
- Enhance and preserve the environment, particularly in terms of reduced air and noise pollution and congestion relief.

The Central Subway Project would help to address mobility and transit deficiencies in the northeastern part of San Francisco by improving connections to communities in the southeastern part of the City and improving reliability of transit services. Transit deficiencies include those that exist at present and those that are anticipated to exist during the 20-year plus planning

horizon (2030). The Central Subway Project is also intended to serve as a key infrastructure improvement to help ease congestion in the Study Area; improve transit service to the large transit-dependent population that resides along the Corridor; accommodate the increasing number of residents in the South of Market area; and serve mobility needs for the new jobs that are expected to be created in the Study Area.

## PROJECT GOALS AND OBJECTIVES

The goals and objectives for the Central Subway Project are based on the goals originally established in the **Bayshore Transit Study for the Third Street Light Rail Project**.<sup>4</sup> These goals are also consistent with the San Francisco **Downtown Plan** and **General Plan** and the San Francisco County Transportation Authority's **Four Corridor Plan**.<sup>5</sup> <sup>6</sup> They also conform to FTA guidelines for evaluating the worthiness of proposed major transit capital investment projects. Prior to 1991, FTA evaluated major transit investment projects primarily on their cost effectiveness and their degree of local financial support. The FTA guidelines have been subsequently updated as part of the 1991 federal Intermodal Surface Transportation and Efficiency Act (ISTEA) and the 2005 SAFETEA-LU to include performance measures as major considerations in the evaluation of proposed capital investment for transit projects. Further modifications to FTA guidelines were initiated in 1997 and again in 2006 as part of the Section 5309 New Starts Criteria. The guidelines added access and mobility improvements, environmental benefits (particularly air quality and energy use reduction), cost-effectiveness, transit system operating efficiencies, such as changes in operating cost per passenger mile, transit-supportive land use, promotion of economic development, and local financial commitment. Measures are developed for each criterion for the purpose of comparing project alternatives.

The seven principal goals, that Muni identified for the overall Third Street Light Rail Project to guide the evaluation of alternatives, are still applicable to the Phase 2 Central Subway Project. They are:

1. Travel and Mobility Goal Improve transit service to, from, and within the Central Subway Corridor, thereby enhancing the mobility of Central Subway Corridor residents, business people and visitors.
2. Equity Goal. Bring transit service in the Central Subway Corridor to the level and quality of service available in other sections of the City.
3. Economic Revitalization/Development Goal Design transportation improvements that support economic revitalization and development initiatives within the South of Market, Downtown and Chinatown Study Area.
4. Transit-supportive Land Use Goal Ensure compatibility with City land use plans and policies and transportation improvements so that transit ridership can be maximized and the number of auto trips reduced.

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4 San Francisco Municipal Railway, **Bayshore Transit Study Final Report**; December 1993. Available in Project File 96.281E at the San Francisco Planning Department, 1650 Mission Street, San Francisco.

5 San Francisco Planning Department, **General Plan** and San Francisco Planning Department, **Downtown Plan**, last amendment May, 2005.

6 San Francisco Transportation Authority, June 1995, **Four Corridor Plan**; available for review in Project File 96.281E at the San Francisco Planning Department, 1650 Mission Street, San Francisco.

5. Environmental Goal Provide transit improvements that enhance and preserve the social and physical environment and minimize potential negative impacts during construction and operation of the line.
6. Financial Goal Implement transit improvements that provide for the efficient use of limited financial resources and are cost-effective.
7. Community Acceptance and Political Support Goal Provide a transportation system that reflects the needs and desires of Central Subway Corridor residents and business people and is compatible with the City's planning initiatives.

**B. Rejection of the No Project/No Build/Transportation System (TSM) Management Alternative**

The No Project / No Build/TSM Alternative consists of the existing T-Third LRT and existing Muni bus service with projects programmed in the financially constrained Regional Transportation Plan. This alternative is described on pages 2-3 to 2-9 of the Final SEIR/SEIS. It includes growth and proposed development in San Francisco in the 2030 horizon year. Under this alternative it is assumed that bus service would increase by about 80 percent by 2015 to meet demand and increased frequencies on the 30-Stockton and 45-Union bus line would be among bus changes.

The No Build/TSM Alternative is rejected for the following reasons:

- Fails to Accommodate Year 2030 Transit Demand of 99,600 weekday bus passengers, an increase over existing ridership of 30,900 bus passengers.
- Fails to complete the Third Street LRT (T-Line) as described in the 1998 EIR/EIS, and is not consistent with the 1995 **Four Corridor Plan** or **Regional Transit Plan**.
- Fails to Create a Transit Oriented Development – The No Build Alternative will not facilitate the development of high density mixed use development south of Market Street (Moscone Station) or in the Chinatown area that would encourage the use of environmentally friendly transportation thereby reducing transportation impacts of the development.
- The No Project Alternative would result in increased future congestion at some intersections, reduced transit service reliability, increased transit travel times, increased energy consumption, and increased air pollution when compared to the Build Alternatives.

The No Build/TSM Alternative would also be less consistent than the Preferred Project with many of the policies and goals of the **General Plan** including, but not limited to: transit services would not keep pace with future travel demand in the Study Area. As the quality and efficiency of public transit service deteriorates users could be attracted to alternative modes of transportation, including use of private vehicles. For this reason, the No Project/TSM Alternative would be inconsistent with transportation policies contained in Area Plans that encourage accommodating future employment and population growth in San Francisco through

transit, rather than private automobiles.

For the economic, legal, social, technological, and other considerations set forth herein and in the Final SEIS/SEIR, the No Build Alternative is rejected as infeasible.

**C. Rejection of Alternative 2 and Alternative 3A**

Alternative 2 is the same alignment along King, Third, Harrison, Kearny, Geary, Fourth and Stockton Streets as presented in the 1998 FEIS/FEIR, but with a shallow subway crossing of Market Street and with the addition of above-ground emergency ventilation shafts, off-sidewalk subway station entries where feasible, and the provision of a closed barrier fare system. This alternative includes one surface platform at Third and King Streets and four subway stations at Moscone, Market Street, Union Square, and Chinatown. Alternative 2 is rejected for the following reasons:

- The Community Advisory Group (CAG) and public input did not prefer this alternative; and in particular, the residents along Third Street expressed concern that the Third Street surface alignment portion of this alternative would significantly disrupt their neighborhood.
- The split alignment (along a section of Third Street and Fourth Street) made operation of the T-Third/Central Subway system less efficient for operation than the straight alignment of Alternative 3A and 3B. Alternative 2 has the highest incremental cost per hour of transportation system-user benefit of all of the build alternatives (+\$9 per hour over 3A and 3B) and would be assigned a low cost effectiveness rating based on FTA criteria.
- Because of the longer pedestrian corridors within the Montgomery Station, this alternative has longer passenger transfer connections with BART and Muni at Market Street than Alternative 3A and 3B.
- The Capital Cost of this Alternative would be \$1,685 million in the year of expenditure (YOE) dollars which is higher than either Alternative 3A (\$1,407 million) or 3B (\$1,235 million).
- This alternative would not offer fewer environmental impacts than Alternatives 3A or 3B and would impact Union Square with vent shafts and visual changes to the eastern stairway of the Park; would displace 59 off-street parking spaces; would result in impacts (shadow and visual) to Willie "Woo Woo" Wong Park from the station at 814-828 Stockton Street in Chinatown; would displace 10 small businesses compared with eight small businesses in Alternative 3B; would potentially impact 14 highly sensitive prehistoric archaeological sites, three sensitive historical archaeological sites, and three historical architectural properties [as compared to seven highly sensitive prehistoric archaeological properties for Alternative 3B LPA]; and would have significant traffic impacts at Third/King and Sixth/Brannan Streets intersections.

Alternative 3A is the same alignment as Alternative 3B (the Locally Preferred Alternative and the Proposed Project) but differs from Alternative 3B in the station locations and station platform size. Alternative 3A is rejected for the following reasons:

- The Capital Cost of this alternative would be \$1,407 million (YOE) compared with the cost of Alternative 3B at \$1,235 million (YOE), a \$172 million difference.
- The Chinatown station located at 814-828 Stockton Street is one block further from the core of Chinatown retail district than the Chinatown station in Alternative 3B.
- The property at 814-828 Stockton Street would need to be demolished for the station, and this building has been identified as potentially historic (built in 1923) and a contributor to the potential Chinatown Historic District.
- This alternative would displace ten small business compared with eight for Alternative 3B..
- The Chinatown station at 814-828 Stockton would have significant impacts to the Willie “Woo Woo” Wong Park to the east including visual, shadow, pedestrian traffic, and noise impacts during construction. This alternative is not preferred by the Recreation and Park Commission.
- The station at Union Square/Market Street would have a vent shaft in Union Square and the entry to the station in the middle of the steps along the east side (Stockton Street) of the Park; this was not preferred by the Recreation and Park Commission when compared with Alternative 3B because of the vent shafts in the Park and the cross-park pedestrian traffic to the entry on the Stockton Street side of the Park.

#### **D. Alternatives Proposed by Members of the Public**

The SFMTA Board acknowledges and approves the Fourth/Stockton Alignment Alternative 3B described above below as the Locally Preferred Project (LPA) because the SFMTA Board finds that there is substantial evidence of specific economic, legal, social, technological, and other considerations that make the LPA desirable as the Preferred Project.

The SFMTA Board also rejects all the Alternatives other than that identified as the LPA in the Final SEIS/SEIR, because the Board finds that there is substantial evidence of specific passenger service, economic, legal, social, technological and other considerations that make such Alternatives less desirable than the LPA for the reasons outlined above below and in the Project’s Final SEIS/SEIR.

During the public comment period, various property owners and commenter’s proposed alternatives to the preferred Project. These alternatives were described and analyzed in the Final SEIS/SEIR and Volume II of the Final SEIS/SEIR, Responses to Public Comments. These alternatives are rejected as infeasible for the passenger service, economic, legal, social, technological and other considerations set forth in the Final SEIS/SEIR at the above mentioned citations. (See Station Alternatives considered and rejected by SFMTA described in Section IV above)

#### **E. Preferred Project and Reasons for Selection**

This section describes the Preferred Project and the reasons for selection.

As outlined in Chapter 2, Section 2.4 of the Final SEIS/SEIR, the Central Subway Project has

been the subject of a series of environmental, engineering, and planning studies and community meetings. These studies were used to help identify a series of alternatives for evaluation in the SEIS/SEIR planning process that began in early 2004.

The Draft SEIS/SEIR presented a complete analysis of the environmental impacts of these alternatives. During the Draft SEIS/SEIR comment period members of the public and agencies suggested several additional alternatives or refinements to the existing alternatives. These alternatives and refinements were considered by the SFMTA and used to help define the Locally Preferred Alternative (LPA).

On February 19, 2008, the SFMTA Board, following Federal Transit Administration guidelines and regulations, adopted the Project Modified LPA for inclusion in the Final EIS/EIR. The SFMTA LPA staff report described the characteristics, advantages and disadvantages regarding each of the alternatives. The SFMTA Board selected the Fourth Street Alternative 3B as the LPA. The Final SEIS/SEIR describes the impacts from the LPA in detail.

The SFMTA Board acknowledges and approves the Preferred Project because the SFMTA Board finds that there is substantial evidence of specific service, economic, legal, social, technological, and other considerations that make the Preferred Project desirable.

The SFMTA Board acknowledges and approves the Fourth/Stockton Alignment 3B Alternative as the Preferred Project. This alternative is fully described in Final SEIS/SEIR Section 2. The Fourth/Stockton Alignment 3B Alternative is selected for the Preferred Project because it has the following major advantages:

- Lower capital cost of all alternatives and is the only Build Alternative that can be completed within the currently identified New Starts project funding commitment.
- The best connections with BART and Muni at Market Street;
- The least impact to Union Square Park because the station entry would be on the Geary Street terraced side of the Square, not in the middle of the steps to the plaza on the east side of the park on Stockton Street. This alternative has been approved to have “di minimus” impacts to Section 4(f) resources by the San Francisco Recreation and Park Commission. No shadow impacts would result from the Geary Street station entry on Union Square Park because the station entry would be incorporated into the terraced edge of the Park below the Park plaza and visual impacts would be less-than-significant.
- Reduces the construction duration and uses a TBM construction method to minimize surface disturbance and other construction-related impacts.
- Minimizes the impacts associated with archaeological and historical resources, utility relocations, noise and vibration, and park and recreation facility impacts compared to the other Build Alternatives.
- Provides a semi-exclusive right-of-way for light rail vehicles (similar to much of the N-Judah and the Third Street operation) on the surface portion of the rail line, thereby improving rail operations by reducing potential delays associated with traffic congestion on Fourth Street and improving travel times for Central Subway patrons on the surface portion of the rail line.
- Provides for extraction of the tunnel boring machine in North Beach.

In addition, the Preferred Project is consistent with the goals and policies of the San Francisco General Plan and area plan contained within the General Plan which goals and policies are aimed at improving transit service in corridors with high potential ridership, and with the Downtown Plan's "Transit First" policy and with the SFTA Strategic Plan and **Four Corridor Plan** and the **MTC Regional Transportation Plan**.

Many members of the public expressed their support for Alternative 3B as part of their comments on the Draft SEIS/SEIR. SFMTA received 39 comment letters, and 23 people representing 20 organizations, provided comments at the Planning Commission public hearing held on November 15, 2007. At the public hearing, 19 speakers expressed support for the Project and one opposed the Project. Of those responding in writing during the public comment period, five (including the Recreation and Parks Department) expressed support specifically for Alternative 3B. Of the comment letters received, 13 supported the Project, four opposed the Project.

## V. FINDINGS REGARDING MITIGATION MEASURES

The California Environmental Quality Act (CEQA) requires agencies to adopt mitigation measures that would avoid or substantially lessen a project's identified significant impacts or potential significant impacts if such measures are feasible.

The SFMTA Board finds that, based on the record before it, the measures proposed for adoption in the Final SEIS/SEIR are feasible, and that they can and should be carried out by the affected City departments at the designated time. The SFMTA Board also acknowledges that as part of its project approval action, specific mitigation measures related to the Union Square/Market Street Station require an amendment to the existing Muni/BART Joint Station Maintenance Agreement (1986) and development and adoption of a separate Station Improvement Coordination Plan to minimize potential construction and station capacity impacts and to establish the protocol and procedures for the two agencies to work together to resolve issues and negotiate responsibilities and costs for changes to the existing station as final design proceeds and implementation is monitored. The SFMTA Board acknowledges that if such measures are not adopted and implemented, the Project may result in significant unavoidable impacts. For this reason, and as discussed in Section VI, the SFMTA Board is adopting a statement of Overriding Considerations as set forth in Section VII.

All improvement and mitigation measures set forth in the Final SEIS/SEIR are summarized in Exhibit 1 to this document. None of the improvement and mitigation measures set forth in the Final SEIS/SEIR are rejected. Responsibility for implementation and monitoring the measures has been established pursuant to the Mitigation Monitoring and Reporting Program set forth in Exhibit 1 to this document. Exhibit 1 is attached hereto and incorporated by reference as though fully set forth.

### A. Mitigation Measures Recommended by the SFMTA Board for Adoption By Other

### **City Departments.**

The SFMTA Board finds that the following measure presented in the Final SEIS/SEIR will reduce, the significant environmental effects to historic resources due to the demolition of 933-949 Stockton Street . This measure is hereby recommended for adoption and implementation by the San Francisco Planning Department as set forth below.

#### 1. **Historic Architectural Resources**

Final approval of the design of the proposed Transit Oriented Development above the Chinatown Station at 933-949 Stockton Street will be under the jurisdiction of the San Francisco Planning Department. Implementation of the station will be the responsibility of the SFMTA. The Final SEIS/SEIR includes mitigation for the demolition of this potentially historic resource that incorporates partial preservation of the building at 933-941 Stockton Street, which has been concurred with by the State Historic Preservation Office. SFMTA therefore urges Planning, in approving any new development of the parcel, to require the incorporation of historic elements of the building façade into the design of the station. In proposing final design, SFMTA and Planning should work cooperatively with representatives of the Chinatown community in developing the final design and with the SF Landmarks Preservation Advisory Board. This measure will reduce, but not avoid, the significant impacts to historic resources due to the demolition of 933-949 Stockton Street.

#### **B. Findings on Mitigation Measures Within the Jurisdiction of the SFMTA That the SFMTA Board Has Adopted and Incorporated into the Project.**

The SFMTA Board adopts all the mitigation measures within its jurisdiction and incorporates such measures into the Project as set forth in the Mitigation Monitoring and Reporting Program (“MMRP”), as required by State law, attached as Exhibit 1. Consequently, the SFMTA Board finds that all mitigation measures within the jurisdiction of the SFMTA have been incorporated into the Project and determines that said measures can and will be implemented. This SFMTA Board further finds that such measures will mitigate, reduce, or avoid the Project’s significant environmental effects, except as noted herein. The measures include mitigation in the areas of traffic, freight and loading, socioeconomics, archaeological resources, historic architectural resources, geology and seismicity, hydrology and water quality, noise and vibration, hazardous materials during construction, air emissions, and visual/aesthetics during construction.

#### **C. Property Acquisition/Relocation**

The City and County of San Francisco, in accordance with federal and state law, and to the extent it is within its jurisdiction, will mitigate the impacts of property acquisition and relocations required by the Project providing information and relocation assistance to those as set forth therein. Future development of the Moscone and Chinatown stations with retail space and low-income housing units will further reduce impacts of relocated businesses and residents.

#### **D. Findings on Adoption of a Mitigation Monitoring and Reporting Program**

The SFMTA Board finds that the Mitigation Monitoring and Reporting Program attached hereto as Exhibit 1 (the “Program”), is designed to ensure compliance during Project implementation. The SFMTA Board further finds that the Program presents measures that are appropriate and feasible for adoption and the Program should be adopted and implemented as set forth herein and in Exhibit 1.

## **VI. LOCATION AND CUSTODIAN OF RECORD**

The public hearing transcript, a copy of all letters regarding the Final EIS/EIR received during



the public review period, the administrative record, and background documentation for the Final SEIS/SEIR are located at the Planning Department, 1650 Mission Street, San Francisco. The Planning Commission Secretary, Linda Avery, is the custodian of records for the Planning Department and Planning Commission. Susan MacKenzie, is the custodian of records for the SFMTA Central Subway project office. The SFMTA records are located at the project offices at 821 Howard Street, Second Floor, San Francisco.

## **VII. SIGNIFICANT ENVIRONMENTAL IMPACTS**

The Project includes many aspects and features that reduce or eliminate environmental impacts, which could otherwise be significant. In particular, the mitigation measures described or referred to above would reduce to a level of less-than-significant impacts in the following areas, as described in the Final SEIS/SEIR sections: Noise and Vibration, Geology and Seismicity, Hydrology, Utilities, Cultural Resources, Visual Resources, and Hazardous Materials, and Air Quality.

As outlined above, the SFMTA Board has incorporated all of the identified mitigation measures within its jurisdiction into the Preferred Project. Even under full implementation of all the mitigation measures described above in Article V, some significant unavoidable impacts remain in the areas of traffic, historic resources, and socioeconomics. These are described in more detail below.

### **1. Traffic Impacts**

The Project would remove travel lanes that would result in adding substantial numbers of vehicles to some movements that determine overall traffic level-of-service (LOS) performance. Specifically, the Project would add vehicles to movements that represent a considerable contribution to the baseline plus Project traffic conditions and the Project would have an adverse impact on these intersections.

The Project's contribution to the following intersections would be considered adverse under 2030 cumulative conditions, and these are the same intersections that would experience adverse effects under the 2030 plus Project condition at: Third and King Streets in the a.m. and p.m. peak hours and at Fourth and King Streets in the p.m. peak hour. For these intersections, the Project would add substantial numbers of vehicles to some movements that determine overall LOS performance. Therefore, the Project would add vehicles to those movements that would represent a considerable contribution to the cumulative conditions and the Project would have an adverse impact on these intersections.

In summary, the Project would result in adverse impacts at two intersections under both the baseline plus project and cumulative conditions. No improvements have been identified at these two individual intersections to mitigate operating conditions to less than significant levels.

## 2. Historic Impacts

Construction of a new Central Subway station at 933-949 Stockton Street would require demolition of the existing building identified as potentially eligible as a contributor to the Chinatown Historic District (not listed) for the National Register of Historic Places (NRHP). This property is described in Section 4.4.3 of the Final SEIS/SEIR. This demolition would constitute a significant adverse effect under CEQA.

While the Project would have significant adverse impacts to historic resources under CEQA, the Project also proposes a comprehensive program for mitigating the loss of historic buildings. This program as described in Exhibit 1 under the heading of Cultural Resources, is set forth in a Memorandum of Agreement among the Federal Transit Administration and California State Historic Preservation Officer and the SFMTA. (This Memorandum also is included as Appendix C of the Final SEIS/SEIS in its entirety). The program includes documenting the historic buildings that must be demolished, working with interest groups to salvage and preserve elements of the demolished buildings for display to the public, integration of a historic interpretation center into the new terminal, and funding an exhibition describing the Chinatown building history.

## 3. Socioeconomic Impacts

Acquisition of one parcel for the Chinatown station would cause the displacement of eight small businesses and 17 residential units in a predominantly minority and low income neighborhood. The construction of new ground floor retail would not mitigate to a less-than-significant level the disruption to existing small businesses associated with the temporary dislocation as new units are constructed.

## VIII. STATEMENT OF OVERRIDING CONSIDERATIONS.

Notwithstanding the significant effects noted above, pursuant to CEQA Section 21081(b), the CEQA Guidelines Section 15093, and Chapter 31 of the San Francisco Administrative Code, the SFMTA Board finds, after considering the Final SEIS/SEIR and based on substantial evidence in said document and as set forth herein, that specific overriding economic, legal, social, and other considerations outweigh the identified significant effects on the environment. In addition, the SFMTA Board finds that those Project Alternatives rejected above are also rejected for the following specific economic, social, or other considerations, in and of themselves, in addition to the specific reasons discussed in Article IV above:

1. The Project fulfills the mandates of San Francisco's Transit First Policy as set forth in San Francisco Charter Section 16.102, and is consistent with the **Regional Transportation Plan** and the **Four Corridor Plan**.
2. The Central Subway project will complete the Third Street Light Rail Project as the second phase of the project analyzed in the 1998 EIS/EIR by extending the existing T-Third to Chinatown.

3. The Project will significantly improve transit access between Bay View Hunters Point, Mission Bay and Chinatown and will improve transfers between Caltrain and BART with an underground pedestrian link to the BART Powell Street Station.
4. The Project minimizes, to the extent feasible, impacts to historic resources. Where such impacts will occur, the Project includes historic documentation and exhibits designed to commemorate the historic buildings and structures.
5. The Project will provide thousands of person-years of construction work and in the process enhance the economic vitality of San Francisco.
6. The Project is seen as a key to reestablishing a high level of regional and citywide access to Chinatown and an opportunity to reinvigorate Stockton Street after the loss of the Embarcadero Freeway that was damaged by the 1989 earthquake.
7. The Project is fully supportive of citywide and area plans and would accommodate the growth anticipated in the corridor with enhanced transit service.
8. The Project would encourage revitalization in the Central Subway Corridor by providing more reliable and direct transit service to most of the major activity centers in the corridor.
9. Transit Oriented Development opportunities would be made available by SFMTA at the Moscone and Chinatown stations and would provide opportunity for affordable housing and retail space at these location.

Having considered these Project benefits, including the benefits discussed in Article IV.A above, the SFMTA Board finds that the Project's benefits outweigh the unavoidable adverse environmental effects, and that the adverse environmental effects are therefore acceptable.



# SAN FRANCISCO PLANNING DEPARTMENT

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## MEMORANDUM

To: File 96.281E

From: Bill Wycko, Environmental Review Officer

Re: Central Subway Project Alternative 3B (Modified Locally Preferred Alternative)

Date: September 12, 2012

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

The Planning Department Environmental Review Officer has received from the San Francisco Municipal Transportation Agency (SFMTA) a Phase 2 Central Subway Project Milestones 2007-2012 Report, dated September 10, 2012. This report documents (among other things) that the Central Subway Project currently being constructed by SFMTA is the same project described in the Central Subway Project Final Supplemental EIS/EIR ("SEIS/SEIR") as Alternative 3B and the North Beach Construction Variant ("the Project") with regard to all pertinent physical environmental aspects analyzed. The Project as described in the SEIS/SEIR, approved by the SFMTA in August 2008, and the Project currently being constructed are substantially the same in terms of physical design details such as subway tunnel alignment, location and construction methods, as well as subway station locations, footprints, building envelopes and construction requirements.

While architectural details regarding subway station design have been advanced subsequent to completion of the SEIS/SEIR, including final design details of the Union Square/Market Street Station and the Chinatown Station, this subsequent design activity was contemplated in the SEIS/SEIR and the current subway station design details fall within the parameters previously described and analyzed in the SEIS/SEIR (e.g., station location, building envelope, impacts upon historic districts.)<sup>1</sup>

Based on this information, including a review of the final station designs, the Planning Department Environmental Review Officer has determined that there have been no substantial changes proposed for the Project, and no substantial changes in Project circumstances, that would require major revisions to the SEIS/SEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant

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<sup>1</sup> As for the Chinatown Station, the Planning Department prepared a note to the file consistent with this conclusion on January 19, 2012.

impacts; and there is no new information of substantial importance that was not known and could not have been known at the time the SEIS/SEIR was certified, that shows significant environmental effects not discussed in the SEIS/SEIR, a substantial increase in the severity of previously examined significant effects, or that unadopted mitigation measures or alternatives previously found not to be feasible, would be feasible and capable of substantially reducing one or more of the significant effects of the Project.

