RESPONSES TO COMMENTS ON DEIR

PIER 70 MIXED-USE DISTRICT PROJECT

CITY AND COUNTY OF SAN FRANCISCO
PLANNING DEPARTMENT: CASE NO. 2014-001272ENV

STATE CLEARINGHOUSE NO. 2015052024

DRAFT EIR PUBLICATION DATE: DECEMBER 21, 2016

DRAFT EIR PUBLIC HEARING DATE: FEBRUARY 9, 2017

DRAFT EIR PUBLIC COMMENT PERIOD: DECEMBER 22, 2016 - FEBRUARY 21, 2017

FINAL EIR CERTIFICATION HEARING: AUGUST 24, 2017

SAN FRANCISCO
PLANNING
DEPARTMENT

SAN FRANCISCO
PLANNING DEPARTMENT

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TO: Members of the Planning Commission and Interested Parties

FROM: Lisa Gibson, Environmental Review Officer

Re: Attached Responses to Comments on Draft Environmental Impact Report Case No. 2014-001272ENV: Pier 70 Mixed-Use District Project

Attached for your review please find a copy of the Responses to Comments document for the Draft Environmental Impact Report (EIR) for the above-referenced project. **This document, along with the Draft EIR, will be before the Planning Commission for Final EIR certification on August 24, 2017.** The Planning Commission will receive public testimony on the Final EIR certification at the August 24, 2017 hearing. Please note that the public review period for the Draft EIR ended on February 21, 2017; any comments received after that date, including any comments provided orally or in writing at the Final EIR certification hearing, will not be responded to in writing.

The Planning Commission does not conduct a hearing to receive comments on the Responses to Comments document, and no such hearing is required by the California Environmental Quality Act. Interested parties, however, may always write to Commission members or to the President of the Commission at 1650 Mission Street and express an opinion on the Responses to Comments document, or the Commission's decision to certify the completion of the Final EIR for this project.

Please note that if you receive the Responses to Comments document in addition to the Draft EIR, you technically have the Final EIR. If you have any questions concerning the Responses to Comments document or the environmental review process, please contact Melinda Hue at 415-575-9041.

Thank you for your interest in this project and your consideration of this matter.

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SAN FRANCISCO
PLANNING
DEPARTMENT

PIER 70 MIXED-USE DISTRICT PROJECT
RESPONSES TO COMMENTS

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1. INTRODUCTION

A. PURPOSE OF THIS RESPONSES TO COMMENTS DOCUMENT

The purpose of this Responses to Comments (RTC) document is to present comments submitted on the Draft Environmental Impact Report (Draft EIR) for the proposed Pier 70 Mixed-Use District Project (the Proposed Project), to respond in writing to comments on physical environmental issues, and to revise the Draft EIR as necessary to provide additional clarity. Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21091 (d)(2)(A) and (B), the Planning Department has considered the comments received, evaluated the issues raised, and herein provides written responses that fully address the comments on physical environmental issues raised by the commenters. This RTC document also provides limited responses to general comments on the Draft EIR received during the public review period that were not related to physical environmental issues for informational purposes. Where appropriate, this RTC document also includes EIR text changes made in response to comments.

The Draft EIR together with this RTC document constitute the Final Environmental Impact Report (Final EIR) for the Proposed Project, in fulfillment of CEQA requirements and consistent with CEQA Guidelines Section 15132.

B. ENVIRONMENTAL REVIEW PROCESS

The San Francisco Planning Department prepared the Draft EIR for the Pier 70 Mixed-Use District Project in accordance with CEQA, the CEQA Guidelines in Title 14 of the California Code of Regulations, and Chapter 31 of the San Francisco Administrative Code. The Draft EIR was published on December 21, 2016. The Draft EIR identified a public comment period from December 22, 2016 to February 21, 2017 to solicit public comment on the adequacy and accuracy of information presented in the Draft EIR. Comments were made in written form during the public comment period and as oral testimony received at the public hearing on the Draft EIR before the Planning Commission held on February 9, 2017. The comments received during the public review period are the subject of this RTC document, which addresses all substantive written and oral comments on the Draft EIR. A complete transcript of proceedings from the public hearing on the Draft EIR and all written comments are included in their entirety in this document. (See Attachments A and B to this RTC document.)

The San Francisco Planning Department has distributed this RTC document to the Planning Commission. In accordance with Administrative Code Section 31.15, the Planning Commission will hold a hearing on August 24, 2017 to consider the adequacy of the Final EIR. If the Planning

Commission finds the EIR to be in compliance with CEQA requirements, it will certify the document as a Final EIR. The Final EIR will consist of the Draft EIR and this RTC document, which includes the comments received during the public review period, responses to the comments on environmental issues, and any revisions to the Draft EIR that result from staff-initiated text changes. The City decision-makers will consider the certified Final EIR, along with other information received during the public process, to determine whether to approve, modify, or disapprove the Proposed Project, and to specify the mitigation measures that will be required as conditions of project approval in a Mitigation Monitoring and Reporting Program. The MMRP may also include improvement measures that are proposed to be imposed as conditions of approval. The EIR also identified improvement measures to address certain less-than-significant impacts of the Proposed Project, which improvement measures may be adopted as conditions of approval by City decision-makers.

If the City decision-makers decide to approve the Proposed Project with any of the significant effects that are identified in the Final EIR and not avoided or reduced to less-than-significant levels, they must indicate that any such unavoidable significant effects are acceptable due to overriding economic, legal, social, technological, or other considerations as described in CEQA Guidelines Section 15093. This is known as a Statement of Overriding Considerations, in which the City balances the benefits of a proposed project against its unavoidable environmental risks. If the benefits of a project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable (CEQA Guidelines Section 15093). If an agency adopts a Statement of Overriding Considerations, the statement must be included in the record of project approval.

C. DOCUMENT ORGANIZATION

This RTC document consists of the following sections:

Section 1, Introduction, discusses the purpose of the RTC document, the environmental review process for the EIR, and the organization of the RTC document.

Section 2, Revisions and Clarifications to the Project Description, presents revisions and clarifications to the Proposed Project that have been initiated by the project sponsors, and analyzes whether such revisions would result in any new significant environmental impacts not already discussed in the Draft EIR.

Section 3, Public Agencies, Organizations, and Individuals Commenting on the Draft EIR, presents the names of persons who provided comments on the Draft EIR during the public comment period. This section includes three tables: Public Agencies Commenting on the Draft EIR, Organizations Commenting on the Draft EIR, and Individuals Commenting on the Draft

EIR. Commenters are listed in alphabetical order within each category. These lists also show the commenter code (described below) and the format (i.e., public hearing transcript, letter, or email) and date of each set of comments.

Section 4, Comments and Responses, presents the comments excerpted verbatim from the public hearing transcript and written comments. The comments are organized by topic and, where appropriate, by subtopic. They appear as single-spaced text and are coded in the following way:

- Comments from agencies are designated by "A-" and an acronym of the agency's name.
- Comments from non-governmental organizations are designated by "O-" and an acronym of the organization's name.
- Comments from individuals are designated by "I-" and the commenter's last name

In cases where a commenter has spoken at the public hearing and submitted written comments, or has submitted more than one letter or email, the commenter's last name, or the acronym or abbreviation of the organization name represented by the commenter, is followed by a sequential number by date of submission. A final number at the end of the code keys each comment to the order of the bracketed comments within each written communication or set of transcript comments. Thus, each discrete comment has a unique comment code. The coded comment excerpts in Section 4 correspond to the bracketed comments presented in Attachments A and B of this RTC document, described below.

Preceding each group of comments is a summary introduction of the issues raised and/or the specific topic. Following each comment or group of comments on a topic are the Planning Department's responses. The responses generally provide clarification of the Draft EIR text. They may also include revisions or additions to the Draft EIR. Such changes are shown as indented text, with new text underlined and deleted material shown as strikethrough text.

Section 5, Draft EIR Revisions, presents text changes to the Draft EIR that may reflect text changes made as a result of a response to comments and/or staff-initiated text changes identified by Planning Department staff to update, correct, or clarify the Draft EIR text. Staff-initiated text changes are identified by an asterisk (*) in the margin. These changes and minor errata do not result in significant new information with respect to the Proposed Project, including the level of significance of project impacts or any new significant impacts. Therefore, recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5 is not required.

Attachments A and B present, respectively, a complete transcript of the Planning Commission hearing and a copy of the written communications received by the Planning Department in their entirety, with individual comments bracketed and coded as described above. An additional code

points the reader to the topic and subtopic in Section 4 in which the bracketed comment appears and the response that addresses it.

This RTC document will be consolidated with the Draft EIR as its own chapter, and upon certification of the EIR the two documents together comprise the project's Final EIR. The Final EIR will add no new information to the combination of the two documents except to reproduce the certification resolution. The revisions to the EIR's text called out in Section 5, Draft EIR Revisions, of the RTC document will be incorporated into the Draft EIR text as part of publishing the consolidated Final EIR.

2. REVISIONS AND CLARIFICATIONS TO THE PROJECT DESCRIPTION

A. INTRODUCTION

Since publication of the Draft EIR, the project sponsors have initiated revisions to the Proposed Project as it was described in Chapter 2, Project Description. This RTC chapter describes these revisions and clarifications to the Proposed Project, and analyzes whether such revisions would result in any new significant environmental impacts not already discussed in the Draft EIR. Revisions and clarifications to the project description and relevant environmental impact analyses and mitigation measures are presented in this section (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions and clarifications would not result in any new significant impacts that were not already identified in the Draft EIR, nor would these changes increase the severity of any the project's impacts identified in the Draft EIR. Mitigation measures identified in the Draft EIR would continue to be required in order to reduce or avoid significant environmental impacts. No new or modified measures would be required to mitigate the significant impacts identified for the Proposed Project in the Draft EIR.

Section 15088.5 of the State CEQA Guidelines requires recirculation of an EIR when "significant new information" is added to the EIR after publication of the Draft EIR but before certification. The CEQA Guidelines state that information is "significant" if "the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project proponents have declined to implement." Section 5088.5 further defines "significant new information" that triggers a requirement for recirculation as including, but not limited to, identification of a new significant impact, a substantial increase in the severity of an impact (unless mitigation is adopted to reduce the impact to a less-than-significant level), or identification of a new feasible alternative or mitigation measure that would lessen the environmental impacts of the proposed project that the project sponsor is unwilling to adopt. CEQA Guidelines Section 15088.5(b) states that recirculation is not required if "new information in the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR."

B. SUMMARY OF REVISIONS TO THE PROPOSED PROJECT

PROPOSED GRADING AND STABILIZATION PLAN – CONTROLLED ROCK FRAGMENTATION

Since publication of the Draft EIR, the project sponsors have identified certain portions of the project site, underlain by shallow Franciscan Complex bedrock, as having hardness densities that are considered unrippable by conventional excavation equipment. The Proposed Project may therefore require removal of underlying rock by controlled rock fragmentation, which may include pulse plasma rock fragmentation[1], controlled foam or grout injection,[2] and/or controlled blasting[3]. These excavation techniques were not analyzed in the Draft EIR, and therefore are introduced herein.

Chapter 2, Project Description

The discussion under the heading "Proposed Grading and Stabilization Plan," on EIR pp. 2.67-2.68 has been revised, as follows (new text is <u>underlined</u>). These revisions do not change any of the analyses or conclusions of the EIR.

> ***PROPOSED GRADING AND STABILIZATION PLAN***
>
> **SITE GRADING**
>
> The Proposed Project would involve excavation of soils for grading and construction of the 15- to 27-foot-deep basements planned on Parcels A, B, C1, C2, D, E1, E2, E3, E4, F, G, H1, H2, PKN, PKS, HDY1 and HDY2. No basement levels are planned for existing Buildings 2, 12, or 21. <u>Portions of the project site where basements and below-grade infrastructure are planned, specifically west of the historic shoreline, are underlain by shallow Franciscan Complex bedrock having rock hardness densities which are considered unrippable[51A] by conventional excavation equipment. Therefore, the project would likely require bedrock removal by controlled rock fragmentation techniques. Controlled rock fragmentation technologies may include pulse plasma rock fragmentation, controlled foam or grout injection, and controlled blasting. In some scenarios it may be necessary to utilize a combination of these techniques. It is estimated that up to 110,000 cubic yards would need to be removed by controlled rock fragmentation, which would occur during all five phases of the project. The removal</u>

[1] Pulse plasma rock fragmentation uses a pulse electrical discharge to produce shocks or pressure waves. The blasting probe is placed into a water-filled cavity and the pulse propagates into the rock, leading to fracture. Compared with conventional blasting methods, pulsed plasma rock fragmentation causes less vibration, noise, and dust, and uses no chemical substances.

[2] Using controlled foam or grout injection, a high-pressure foam or inert bentonite grout is injected into a predrilled hole. Fracturing is achieved by controlling the pressure of the foam or grout. This method produces almost no fly rock or airblast and the pressures needed to break rock with this method are substantially less than those needed for methods using small explosive or propellant charges.

[3] Controlled blasting uses explosives, but can be conducted using a number of methods to control adverse effects such as fly rock, over-breaking of the surrounding rock, vibration, and noise. To control fly rock, this method requires use of a blasting mat, or similar muffling system, to cover the blast holes.

process would include rock fracturing and rock crushing activities. These techniques are used to break down resistant rock on portions of the site where very hard bedrock would be encountered. It is estimated that the cumulative duration of controlled rock fragmentation would be about 30 days per each phase of the project. During controlled rock fragmentation activities, up to five controlled rock fragmentation events (up to 30 seconds in duration) would occur daily, with a rock drilling event lasting roughly one hour prior to each controlled rock fragmentation event. Rock crushing activities would occur on the project site east of Louisiana Street over a one month period towards the end of each project phase.

The Proposed Project would raise the grade of the 28-Acre Site and the southern, low-lying portions of the Illinois Parcels by adding up to 5 feet of fill in order to help protect against flooding and projected future sea level rise, as described below, and as required for environmental remediation.

A portion of the northern spur of the remnant of Irish Hill would be removed for construction of the new 21st Street. The remnant of Irish Hill stands approximately 35 feet tall. Retaining walls would be necessary along the sides of the new 21st Street to protect the adjacent Building 116 in the Historic Core as well as the remnant of Irish Hill and along the reconfigured 22nd Street, to account for the proposed elevation difference between the streets and adjacent ground surfaces.[52]

While the grading plan assumes some on-site reuse of the excavation soil, which would be stockpiled and reused as fill throughout the project site, a substantial amount of soil and rock export may be required. The Proposed Project would result in a net export total of approximately 340,000 cubic yards of soil and rock, inclusive of rock material removed by controlled rock fragmentation, and an import of about 20,000 cubic yards of clean fill, which would be phased over the duration of the planned construction activities.

The following new footnote has been added to EIR p. 2.67 as part of this revision (new text is underlined). The new footnote will be assigned its proper sequential number in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly. There is no change to Footnote 52 on p. 2.68, but it is shown below to complete the series of notes cited in this text.

[51A] Rippability of an earth material is a measure of its ability to be excavated with conventional excavation equipment, such as bulldozers or backhoes.

[52] The areas on the 28-Acre Site and Illinois Parcels directly adjacent to the 20th Street Historic Core would conform to existing grades; fill would not be placed in these adjacent areas.

Section 4.F, Noise

The first full paragraph on EIR p. 4.F.33, under Impact NO-1, has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

Table 4.F.8: Typical Construction Noise Levels, shows typical noise levels associated with a range of construction equipment. As indicated in this table, operation of jackhammers, ~~and~~ concrete saws, controlled rock fragmentation (CRF) equipment, rock drills, and a rock/concrete crusher would have the potential to exceed the 86 dBA at 50 feet or 80 dBA at 100 feet noise limit for construction equipment (as specified by the

Police Code) by 2 to 4 dBA. While jackhammers with approved acoustic shields as well as rock drills and pile drivers with approved intake and exhaust mufflers are exempt from this ordinance limit,[23] concrete saws and rock/concrete crushers would not be exempt. Therefore, operation of concrete saws, a rock/concrete crusher, or any other equipment not exempt from the Police Code that exceeds 86 dBA (L_{eq}) at 50 feet would be a significant noise impact.

[Footnote 23 on EIR p. 4.E.33]

[23] See Section 2907(b) of the Police Code.

The second and fourth bulleted items under Mitigation Measure M-NO-1 on EIR p. 4.F.33 and p. 4.F.35, respectively, have been revised, as follows (new text is underlined):

- Require the general contractor to locate stationary noise sources (such as the rock/concrete crusher or compressors) as far from adjacent or nearby sensitive receptors as possible, to muffle such noise sources, and to construct barriers around such sources and/or the construction site, which could reduce construction noise by as much as 5 dBA. To further reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, to the maximum extent practicable.
- Include noise control requirements for construction equipment and tools, including concrete saws, in specifications provided to construction contractors to the maximum extent practicable. Such requirements could include, but are not limited to, erecting temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses; utilizing noise control blankets on a building structure as the building is erected to reduce noise levels emanating from the construction site; the use of blasting mats during controlled blasting periods to reduce noise and dust; performing all work in a manner that minimizes noise; using equipment with effective mufflers; undertaking the most noisy activities during times of least disturbance to surrounding residents and occupants; and selecting haul routes that avoid residential uses.

Table 4.F.8: Typical Construction Noise Levels, on EIR p. 4.F.34, has been revised (new text is underlined). The revised table is shown on the following page.

(Revised) Table 4.F.8: Typical Construction Noise Levels

Construction Equipment	Noise Level (dBA, Leq at 50 feet)	Noise Level (dBA, Leq at 100 feet)
Jackhammer (Pavement Breaker)[1]	**88**	**82**
Concrete Saw or Mounted Impact Hammer (Hoe Ram)	**90**	**84**
Controlled Rock Fragmentation[2]	80-**90**	74-**84**
Rock/Concrete Crusher[3]	**90**	**84**
Loader	79	73
Dozer	82	76
Excavator	81	75
Grader	85	79
Compactor	83	77
Dump Truck	76	70
Flatbed Truck	74	68
Concrete Truck	81	75
Forklift (gas-powered)	83	77
Street Sweeper (vacuum)	82	76
Generator	81	75
Compressor	78	72
Roller	80	74
Crane	81	75
Paver	77	71
Pile Driver[1]	**101**	**95**
San Francisco Noise Ordinance Limit	86	80

Notes: The above Leq noise levels are calculated assuming a 100 percent usage factor at full load (i.e., Lmax noise level 100 percent) for the 1-hour measurement period. Noise levels in **bold** exceed the above ordinance limit, but as indicated, two of the three exceedances are exempt from this limit.

[1] Exempt from the ordinance noise limit of 86 dBA at 50 feet or 80 dBA at 100 feet.

[2] Controlled rock fragmentation (CRF) techniques that could be employed include one or a combination of the following: pulse plasma rock fragmentation (PPRF), controlled foam or grout injection, and/or controlled blasting. Noise levels listed above would apply to all three of these methods and would vary within this range depending on the method used. Controlled blasting could generate noise levels of up to 100 dBA (L_{max}) for up to 30 seconds. Blasting events could occur up to a maximum of five times per day and each blast would be preceded by drilling noise for up to one hour. Blasting mats would be used to mitigate noise and dust.

Prior to each CRF event, there would be one drilling event. FTA (2006) noise data indicate that rock drills can generate up to 98 dBA at 50 feet when they are operated aboveground on slope faces. However, the project applicant's engineers indicate rock drilling would be underground (holes would be three to five feet deep), and they expect that the noise levels would be in the range of 80 to 90 dBA (L_{eq}) at 50 feet.

[3] Noise measurements from various rock and concrete recycling crusher plants indicate that a crusher and conveyor plant can generate noise levels ranging between 81 and 90 dBA (L_{eq}) at 50 feet. This evaluation conservatively applies the higher reference noise level.

Sources: U.S. Department of Transportation, Federal Highway Administration, 9.0 Construction Equipment Noise Levels and Ranges, Table 9.1, RCNM Default Noise Emission Reference Levels and Usage Factors, Construction Noise Handbook, Updated July 2011. Available online at http://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/handbook09.cfm. Accessed January 4, 2016; U.S. Department of Transportation, Federal Transit Administration, Transit Noise and Vibration Impact Assessment, May 2006. Available online at http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf. Accessed January 4, 2016; Kapra and Associates, *Pulse Plasma Technology.* Available online at http://kapra.org/catalog.pdf. Accessed April 10, 2017.

The following text has been added after the second paragraph on EIR p. 4.F.36 under Impact NO-2; the last paragraph on that page, which continues on p. 4.F.37, has been revised, and a new paragraph has been added to follow it (new text is underlined and deletions are shown in ~~strikethrough~~):

> Controlled rock fragmentation (CRF) technologies include pulse plasma rock fragmentation (PPRF), controlled foam or grout injection, and controlled blasting. Depending on subsurface conditions, one or more of these techniques could be employed. CRF would occur for a cumulative total of approximately 30 days per phase. During controlled rock fragmentation activities, up to five CRF events would occur daily with one drilling event lasting up to one hour before each CRF event. Oversized material (>12 inches) removed from the excavation would be transported to the eastern portion of the site and stockpiled. A rock/concrete crusher would operate for up to one month toward the end of each phase to crush the stockpiled oversized material. The rock/concrete crusher would be located on the eastern margin of the site (Parcel E4 during Phases 1 and 2 and on the shoreline east of Parcel B during Phases 3, 4, and 5) and a minimum of 200 feet away from any existing or future sensitive receptors.
>
> Because the project would be constructed in phases over an 11-year period, multiple construction activities could be occurring on different parcels within the project site at any given time (i.e., demolition could occur on one parcel while pile driving occurs on another) so that some of the noisier construction activities, such as pile driving, on one project parcel could overlap with other noisier construction phases, such as demolition, CRF, or rock crushing on other parcels. If pile drivers operated on one parcel while a mounted impact hammer or concrete saw (for demolition) occurred on another parcel at the same time (worst-case condition), the combined noise level from these two noisiest pieces of equipment would be 89 dBA (L_{eq}) at 50 feet.[25] When compared to the FTA daytime threshold of 90 dBA (L_{eq}) at residential uses, the maximum combined L_{eq} noise level would not exceed this ~~these~~ threshold~~s~~ because it is expected that both types of equipment would not operate simultaneously closer than 50 feet to any existing residential or commercial uses. It is noted that while pile driving and demolition activities could occur at any given time over the 11-year construction duration, they would not occur continuously over this time period and it is unlikely that pile drivers and either impact hammers or concrete saws would operate simultaneously at closer than 50 feet from any existing residential or commercial uses for any sustained period of time.
>
> If CRF were to overlap with pile driving, the combined noise level would be 91 dBA (L_{eq}) at 50 feet,[25A] which would slightly exceed the 90-dBA FTA threshold for residential uses.[25B] However, there would be a low potential for this combined noise level to occur because of the limited duration of each activity. Rock drills are used for 20 to 60 minutes before each CRF event and each CRF event occurs for approximately 30 seconds. Up to five of these events could occur each day. Pile driving activities are also sporadic with maximum noise levels occurring while a pile is being driven, alternating with longer periods when lower noise levels would be generated as the driver is repositioned for each pile and the pile is positioned into place. If rock drilling or a CRF event were to occur at the same time as a pile is being driven by an impact pile driver, the overlapping duration would be limited. In addition, it is unlikely that these two activities would occur at the same time within 50 feet of a given receptor. However, M-NO-2 has been revised to require that in the event CRF and pile driving activities are scheduled to occur

simultaneously, either the pile driving or CRF activity shall be set back at least 100 feet from the nearest sensitive receptor.

The following new footnote has been added to EIR p. 4.F.36 as part of this revision (new text is underlined). The new footnote will be assigned its proper sequential number in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly. There is no change to Footnote 25 on that page, but it is shown below to complete the series of notes cited in this text.

[25] A 20 percent usage factor was applied to both pieces of equipment. Pile drivers generate 101 dBA (Lmax) or 88 dBA (Leq) with a 20 percent usage factor. Mounted impact hammers generate 90 dBA (Lmax) or 83 dBA (Leq) with a 20 percent usage factor. If these two pieces of equipment were to operate at the same time in the same vicinity (not likely since one would be used for demolition and the other as part of foundation work), the combined noise level would be 89 dBA (Leq).

[25A] Rock drills would generate 87 dBA (Leq) with a 50 percent usage factor; CRF would generate 70 dBA (Leq) with a 1 percent usage factor).

[25B] As indicated in Table 4.F.8, Footnote 5, operation of a rock/concrete crusher would generate up to 90 dBA (Leq) at 50 feet. The crusher is proposed to be located at least 200 feet from the closest future on-site residents. At this distance, crusher noise would be 78 dBA (Leq). The addition of crusher noise would not measurably change the estimated maximum 91 dBA (leq) for the two noisiest prices of equipment (per FTA guidelines) that could operate simultaneously.

The second paragraph on EIR p. 4.F.37, under Impact NO-2, has been revised as follows (new text is underlined):

As listed in Table 4.F.5, p. 4.F.11, the closest existing off-site sensitive receptors are located 140 to 200 feet from the closest site boundary (northwest corner of Parcel PKN). When construction occurs near the northwest corner of Parcel PKN, the maximum combined L_{eq} noise level of 89 to 91 dBA (L_{eq}) at 50 feet would attenuate to 80 to 82 dBA and 77 to 79 dBA (L_{eq}) at these respective receptors. Measurement Location LT-4 (across the street from the 820 Illinois Street residential development) is the closest noise measurement location to these receptors. Ambient noise levels averaged 62 dBA (L_{dn}) or an average of 57 dBA (daytime L_{eq}) at this location and when these ambient noise levels are applied to the "Ambient+10 dBA" threshold, the thresholds would be 72 dBA (L_{dn}) or 67 dBA (daytime L_{eq}) at these receptors and the maximum combined noise levels at the three closest off-site receptors would exceed these thresholds by up to 13 to 15 dBA, a significant noise impact.

The last paragraph on EIR p. 4.F.38, under Impact NO-2, continuing on p. 4.F.39, has been revised as follows (new text is underlined):

It is likely that pile driving would be required for construction of some buildings or structures on the 28-Acre Site and possibly on the northern portion of the Illinois Parcels. Construction of secant walls in the northeastern and southeastern portions of the 28-Acre Site could also require rock drills, CRF, and/or pile driving on upland portions of the site. In addition, other impact tools such as jackhammers, concrete saws, or mounted impact hammers (hoe rams) could be used during demolition activities. As indicated above,

simultaneous operation of such equipment would generate a maximum combined L_{eq} noise level of 89 to 91 dBA (L_{eq}) at 50 feet. Future on-site residents with a direct line-of-sight and 50 feet from demolition or construction activities could be subject to such maximum combined noise levels. As listed in Table 4.F.3, p. 4.F.11, ambient noise levels on the project site ranged between 58 dBA and 68 dBA (L_{dn}) and averaged 64 dBA (L_{dn}). Daytime noise levels ranged from 53 dBA (L_{eq}) to 73 dBA (L_{eq}) and average 61 dBA (L_{eq}). When these ambient noise levels are applied to the "Ambient+10 dBA" threshold, the average thresholds are 74 dBA (L_{dn}) and 71 dBA (daytime L_{eq}) at on-site receptors, and the maximum combined noise level of 89 to 91 dBA (L_{eq}) at 50 feet would, at times, exceed these thresholds at the closest future on-site residential receptors (those occupying residential units built in earlier phases) by up to 18 to 20 dBA. The degree of disturbance would vary with proximity of the demolition and construction activities to sensitive receptors, but is considered significant and unavoidable because the "Ambient +10 dBA" threshold could be exceeded.

The following item has been added to the end of the bulleted list of control strategies for Mitigation Measure NO-2: Noise Control Measures During Pile Driving, on EIR p. 4.F.41 (new text is underlined):

- If CRF (including rock drills) were to occur at the same time as pile driving activities in the same area and in proximity to noise-sensitive receptors, pile drivers shall be set back at least 100 feet while rock drills shall be set back at least 50 feet (or vice versa) from any given sensitive receptor.

The third paragraph on EIR p. 4.F.41, under Impact NO-3, has been revised, as follows (new text is underlined):

The Proposed Project would include the types of construction activities that could produce excessive groundborne vibration (i.e., CRF during excavation and pile driving for foundations or secant walls). In addition, construction equipment used for demolition, site preparation, and shoring activities, such as jackhammers, pavement breakers, and drills, could generate varying degrees of temporary groundborne vibration, with the highest levels expected during demolition, excavation, and below-grade construction stages of each construction phase. Excavation for basements on the Illinois Parcels would require excavation into bedrock where use of CRF technologies, hoe-rams, or jackhammers would be required. Project construction would also entail the use of heavy trucks for material deliveries and for off-site hauling of excavated materials and demolition debris during the daytime hours and throughout the 11-year construction period. All construction activities would be conducted primarily between 7:00 a.m. and 8:00 p.m., seven days a week, in compliance with Section 2908 of the City's Noise Ordinance and subject to noise controls outlined in Mitigation Measures M-NO-1 and M-NO-2.

The last paragraph on EIR p. 4.F.42, under Impact NO-3, has been revised and a new paragraph has been added after it, as follows (new text underlined):

Pile driving, CRF, and building locations on project parcels have not been specified for the entire site, but pile driving is proposed adjacent to and east of the 20th Street Historic Core, which adjoins the northwestern boundary of the 28-Acre Site and eastern boundary

of the 20th/Illinois Parcels. CRF may need to be employed along the western portion of the site (Parcels PKN, PKS, and HDY), as well as Parcels C1, D, E2, F and G on the 28-Acre Site. While it may be possible to maintain a setback of 70 feet or more between pile drivers and adjacent structures at many locations to avoid cosmetic damage to adjacent structures, the minimum separation between some parcels such as between Parcel E1, Parcel E4, and Building 21 or between Parcels E2 and E3 would be less than 70 feet. At distances of less than 70 feet, vibration from impact or vibratory pile-driving activities could result in cosmetic damage to Proposed Project structures and historic Buildings 113 and 114, a significant vibration impact. When the more stringent threshold of 0.2 in/sec PPV is applied to historic buildings, cosmetic damage could occur at distances of up to 160 feet from historic buildings (as indicated in Table 4.F.9).

CRF techniques would generate much lower vibration levels than pile driving. CRF could be employed as close as 22 feet from adjacent structures and not result in cosmetic damage. However, when the more stringent threshold of 0.2 in/sec PPV is applied to historic buildings, cosmetic damage could occur at distances of up to 50 feet from historic buildings with the CRF controlled foam or grout techniques and up to 28 feet with the CRF PPRP technique.

Table 4.F.9: Vibration Levels for Construction Equipment, on EIR p. 4.F.43, has been revised (new text is underlined). The revised table is shown on the following page.

The first bulleted item on EIR p. 4.F.44, under Mitigation Measure M-NO-3: Vibration Control Measures During Construction, has been revised, as follows (new text is underlined):

- Where pile driving, CRF, and other construction activities involving the use of heavy equipment would occur in proximity to any contributing building to the Union Iron Works Historic District, the project sponsors shall undertake a monitoring program to minimize damage to such adjacent historic buildings and to ensure that any such damage is documented and repaired. The monitoring program, which shall apply within 160 feet where pile driving would be used, 50 feet where CRF would be required, and within 25 feet of other heavy equipment operation, shall include the following components:

(Revised) Table 4.F.9: Vibration Levels for Construction Equipment

Equipment	Peak Particle Velocity (PPV) (in/sec)		
	At 25 Feet	At 60 Feet[1]	At 160 Feet[1]
Impact or Vibratory Pile Driver			
Range	0.170–1.518	0.065–0.579	0.022-0.197
Typical	0.65	0.248	0.084
Other Construction Equipment			
CRF using PPRF Technique[2]	0.215	0.082	0.028
CRF using Foam/Grout Technique	0.428	0.163	0.056
Vibratory Roller/Compactor	0.210	0.080	0.027
Large Bulldozer	0.089	0.034	0.012
Caisson Drilling	0.089	0.034	0.012
Loaded Trucks	0.076	0.029	0.010
Jackhammer	0.035	0.013	0.005
Small Bulldozer	0.003	0.001	0.000

Note:

[1] Vibration amplitudes for construction equipment assume normal propagation conditions and were calculated using the following formula: PPV equip = PPVref x $(25/D)^{1.1}$ where:

- PPV (equip) = the peak particle velocity in in/sec of the equipment adjusted for the distance
- PPV (ref) = the reference vibration level in in/sec from pages 31-33 and Table 18 of the Caltrans Vibration Guidance Manual as well as Table 12-2 of the FTA Noise and Vibration Guidance Manual
- D = the distance from the equipment to the receiver

[2] Vibration generated by CRF blasting is highly dependent on the size, depth, and frequency of charges and therefore, cannot be estimated at this time. CRF techniques, however, would generate much lower vibration levels than pile driving.

Source: Caltrans, *Transportation and Construction Vibration Guidance Manual*, September 2013, pp. 29-34. Available online at http://www.dot.ca.gov/hq/env/noise/publications.htm. Accessed on December 16, 2016; Federal Transit Administration, *Transit Noise and Vibration Impact Assessment*, May 2006. Available online at https://www.transit.dot.gov/regulations-and-guidance/environmental-programs/noise-and-vibration. Accessed on December 16, 2016.

Section 4.G, Air Quality

The paragraph under "Fugitive Dust" on EIR p. 4.G.31 has been revised, as follows (new text is underlined):

> Project-related demolition, excavation, grading, drilling, rock crushing and potentially blasting and other construction activities may cause wind-blown dust that could contribute PM into the local atmosphere.

The following text has been added after the last paragraph on EIR p. 4.G.34 (new text is underlined):

> Equipment emissions from proposed Controlled Rock Fragmentation (CRF) were calculated using CalEEMod assuming 30 days of activity for each phase of construction. CRF emissions consist of operations of a drill rig and crushing equipment daily over a cumulative period up to 30 days. These additional emissions from CRF were found to not be sufficient to alter the predicted average daily emissions or maximum annual emissions presented below due primarily to the short duration of activity of the two additional equipment types involved relative to the overall three-year construction periods assumed for each phase.

The first paragraph on EIR p. 4.G.35 has been revised, as follows (new text is underlined):

> Maximum Residential Scenario
>
> Table 4.G.6: Unmitigated Average Daily and Maximum Annual Emissions for the Maximum Residential Scenario During Construction, presents construction-period emissions for the Maximum Residential Scenario, which, due to the concurrent construction and operation of the project, are calculated in terms of average daily emissions and worse case maximum annual emissions. These estimated emissions would be the same with or without the use of CRF techniques due primarily to the short duration of use of the two additional equipment types involved, relative to the overall three-year construction periods assumed for each phase.

The last paragraph on EIR p. 4.G.35 has been revised, as follows (new text is underlined):

> MAXIMUM COMMERCIAL SCENARIO
>
> Table 4.G.7: Unmitigated Average Daily and Maximum Annual Emissions for the Maximum Commercial Scenario During Construction, presents construction-period emissions for the Maximum Construction Scenario. As shown in Table 4.G.7, construction-related emissions during concurrent construction of Phases 1 and 2 which include development of the entirety of the Illinois Parcels would be less than significant, as would the continued construction of Phase 2 with completion and occupancy of Phase 1. However, construction of Phase 3 when considered with occupancy and operation of Phases 1 and 2 would result in emissions of ROG and NOx that would exceed significance thresholds, while emissions of PM_{10} and $PM_{2.5}$ would be below their respective thresholds. These estimated emissions would be the same with or without the use of CRF Techniques due primarily to the short duration of use of the two additional

equipment types involved, relative to the overall three-year construction periods assumed for each phase.

Section 4.M, Biological Resources

The following revisions have been made to the bulleted list on EIR p. 4.M.49 (new text is underlined):

- Improvements to existing stormwater and sanitary sewer systems and existing stormwater outfalls at the bases of 20th and 22nd streets and/or construction and operation of a new storm drain outfall at the base of 21st Street that would discharge into San Francisco Bay;
- Use of land located immediately adjacent to San Francisco Bay for construction of park improvements and for staging of demolition or construction equipment, materials, or wastes prior to the completion of shoreline improvements; and
- Use of CRF techniques, specifically onshore blasting, to excavate building basements shoreward of the high tide mark.
- Debris cleanup, pile removal, and reconstruction of a waterfront area seaward of the high tide mark and the marine intertidal zones in Reach I.

The following text has been added to the second paragraph on EIR p. 4.M.49 and the first full paragraph on EIR p. 4.M.50, under Impact BI-1 (new text is underlined and deletions are shown in ~~strikethrough~~):

> Project construction activities and an increased human presence at the project site are expected to generate noise and visual disturbance that could adversely affect bird breeding and nesting behaviors at the project site and nearby. Proposed Project construction activities that may cause visual disturbance, alter the ambient noise environment, or introduce short-term loud noise events resulting in avoidance response (flushing) include, but are not limited to, making shoreline protection improvements; constructing new buildings; making improvements to existing structures; constructing transportation and circulation improvements; adding new and upgraded utilities and infrastructure; constructing geotechnical and shoreline improvements (that require controlled rock fragmentation (CRF), rock drilling, rock/concrete crushing, soldier pile driving or impact pile driving); and making improvements to publicly owned open space. A variety of construction activities, equipment, and schedules would be associated with each of these general types of construction.
>
> Both long- and short-term loud noises can affect bird foraging and roosting by temporarily disturbing these behaviors, and may deter bird use of an area (including nesting) if such noises persist over the long term. However, overall avian activity within the study area is not expected to substantially change with project implementation because habitat value for birds foraging and nesting within the project site and vicinity would not substantially change (e.g., in-water foraging and nesting in eucalyptus trees on Irish Hill). Noise disturbance generally falls into two main categories: impulse and continuous. Impulse disturbances often used in demolition activities include single actions like blasts, CRF events (up to 30 seconds in duration, five events per day, and for about 30 days per project phase where necessary), or multiple actions like jackhammers

and pile drivers. Continuous noise includes typical construction work area activities, ~~and~~ roadway noise, rock drilling events (lasting roughly one hour prior to CRF events, and rock crushing). Bird disruption from visual or noise disturbance varies, but typically birds will avoid disturbance areas and move to more preferable environments. However, some species inhabit noisy areas and may indirectly benefit from reduced competition and predation.[123]

[Footnote 123 on EIR p. 4.M.50]

[123] Francis, Clinton D., Catherine P. Ortega, and Alexander Cruz, Noise Pollution Changes Avian Communities and Species Interactions. *Current Biology* 19:1415–1419. August 25, 2009.

The following revisions have been made to the second paragraph on EIR p. 4.M.60 (new text is underlined and deletions are shown in ~~strikethrough~~):

Temporary Underwater Noise

The installation of ~~either~~ the sheet pile or soldier wall bulkhead (using precast H-piles) for improving Reach II, and the use CRF techniques, specifically onshore blasting, could result in the generation of potential underwater noise from either vibratory or impact pile-driving hammers used to install the pilings or the generation of pressure waves from onshore blasting, through the water. ~~This~~ Both underwater noise from pile driving and pressure waves from onshore blasting could have a damaging effect on special-status fish species and marine mammals. High-intensity noise from in-water pile driving can result in acute damage to soft tissues, such as gas bladders or eyes (barotraumas), and/or in harassment that causes altered swimming, sleeping, or foraging behavior or temporary abandonment of forage habitat. However, the transmission of pressure waves generated by CRF events, specifically onshore blasting, through the ground and into Bay waters, if any, would not be expected to have significant impacts on marine species because CRF techniques conducted at least 375 feet from the Bay, as proposed for the Project, would generate much lower vibration levels than in-water pile driving activities, and the distance of CRF techniques from the Bay would diminish vibration-related effects such as potential pressure waves in Bay waters.

Section 4.N, Geology and Soils

The first sentence of the second paragraph of Impact GE-3 on EIR p. 4.N.27 has been revised, as follows (new text is underlined):

Construction of individual buildings under the Proposed Project would require excavation, which may include controlled rock fragmentation, of up to 15 to 27 feet below ground for the construction of basements.

Section 4.P, Hazards and Hazardous Materials

The following text has been added after the first paragraph on EIR p. 4.P.47 (new text is underlined):

Transport, Use, and Storage of Explosive Materials

The transport, use, and storage of explosive materials is regulated under the General Industry Safety Orders contained in 8 CCR, Division 1, Chapter 4, Subchapter 7, Group 18 (Explosive Materials). In accordance with these regulations, any contractor providing blasting services must be licensed by the Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA), and the blaster must be physically present on site when blasting operations are performed. Explosive materials must be stored in an appropriate magazine[86A] until they are used, and some materials must be stored in their shipping containers until used. All magazines must be located or protected as to minimize damage from vehicles or falling objects, and a 50-foot buffer around the magazine must be kept clear of brush, dried grass, leaves, and other combustible materials. The ground around the magazines must be sloped away from the magazine or drainage must be protected to protect the magazine from flooding. No smoking, open flames or other sources of ignition are allowed within 50 feet of any area where explosive materials are being handled, except devices necessary to ignite the fuses of set charges. The transfer of explosive materials must also be arranged so that no undue delay will occur between the time the explosive materials leave the magazine and the time they are used.

The following new footnote has been added to EIR p. 4.P.47 as part of this revision (new text is underlined). The new footnote will be assigned its proper sequential number in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly.

[86A] A magazine is a structure specifically designed for the safe storage of explosive materials.

The following text has been added following the second paragraph on EIR p. 4.P.50 (new text is underlined):

San Francisco Public Works Code - Blasting

In addition to the applicable requirements of 8CCR (described above under the heading "State"), Section 776 of the San Francisco Public Works Code requires a permit from San Francisco Public Works for the use of explosives. Section 779 also requires that the explosives are only used during the hours specified in the permit, and that the explosives used must be approved by Public Works. Use of a protective mat (blasting mat) to cover explosive areas may also be required.

The second paragraph on EIR p. 4.P.52 has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

PROJECT FEATURES

The specific Proposed Project elements that could result in hazards and hazardous materials impacts include proposed building demolitions (Buildings 11, 15, 16, 19, 25, 32, and 66) and renovations (Buildings 2, 12, and 21); proposed grading~~,~~ ~~and~~ excavation, and controlled rock fragmentation for the construction of basements on all parcels as well as improvements to Building 12; occupation of the new residential and commercial buildings; street improvements, including the new 21st Street; installation of new utilities for potable water, recycled water, fire protection water, wastewater, stormwater,

> electricity, and natural gas; and use of the Irish Hill Playground at the existing Irish Hill remnant.

The second paragraph on EIR p. 4.P.53 has been revised, as follows (new text is underlined):

> The Proposed Project would use common hazardous materials during both construction and operation, and could use explosives for controlled rock fragmentation during construction. Impacts related to hazardous materials use during both construction and operation are discussed below along with regulations that are in place and ensure that impacts related to the use of hazardous materials would be less than significant.

The following text has been added to the end of the partial paragraph at the top of EIR p. 4.P.54 (new text is underlined):

> If a discharge of pollutants to the Bay were indicated, the discharge would be sampled in accordance with the General Construction Permit. During construction, the contractor could also use explosives for controlled rock fragmentation in locations where the Franciscan Complex bedrock is not rippable with standard excavation equipment. In accordance with Section 776 of the Public Works Code (described in the Regulatory Framework above, under the heading "San Francisco Public Works Code – Blasting"), the contractor would be required to obtain a permit for the use of explosives from San Francisco Public Works. While the rock fragmentation is occurring, the contractor would use and store the explosives in accordance with the California General Industry Safety Order for Explosives (described in the Regulatory Framework above, under the heading "Transport, Use, and Storage of Explosive Materials") which would ensure that they are stored in the appropriate type of magazine, protected from damage, and that they would not be inappropriately ignited. Compliance with these regulations would ensure the safe handling and use of explosives during construction.

The second paragraph on EIR p. 4.P.72 has been revised, as follows (new text is underlined):

> As discussed in Impacts M-HZ-3 and M-HZ-4, construction activities at the 28-Acre Site, Illinois Parcels, and Hoedown Yard could disturb rock and soil that contain naturally occurring asbestos. Asbestos is also considered a Toxic Air Contaminant by the CARB. However, the project sponsors would implement the dust control measures of the Pier 70 RMP and Hoedown Yard SMP, including compliance with Article 22B or the San Francisco Health Code and the Asbestos ATCM (required by Mitigation Measures M-HZ-3a and M-HZ-4, pp. 4.P.61- 4.P.62 and p. 4.P.63, respectively). Implementation of these measures, including use of methods such as blasting mats[92A] during controlled rock fragmentation (required by Mitigation Measure M-NO-1, pp. 4.F.33-4.F.35), would ensure that no visible dust crosses the property boundary during construction, and this would prevent adverse exposure of school occupants to airborne asbestos. Therefore, impacts related to emissions of Toxic Air Contaminants within one-quarter mile of a school would be less than significant and no mitigation is necessary.

The following new footnote has been added to EIR p. 4.P.72 as part of this revision (new text is underlined). The new footnote will be assigned its proper sequential number in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly.

[92A] A blasting mat is a reinforced mat that can be used during rock blasting to contain the blast, prevent flying rock, and suppress dust.

IRISH HILL PASSAGEWAY VARIANT

Following close of the EIR public comment period, project sponsors met and conducted site visits with commenters who expressed concerns about the impact of new infill construction on the existing views of the Irish Hill remnant, a contributing landscape feature of the UIW Historic District. Based on further feedback received from commenters, the project sponsors initiated revisions to the Proposed Project to add a new project variant to the EIR; the Irish Hill Passageway Variant is intended to enhance views of the Irish Hill remnant from Illinois Street. This new variant would shift the pedestrian passageway between Illinois Street and the Irish Hill Playground northward by approximately 165 feet to align with the Irish Hill remnant, creating a view and pedestrian corridor to the landscape feature from Illinois Street.

Summary Chapter

The third sentence of the second paragraph on EIR p. S.1 has been revised, as follows (new text is underlined):

> The Proposed Project also includes four variants that consider modifications to the proposed infrastructure and building systems to enhance sustainability and one variant that would create a west-east running view corridor to Irish Hill.

The last sentence of the second complete paragraph on EIR p. S.4 has been revised, as follows (new text is underlined):

> The Proposed Project also includes four variants that consider modifications to the proposed infrastructure and building systems to enhance sustainability and one variant that would create a west-east running view corridor to Irish Hill.

The first two paragraphs under the heading "C. Summary of Project Variants" on EIR p. S.108 has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> ~~Four~~ Five project variants are evaluated in this EIR, and are described in detail in Chapter 6, Variants. These include: a Reduced Off-Haul Variant; a District Energy System; a Wastewater Treatment and Reuse System (WTRS); ~~and~~ an Automated Waste Collection System (AWCS); and an Irish Hill Passageway Variant. There is one proposed construction-related variant of the Proposed Project and three proposed variants on infrastructure features of the Proposed Project, all of which focus on sustainability, and one variant that would create a west-east running view corridor to Irish Hill.
>
> For each variant, all other features would be the same as or similar to the Proposed Project. The variants do not involve any change to the mix of land uses, the space allocation of uses, or the residential unit count under the Maximum Residential and Maximum Commercial Scenarios of the Proposed Project. Likewise, the four variants that consider modifications to the proposed infrastructure and building systems to

enhance sustainability would not involve any change to the locations, configurations, or building envelopes of the programmed development under the two scenarios analyzed for the Proposed Project. Physical environmental effects from the project variants would be the same or similar to the Proposed Project. All mitigation measures and improvement measures identified for the Proposed Project would be the same under the project variants.

The following summary of the new Irish Hill Passageway Variant has been added after the first complete paragraph on EIR p. S.110 (new text is underlined):

IRISH HILL PASSAGEWAY VARIANT

The purpose of the Irish Hill Passageway Variant is to realign the proposed pedestrian passageway between Illinois Street and the proposed Irish Hill Playground in order to create a view corridor through proposed infill construction, from Illinois Street to the Irish Hill landscape feature. Under the Proposed Project, the 40-foot-wide pedestrian passageway connecting Illinois Street and the proposed Irish Hill Playground would separate construction between Parcel PKS and Parcel HDY2 at the southwest corner of the project site. Under the Irish Hill Passageway Variant, the pedestrian passageway would be shifted northward by approximately 165 feet, to bisect Parcel PKS (which would become PKS1 and HDY3 with this variant), to allow views of the western face of Irish Hill remnant from Illinois Street. In addition, the relocated pedestrian passageway would widen from 40 feet at Illinois Street to 55 feet at Irish Hill Playground to further increase the breadth of views from Illinois Street. In all other respects, this variant would be substantially the same as described for the Proposed Project. There would be no change in the land use program, total gross square footage, or height under the Irish Hill Passageway Variant.

The Irish Hill Passageway Variant would be substantially the same as described for the Proposed Project related to demolition, excavation, and site grading; the construction of shoreline improvements; geotechnical stabilization; the construction of the transportation, open space, and utility infrastructure network. Under both the Maximum Residential Scenario and Maximum Commercial Scenario, the Irish Hill Passageway Variant would be constructed as part of Phase 3, as described for Parcel PKS under the Proposed Project.

Chapter 1, Introduction

The second paragraph on EIR p. 1.10 has been revised to introduce the new Irish Hill Passageway Variant, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

Chapter 6, Project Variants, presents one proposed construction-related and three proposed operational-related variants on infrastructure features of the Proposed Project that focus on sustainability, and one variant that would create a west-east running view corridor to Irish Hill. The variants modify one limited feature or aspect of the Proposed Project. The ~~four~~ five variants considered are a Reduced Off-Haul Variant, a District Energy System Variant, a Wastewater Treatment and Reuse System Variant, ~~and~~ an Automated Waste Collection System Variant, and an Irish Hill Passageway Variant.

Chapter 2, Project Description

The last sentence on EIR p. 2.3 has been revised, as follows (new text is underlined):

> The Proposed Project also includes four variants that consider modifications to the proposed infrastructure and building systems to enhance sustainability, and one variant that would create a west-east running view corridor to Irish Hill.

The first paragraph on EIR p. 2.74 has been revised to add an introductory reference to the new Irish Hill Passageway Variant, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> ## E. PROJECT VARIANTS
>
> In addition to the specific characteristics of the Proposed Project described in this chapter, there are ~~four~~ five proposed variants to the Proposed Project, each of which modifies one limited feature or aspect of the Proposed Project. One, a Reduced Off-Haul Variant, is a construction-related variant; ~~the other~~ three – a District Energy System Variant, a Wastewater Treatment and Reuse System (WTRS) Variant, and an Automated Waste Collection System (AWCS) Variant – are variants on infrastructure features of the Proposed Project~~, and all of the~~. The first four proposed variants focus on sustainability. The last variant – an Irish Hill Passageway Variant – would create a west-east running view corridor to Irish Hill. The ~~four~~ five variants are described below.

The following description of the new Irish Hill Passageway Variant has been added to the end of EIR p. 2.79 (new text is underlined).

> ### *IRISH HILL PASSAGEWAY VARIANT*
>
> Under the Proposed Project, the 40-foot-wide pedestrian passageway connecting Illinois Street and the proposed Irish Hill Playground would separate Parcel PKS and Parcel HDY2 at the southwest corner of the project site
>
> Under the Irish Hill Passageway Variant, the pedestrian passageway would be shifted northward by approximately 165 feet, to bisect Parcel PKS (which would become PKS1 and HDY3 with this variant), to allow views of the western face of the Irish Hill remnant from Illinois Street. In addition, the relocated pedestrian passageway would widen from 40 feet at Illinois Street to 55 feet at Irish Hill Playground to further increase the breadth of views from Illinois Street. In all other respects, this variant would be substantially the same as described for the Proposed Project.

Chapter 6, Project Variants

The first paragraph on EIR p. 6.1 has been revised to add an introductory reference to the new Irish Hill Passageway Variant, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> Chapter 6, Project Variants, discusses ~~four~~ five variations on features of the Proposed Project that are under consideration by the project sponsors: a Reduced Off-Haul

Variant, a District Energy System Variant, a Wastewater Treatment and Reuse System (WTRS) Variant, ~~and~~ an Automated Waste Collection System (AWCS) Variant~~.~~, and an Irish Hill Passageway Variant. The variants modify one limited feature or aspect of the Proposed Project, unlike the Alternatives to the Proposed Project analyzed in Chapter 7, Alternatives, which provide ~~a~~ different features or characteristics to the Proposed Project. Therefore, each variant is the same as the Proposed Project except for the specific variation described. The variants are being considered by the project sponsors, but have not been confirmed to be part of the Proposed Project. Each variant could be selected by the project sponsors and decision-makers, and any variant or combination of variants could be included in the Proposed Project as part of an approval action.

The following description and analysis of the new Irish Hill Passageway Variant has been added to the end of EIR p. 6.85. This entirely new section of EIR Chapter 6, Project Variants, is not underlined for ease of reading. This text change also adds three new figures to the EIR: Figure 6.1: Irish Hill Passageway Variant, Figure 6.2: Proposed Project Shadow on Irish Hill Playground at 4:00 PM (PDT) on the Summer Solstice, and Figure 6.3: Irish Hill Passageway Variant Shadow on Irish Hill Playground at 4:00 PM (PDT) on the Summer Solstice. These new figures are shown below on p. 2.20, p. 2.26, and p. 2.27.

E. IRISH HILL PASSAGEWAY VARIANT

Introduction

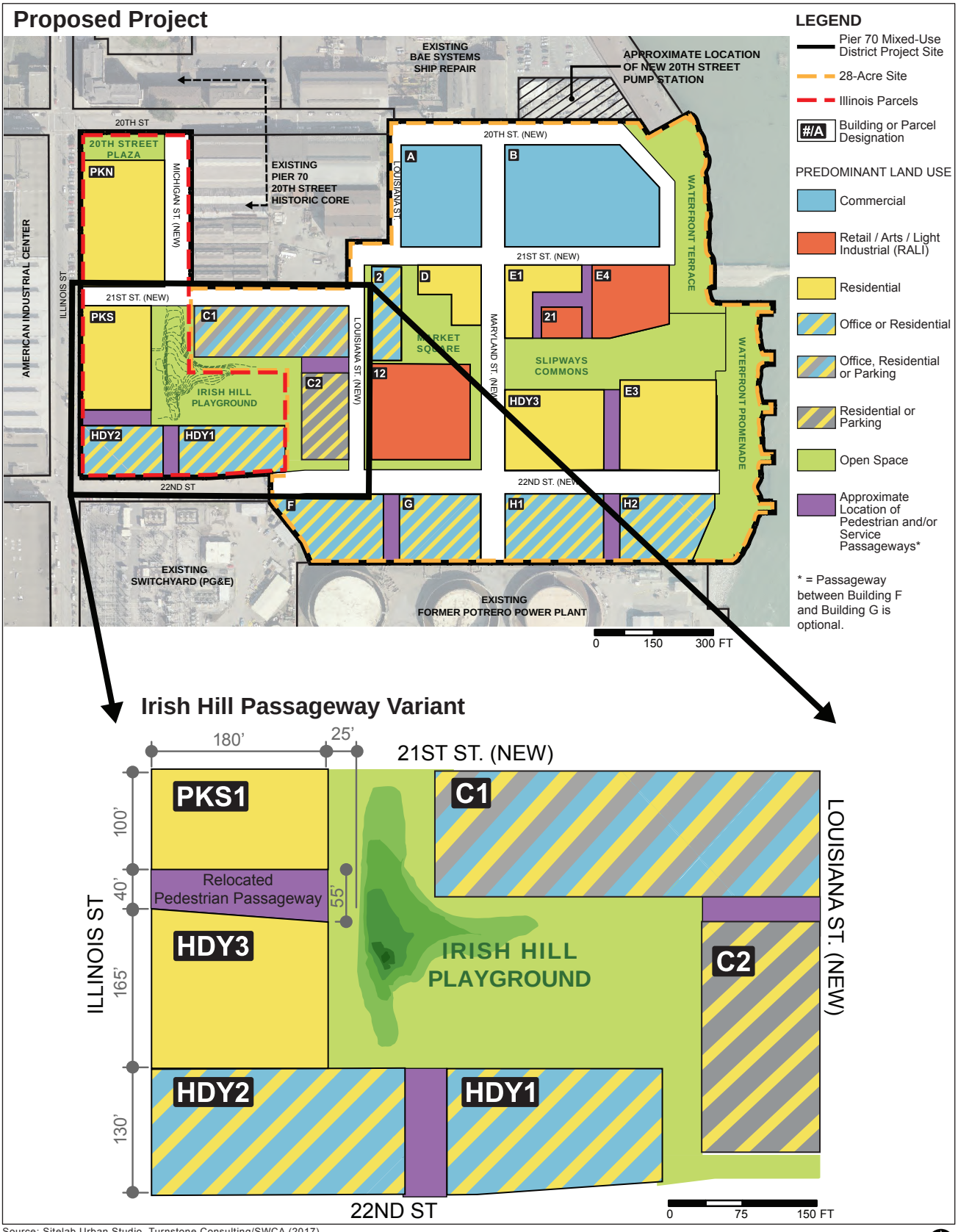
The project sponsors are considering the Irish Hill Passageway Variant in response to several comments received from the public during the DEIR comment period that expressed concern for the loss of existing views to Irish Hill resulting from construction of the infill construction along Illinois Street under the Proposed Project (see Comment CR-6: Irish Hill, on RTC pp. 4.F.40-4.F.45).

Description

The purpose of the Irish Hill Passageway Variant is to realign the proposed pedestrian passageway between Illinois Street and the proposed Irish Hill Playground in order to create a view corridor through proposed infill construction, from Illinois Street to the Irish Hill landscape feature.

Under the Proposed Project, the 40-foot-wide pedestrian passageway connecting Illinois Street and the proposed Irish Hill Playground would separate construction between Parcel PKS and Parcel HDY2 at the southwest corner of the project site (see Figure 2.14: Mid-block Passageway Locations, on p. 2.43).

Under the Irish Hill Passageway Variant, the pedestrian passageway would be shifted northward by approximately 165 feet, bisecting Parcel PKS(which would become PKS1 and HDY3 with this variant), and would widen from 40 feet at Illinois Street to 55 feet at Irish Hill Playground, to allow views of the western face of the Irish Hill remnant from Illinois Street. (See Figure 6.1: The Irish Hill Passageway Variant.)



Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2017)

PIER 70 MIXED-USE DISTRICT PROJECT

(NEW) FIGURE 6.1: IRISH HILL PASSAGEWAY VARIANT

As such, this variant includes only minor changes to the configuration of infill construction within Parcel PKS. Under this variant, the relocated pedestrian passageway would bisect Parcel PKS, and new construction within the southern portion of PKS (now HDY3) would abut new infill construction within Parcel HDY2 to the south.

In all other respects, the Irish Hill Passageway Variant would be substantially the same as described for the Proposed Project. There would be no change in the land use program, total gross square footage, or building height under this variant.

PROPOSED CONSTRUCTION PHASING

The Irish Hill Passageway Variant would be substantially the same as described for the Proposed Project regarding demolition, excavation, and site grading; the construction of shoreline improvements; geotechnical stabilization; and the construction of the transportation, open space, and utility infrastructure network.

Under both the Maximum Residential Scenario and Maximum Commercial Scenario, the Irish Hill Passageway Variant would be constructed as part of Phase 3, as described for Parcel PKS (Chapter 2, Project Description, Table 2.5: Project Construction and Rehabilitation Phasing for the Maximum Residential Scenario (EIR pp. 2.80-2.81), and Table 2.6: Project Construction and Rehabilitation Phasing for the Maximum Commercial Scenario (EIR pp. 2.83-2.84).

Proposed Land Use Programs

The Irish Hill Passageway Variant does not include any changes to the land use programs for the Maximum Residential Scenario or Maximum Commercial Scenario identified for the Proposed Project.

The separated southern portion of Parcel PKS under this variant would be renamed "HDY3" because it would be located entirely within the existing Hoedown Yard (HDY) parcel. However, in all other respects, it would continue to be considered part of Parcel PKS, and the PKS land use limits would continue to apply for the purpose of allocating allowable uses (Residential and RALI), and amounts of uses, under both the Maximum Residential Scenario (see Table 2.3: Project Summary – Maximum Residential Scenario, on p. 2.29) and the Maximum Commercial Scenario (see Table 2.4: Project Summary – Maximum Commercial Scenario, on p. 2.31). As such, like Parcel PKS under the Proposed Project (and unlike Parcels HDY1 and HDY2 to the south), "Parcel HDY3" under this variant would not allow commercial use under either the Maximum Residential Scenario or Maximum Commercial Scenario.

The Irish Hill Passageway Variant would not change the existing 65-X height limit for the western portion of the project site along Illinois Street. The variant does not include any changes to the proposed traffic and roadway plan, new infrastructure and utility plans, geotechnical stabilization plan, or the shoreline improvement plan described in Chapter 2, Project Description. It includes only minor changes to the pedestrian network through Parcel PKS and the path of pedestrian travel through Irish Hill Playground.

Impact Evaluation

APPROACH TO ANALYSIS

The Irish Hill Passageway Variant would be substantially the same as described for the Proposed Project with respect to the phasing, duration, excavation and construction activities. It does not involve any substantial change to the location and mix of land uses, the space allocation of uses, or the residential unit count under the Maximum Residential Scenario and Maximum Commercial Scenario of the Proposed Project.

Therefore, physical environmental effects under this variant would be substantially the same as those identified for the Proposed Project for the following environmental topics: Land Use and Land Use Planning, Population and Housing, Cultural Resources (Archeological Resources), Air Quality, Greenhouse Gas Emissions, Biological Resources, Geology and Soils, Hydrology and Water Quality, Hazards and Hazardous Materials, Mineral and Energy Resources, and Agricultural and Forest Resources. All mitigation and improvement measures for these topics identified for the Proposed Project would be applicable to this variant.

The Irish Hill Passageway Variant would not change the proposed roadway network and would continue to offer the same number of pedestrian connections to and from the proposed Irish Hill Playground open space. The relocation of the pedestrian passageway from Illinois Street northward under this variant would redirect a pedestrian's path of travel around the Irish Hill feature, but would not obstruct pedestrian travel through the open space nor conflict with the recreational uses of the proposed Irish Hill Playground open space. This variant would, therefore, not result in a significant impact under the topic of Transportation and Circulation or under the topic of Recreation.

Under the Proposed Project, future buildings on Parcels PKN, PKS, and HDY2 would block traffic noise from Illinois Street, which would reduce traffic noise levels in areas to the east, including Irish Hill Playground. The Irish Hill Passageway Variant would not increase the number of openings along the Illinois Street site frontage, but would shift the proposed passageway northward by approximately 165 feet. While traffic noise from Illinois Street would travel through this passageway, proposed widening of the east end of this passageway to 55 feet would not substantially alter this effect since the opening at Illinois Street would still be 40 feet wide. For these reasons, project-level and cumulative noise and vibration impacts under the Irish Hill Passageway Variant would be substantially the same as those identified under the Proposed Project (see Section 4.F, Noise and Vibration). Implementation of the Irish Hill Passageway Variant would not result in new or substantially more severe impacts, would not change the analysis or conclusions in that section, and no new mitigation measures would be required.

To the extent that the Irish Hill Passageway Variant would modify the configuration of infill development within Parcel PKS to create a view corridor to Irish Hill, a contributing landscape feature of the UIW Historic District, it could change the ability of the feature to convey its contribution to the significance of the UIW Historic District. The configuration of infill development under this variant could also change localized pedestrian winds and shadow patterns in and around the proposed Irish Hill Playground open space. For these reasons, the environmental topics of Historic Architectural Resources, and Wind and Shadow are discussed in greater detail below.

CULTURAL RESOURCES

Historic Architectural Resources

The proposed relocation and widening of the proposed pedestrian passageway connecting Illinois Street to the proposed Irish Hill Playground would result in minor changes to the configuration of the infill construction on Parcel PKS (which would become PKS1 and HDY3 with this variant) and would increase the visibility of Irish Hill, a contributing landscape feature of the UIW National Register Historic District.

The EIR acknowledges that infill construction under the Proposed Project would diminish the integrity of the District, as discussed under Impact CR-9 on pp. 4.D.98-4.D.99 [*as revised and presented in the Responses to Comments document on RTC pp. 4.F.27-4.F.32*]. However, no views of the Irish Hill remnant, either from within or outside of the historic district, are cited as character-defining features of the District in the National Register nomination. The EIR concludes that although the proposed infill construction around the Irish Hill remnant under the Proposed Project would diminish the integrity of the District somewhat, it would not materially alter, in an adverse manner, those physical characteristics of the UIW National Register Historic District that justify its inclusion in the California Register of Historical Resources.

While the variant would result in minor changes to the configuration of the infill construction on Parcel PKS (which would become PKS1 and HDY3 with this variant), the increase in visibility of the Irish Hill remnant would thereby increase the ability of the Irish Hill contributing landscape feature to convey its association with, and contribution to, the UIW National Register Historic District. For this reason, the Irish Hill Passageway Variant would lessen the less-than-significant adverse impact identified for new infill construction surrounding Irish Hill on the integrity of the UIW Historic District

The project-level and cumulative historic architectural impacts under the Irish Hill Passageway Variant would be substantially the same as those identified under the Proposed Project, or in the case of the Irish Hill remnant, slightly lesser, and mitigation and improvement measures identified for the Proposed Project would apply to the variant. Implementation of the Irish Hill Passageway Variant would not result in new or substantially more severe impacts, would not change the analysis or conclusions in that section, and no new mitigation measures would be required.

WIND AND SHADOW

Wind

Wind tunnel testing for the Proposed Project did not identify any ground-level wind hazards in the vicinity of Parcel PKS or Irish Hill Playground under the Baseline, Project (both Maximum Residential and Maximum Commercial Scenarios), and Cumulative Configurations (both Maximum Residential and Maximum Commercial Scenarios).

The Irish Hill Passageway Variant would not change the proposed heights of any buildings within the project site. Shifting the pedestrian passageway under this variant approximately 165 feet northward is not in a location or of a nature or magnitude that could result in a new wind hazard exceedance in the vicinity.[18A] Rather, as with the Proposed Project, under both the Proposed Project and Cumulative Configurations, construction under the Irish Hill Passageway Variant would be expected to substantially

improve ground-level wind comfort conditions overall to the east of Parcel PKS within the proposed Irish Hill Playground, over those of the Baseline Configuration.

Building C1 would be adjacent to the Irish Hill Playground. The EIR identified a hazard exceedance on the proposed Building C1 rooftop terrace open space under the Proposed Project (Maximum Residential and Maximum Commercial Scenarios). The Irish Hill Passageway Variant would not substantially affect rooftop wind conditions at Building C1. Buildings within the PKS parcels along Illinois Street would continue to be 65 feet tall. Westerly winds would continue flow over the proposed 65-foot-tall buildings within the Illinois Parcels and would continue to reach the proposed 90-foot-high rooftop open space located at the exposed westernmost edge of the proposed 90-X Height District. Mitigation Measure M-WS-2: Wind Reduction for Rooftop Winds (EIR p. 4.I.60) would continue to reduce the impact of rooftop wind to a less-than-significant level.

The project-level and cumulative wind impacts under the Irish Hill Variant would be substantially the same as those identified under the Proposed Project (see EIR Section 4.I, Wind, pp. 4.I.63-4.I.68) and mitigation and improvement measures identified for the Proposed Project would apply to the variant. Implementation of the Irish Hill Passageway Variant would not result in new or more severe impacts, would not change the analysis or conclusions in that section, and no new mitigation measures would be required.

Shadow

The shadow impacts of the Proposed Project on the open spaces that would be constructed under the Proposed Project are described, for informational purposes, on EIR pp. 4.I.98-4.I.111. Likewise, the shadow impacts of the variant on open spaces that would be constructed under the Proposed Project are described herein for informational purposes.

The changes to building configuration under this variant would occur at the western extent of the project site, south of the proposed 21st Street. Due to this position within the project site, shadow impacts of this variant would be substantially the same as those identified, described, and illustrated for the open spaces of the Proposed Project, except for impacts on Irish Hill Playground, which is immediately east of Parcel PKS and would be shaded by buildings within Parcel PKS.

The Irish Hill Passageway Variant would not change the proposed heights of any buildings within the project site. Under the Irish Hill Passageway Variant, the pedestrian passageway at the south end of Parcel PKS (which would become PKS1 and HDY3 under this variant) would be shifted northward by approximately 165 feet and widened at the parcel's eastern end. Shadow under this variant would be similar in terms of timing and extent of shadow. The loss of sunlight resulting from the elimination of the gap between buildings at the south end of Parcel PKS would be offset by the creation of a new gap bisecting Parcel PKS. With the relocation of the pedestrian passageway, sunlight within and through the relocated passageway gap would be correspondingly shifted northward. In addition, the variant would also widen the eastern end of the relocated pedestrian passageway from 40 feet under the Proposed Project to 55 feet, both decreasing the aggregate coverage and volume of buildings within Parcel PKS, while increasing the overall area of the Irish Hill Playground open space.

See Figure 6.2: Proposed Project Shadow on Irish Hill Playground at 4:00 PM (PDT) on the Summer Solstice. This figure shows the pedestrian passageway at the southern end of Parcel PKS in sunlight (the passageways are considered part of the open space). At this time of year and day, the sun aligns with the east-west orientation of the pedestrian passageway in the late afternoon. Figure 6.3: Irish Hill Passageway Variant Shadow on Irish Hill Playground at 4:00 PM (PDT) on the Summer Solstice shows the sunlit passageway shifted to the north. As the day progresses, the variant shadow on Irish Hill Playground, like the Proposed Project, would lengthen and sweep eastward and southward.

As noted on p. 4.I.107, much of the playground would be shaded for much of the day and year under the Proposed Project. Shadow from buildings that would enclose the space to the west, south, and east under the Proposed Project would decrease the comfort of the space for use as a playground for much of the day throughout the year for those users who prefer sunlight to shade. This condition would be similar under the variant, but would be improved somewhat under the Irish Hill Passageway Variant due to the overall decrease in building coverage and volume within current Parcel PKS under the variant.

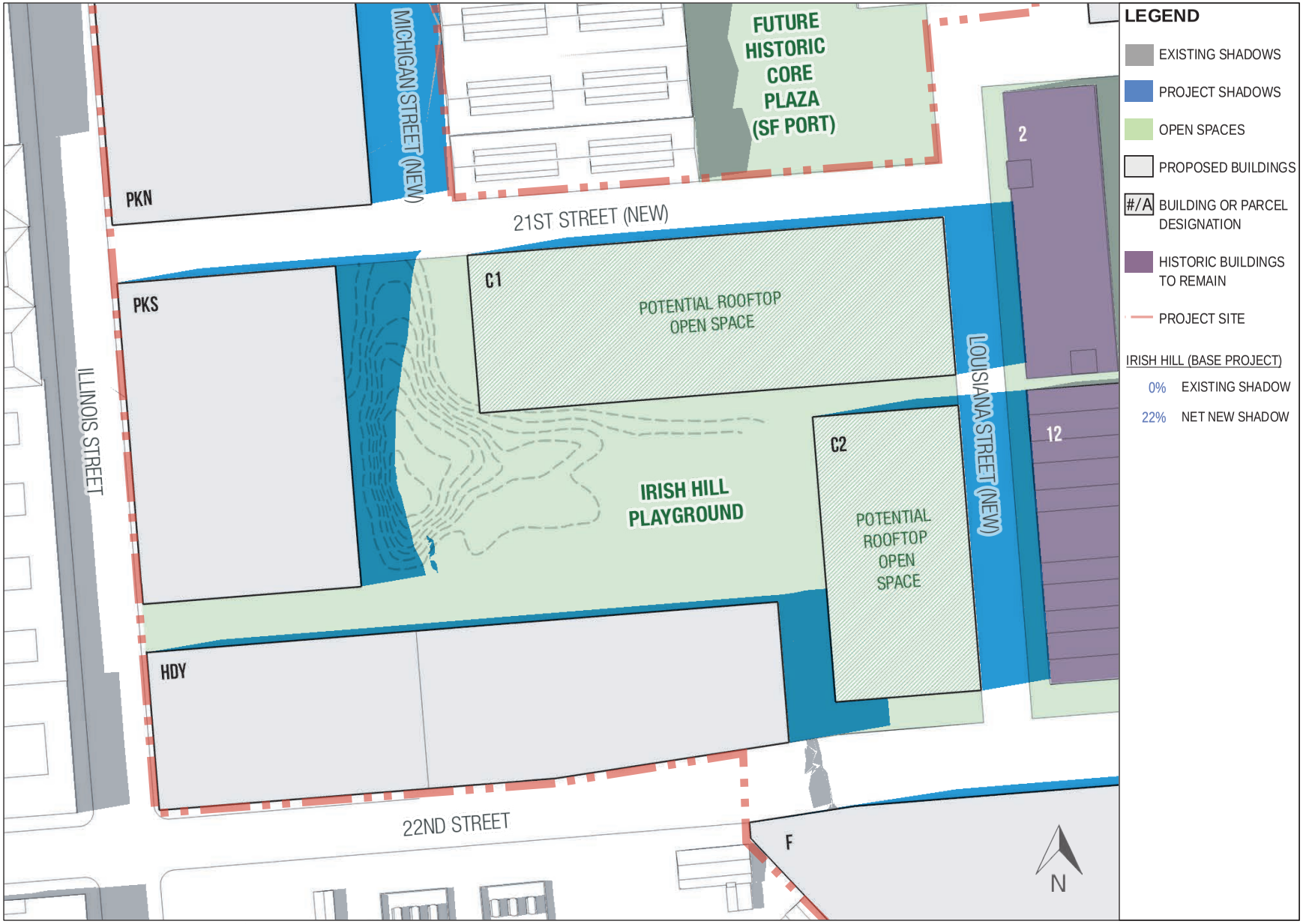
The following new footnote has been added to EIR p. 6.85 as part of this revision (new text is underlined). The new footnote will be assigned its proper sequential number in the consolidated Final EIR.

[18A] Neetha Vasan, Frank Kriksic, RWDI, Wind Consultants, *Memorandum: Pedestrian Wind Analysis – Review of PKS* Variant, Pier 70 Mixed-Use District Project, San Francisco, CA, April 19, 2017.

MIX OF BEDROOM UNITS ON THE PROJECT SITE

Since publication of the Draft EIR, the project sponsors have been exploring opportunities to accommodate family housing by increasing the number of three-bedroom units on the project site. As described in the EIR Project Description, in Footnote 38 on p. 2.28 and Footnote 39 on p. 2.33, the exact mix of dwelling units types to be provided by the Proposed Project has not been established, but for the purpose of analysis in the EIR, it was assumed that 33 percent of the total number of dwelling units under both the Maximum Residential Scenario and the Maximum Commercial Scenario would be analyzed as studios or one-bedroom units, while 67 percent would be analyzed as having two or more bedrooms.

The project sponsors are considering a change to the proposed project-wide unit mix to include up to 10 percent of the total residential units to be three-bedroom units. This unit mix would be applicable for both the Maximum Residential and Maximum Commercial scenarios. This change to the Proposed Project affects text in both Chapter 2, Project Description and Section 4.E, Transportation and Circulation, as shown below.



Source: Prevision Design, Turnstone Consulting/SWCA (2017)

PIER 70 MIXED-USE DISTRICT PROJECT

(NEW) FIGURE 6.2: PROPOSED PROJECT SHADOW ON IRISH HILL PLAYGROUND AT 4:00 PM (PDT) ON THE SUMMER SOLSTICE

Source: Prevision Design, Turnstone Consulting/SWCA (2017)

PIER 70 MIXED-USE DISTRICT PROJECT

(NEW) FIGURE 6.3: IRISH HILL PASSAGEWAY VARIANT SHADOW ON IRISH HILL PLAYGROUND AT 4:00 PM (PDT) ON THE SUMMER SOLSTICE

Chapter 2, Project Description

A new footnote has been added to EIR p. 2.28, with the reference mark for the footnote added to the end of the second sentence of the first paragraph on that page, as shown below (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR. The new footnote will be assigned its proper sequential number in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly.

Maximum Residential Scenario

28-Acre Site

Development under the Maximum Residential Scenario on the 28-Acre Site would include a maximum of up to 3,410,830 gsf in new and renovated buildings (excluding square footage allocated to parking). (See Table 2.3: Project Summary Table – Maximum Residential Scenario, and Figure 2.7: Proposed Land Use Plan – Maximum Residential Scenario.) Under this scenario, there would be up to 2,150 residential units (up to approximately 710 studio/one-bedroom units and 1,440 two- or more bedroom units), totaling about 1,870,000 gsf[37A], as well as approximately 1,095,650 gsf of commercial space and 445,180 gsf of RALI space (241,655 gsf of retail space, 60,415 gsf of restaurant space, and 143,110 gsf of arts/light-industrial space).

[37A] Under a scenario where the Proposed Project provides up to 10 percent three-bedroom units, there would be up to 2,150 residential units (up to approximately 925 studio/one-bedroom units and 1,225 two- or more bedroom units), totaling about 1,870,000 gsf.

Footnote 38 on EIR p. 2.28 has been revised and a new footnote has been added to that page, with the reference mark for the new footnote added to the end of the second sentence of the paragraph under "Illinois Parcels," as shown below (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR. The new footnote will be assigned its proper sequential number in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly.

Illinois Parcels

Development under the Maximum Residential Scenario on the Illinois Parcels would include a maximum of up to 801,400 gsf in newly constructed buildings (see Table 2.3). Under this scenario, there would be up to 875 residential units (up to approximately 290 studio/one-bedroom units and 585 two- or more bedroom units [38,38A]) totaling about 760,000 gsf, as well as approximately 6,600 gsf of commercial area and approximately 34,800 gsf of RALI space (27,840 gsf of retail space and 6,960 gsf of restaurant space) in new buildings.

[38] The exact mix of dwelling unit types to be provided by the Project has not been established at this time; For purpose of analysis in this EIR, it has been assumed that 33 percent of the total number of dwelling units under each scenario would be analyzed as studios or one-bedroom units, while 67 percent would be analyzed as having two or more bedrooms. Under a scenario where the Proposed Project provides up to 10 percent three-bedroom units, 43 percent of the total number of dwelling units under each scenario would be studios or one-bedroom units, while 57 percent would be two or more bedrooms.

[38A] Under a scenario where the Proposed Project provides up to 10 percent three-bedroom units, there would be up to 875 residential units (up to approximately 377 studio/one-bedroom units and 498 two- or more bedroom units) totaling about 760,000 gsf.

A new footnote has been added to EIR p. 2.33, with the footnote reference mark added to the end of the third sentence of the paragraph under the heading "28-Acre Site" beginning on p. 2.28 and continuing on p. 2.33, as shown below (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR. The new footnote will be assigned its proper sequential number in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly.

Maximum Commercial Scenario

28-Acre Site

Development on the 28-Acre Site under the Maximum Commercial Scenario would include a maximum of up to about 3,422,265 gsf in new and renovated buildings. (See Table 2.4: Project Summary Table – Maximum Commercial Scenario, and Figure 2.8: Proposed Land Use Plan – Maximum Commercial Scenario.) Under this scenario, there would be up to 1,100 residential units (up to approximately 365 studio/one-bedroom units and 735 two- or more bedroom units) totaling about 957,000 gsf[38B], as well as approximately 2,024,050 gsf of commercial area, and 441,215 gsf of RALI space (238,485 gsf of retail space, 59,620 gsf of restaurant space, and 143,110 gsf of arts/light-industrial space).

[38B] Under a scenario where the Proposed Project provides up to 10 percent three-bedroom units, there would be up to 1,100 residential units (up to approximately 473 studio/one-bedroom units and 627 two- or more bedroom units) totaling about 957,000 gsf.

On EIR p. 2.33, Footnote 39 has been revised and a new footnote has been added, with the reference mark for the footnote added to the end of the second sentence of the paragraph under the heading "Illinois Parcels," as shown below (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR. The new footnote will be assigned its proper sequential number in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly.

Illinois Parcels

Development on the Illinois Parcels under the Maximum Commercial Scenario would include a maximum of about 757,035 gsf in new buildings (see Table 2.4). Under this scenario, there would be up to 545 residential units (up to approximately 180 studio/one-bedroom units and 365 two-or-more bedroom units[39,39A]) totaling about 473,000 gsf, as well as approximately 238,300 gsf of commercial area and approximately 45,735 gsf of RALI (36,590 gsf of retail space and 9,145 gsf of restaurant space) in new buildings.

[39] ~~Ibid.~~ The exact mix of dwelling unit types to be provided by the Project has not been established at this time; For purpose of analysis in this EIR, it has been assumed that 33 percent of the total number of dwelling units under each scenario would be analyzed as studios or one-bedroom units, while 67 percent would be analyzed as having two or more bedrooms. Under a scenario where the Proposed Project provides up to 10 percent three-

bedroom units, 43 percent of the total number of dwelling units under each scenario would be studios or one-bedroom units, while 57 percent would be two or more bedrooms.

[39A] Under a scenario where the Proposed Project provides up to 10 percent three-bedroom units, there would be up to 545 residential units (up to approximately 235 studio/one-bedroom units and 310 two-or-more bedroom units) totaling about 473,000 gsf.

Section 4.E, Transportation and Circulation

The following text has been added to the last paragraph on EIR p. 4.E.42 (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> For analysis purposes, it has been assumed that 33 percent of the total number of residential units under each scenario would be studio or one-bedroom units and 67 percent would be two or more bedrooms for each scenario. Subsequent to the analysis contained herein, the project sponsor has indicated an intention to construct a higher portion of studio and one -bedroom units and a lower portion of two-bedroom units in order to construct more three-bedroom units. However, as noted later in this section, the shift in unit type would, if anything, decrease the number of person-trips generated by the Proposed Project, rendering the analysis in this section somewhat conservative.

The following paragraph has been added after the last paragraph on EIR p. 4.E.59 (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> As noted in the Project Description, the travel demand forecasts for the Proposed Project are based on an assumption that 33 percent of the Proposed Project's residential units would be studio or one-bedroom units and 67 percent of the residential units would be two or more bedroom units. The Project Sponsor is currently proposing a slightly different mix of units that would retain the same total number of dwelling units, but would increase the portion of studio and one-bedroom units and decrease the portion of two-bedroom units in order to construct more three-bedroom units. With this change, 43 percent of the Proposed Project's residential units would be studio or one-bedroom units and 57 percent of the residential units would be two or more bedroom units. Since studio and one-bedroom units generate fewer trips per unit than two or more bedroom units, this change would, if anything, slightly decrease the Proposed Project's trip generation compared to what was assumed in the forecasts. Therefore, the analysis presented in this report is somewhat conservative, and the change would not result in new significant impacts or substantially more severe significant impacts than what has been analyzed and described.

DESIGN FOR DEVELOPMENT

Since publication of the Draft EIR in December 2016, the draft of the proposed *Pier 70 SUD Design for Development* (Design for Development) has been updated to reflect ongoing

discussions between the project sponsors and City departments.[4] These revisions do not change any of the analyses or conclusions of the EIR. New text is underlined and deletions are shown in ~~strikethrough~~.

Chapter 2, Project Description

The second sentence of the first paragraph on EIR p. 2.39 has been revised to reflect revisions to the *Design for Development* design standards as follows (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> On the 28-Acre Site, buildings up to 90 feet in height could generally be constructed along its southern, western, and northern perimeters (Parcels A, B, C1, C2, D, ~~and portions of Parcels E1~~, F, G, H1, ~~and~~ H2, and a portion of Parcel E1.

The second sentence of the fourth paragraph on EIR p. 2.39 has been revised to reflect revisions to the *Design for Development* design standards as follows (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> Except for grading activities necessary for the construction of 21st Street, and any geotechnical or environmental modifications that may be required, the Building Design Standards specify that no substantial intervention shall be permitted on the remnant of Irish Hill that would be retained under the Proposed Project.

The second sentence of the last paragraph on EIR p. 2.39 has been revised to reflect revisions to the *Design for Development* design standards as follows (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> The Building Design Standards include standards and guidelines that promote a strong building streetwall in all new construction to support a cohesive urban fabric, relate to the pattern of historic buildings, define views through the site and to the water, and create ~~an~~ active urban streets for pedestrians.

The sixth bullet point on EIR p. 2.41 has been revised to reflect revisions to the *Design for Development* design standards as follows (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

- Promoting architectural variety requiring that all new buildings be visually distinct from their adjacent buildings ~~each other~~, with variations in building massing, materials, and fenestration;

[4] *Pier 70 SUD Design for Development*, March 2017. The proposed *Pier 70 Design for Development* document is included as part of the Proposed Project and is the underlying vision and guidelines for development of the project site, and establishes standards and design guidelines to implement the intended vision and principles.

The first sentence of the fourth paragraph on EIR p. 2.41 has been revised to reflect revisions to the *Design for Development* design standards, as follows (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> ~~To maintain a visual gateway into the Historic District, and t~~To maintain relationship with the adjacent 60-foot height of Building 113, the massing at the northwestern corner of Parcel A would be set back above 60 feet (the remainder of new construction on Parcel A would be 90 feet in height).

The last sentence of the first paragraph on EIR p. 2.42 has been revised to reflect revisions to the *Design for Development* design standards as follows (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> Dimensional quality means that certain key façades of new buildings would respond to the height of adjacent historic buildings by projecting or recessing from the vertical plane through the use of distinct fenestration lines, massing, setbacks, volumetric shifts, or changes in the façade material or color paired with dimensional articulation.

The last sentence of the third paragraph on EIR p. 2.42 has been revised to reflect revisions to the *Design for Development* design standards as follows (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> In addition, building façades finished entirely with continuous ~~solid~~ stucco would not be permitted.

The first full sentence of the first paragraph on EIR p. 2.44 has been revised to reflect revisions to the *Design for Development* design standards as follows (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> A Pedestrian Passageway Option is not applicable under the Maximum Residential Scenario since connectors over mid-block pedestrian passageways are not planned under that scenario.

The last full sentence of the second paragraph on EIR p. 2.44 has been revised to reflect revisions to the *Design for Development* design standards as follows (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> These strategies fall under the categories of large-scale massing, modulation, ~~and~~ fine-grained materiality, and creative design, described below, and should be used in combination.

The third paragraph on EIR p. 2.44 has been revised to reflect revisions to the *Design for Development* design standards as follows (deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> Massing strategies are large urban-scale setbacks, and interventions that activate public space, respond to historic context, and offer improved views and sun exposure to provide massing variation along the length of the façade. These strategies include ground-floor and base setbacks, upper-level setback, passageways or entryways that subdivide the façade, courtyards and terraces that subdivide the façade, and substantial subtractions ~~or projections~~ to the building envelope.

The last paragraph on EIR p. 2.44 has been revised to reflect revisions to the *Design for Development* design standards as follows (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> Materiality strategies identify recommended materials and treatments to be applied to façades. These include preferred façade materials, material treatment, ~~pattern of assembly,~~ façade depth, and shading elements.

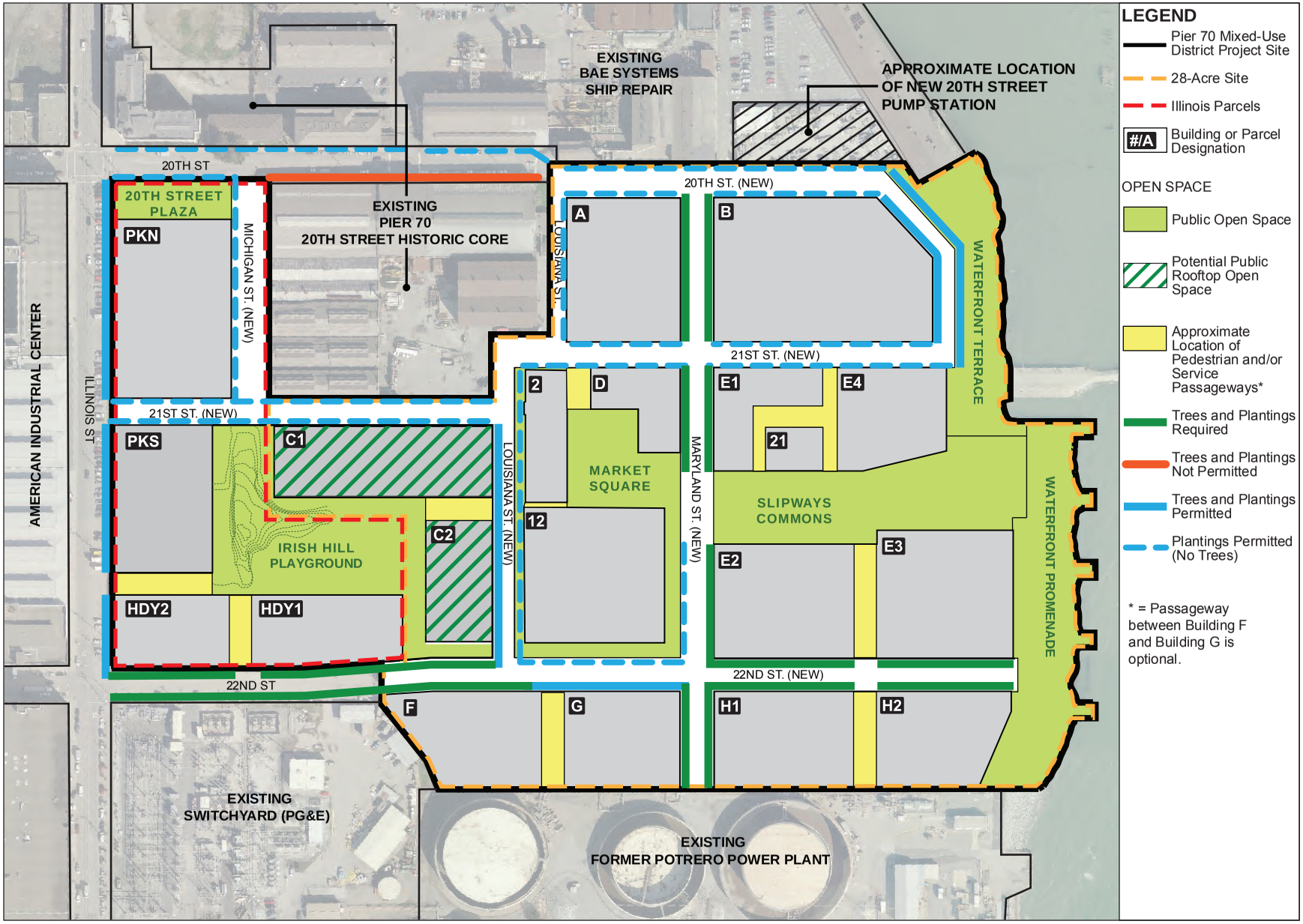
A new paragraph has been added to the top of EIR p. 2.45 to reflect revisions to the *Design for Development* design standards (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> ***Creative Design***
>
> Creative design incentivizes design solutions that significantly improve the pedestrian experience along a long façade.

Figure 2.15: Proposed Open Space Plan, on EIR p. 2.46, has been revised to reflect the changes to street tree locations, as follows. The scale bar has also been revised as a staff-initiated text change, as discussed in Chapter 5, Draft EIR Revisions, p. 5.32, of this RTC.

To update the text to further expand upon the Proposed Project open space plan, two new paragraphs have been added after the paragraph under the heading "Rooftop Open Space Areas" on EIR p. 2.48, as shown below (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> Parcels C1 and C2 would be designated for parking structures, but could be developed with either residential or commercial uses, depending on future market demand for parking and travel patterns. If parking structures are constructed on those parcels, the rooftops would be used to provide additional public open space and amenities such as active sports courts and play fields, community gardens, seating, and observational terrace areas. This acreage would be in addition to the 9 acres of public open space proposed at the project site.



Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2016)

PIER 70 MIXED-USE DISTRICT PROJECT

(REVISED) FIGURE 2.15: PROPOSED OPEN SPACE PLAN

If rooftop ball courts are built, design may focus on a single activity or multi-purpose courts. Potential programming may include, but would not be limited to, basketball, tennis, handball, volleyball, and bocce ball. Natural or artificial playing surfaces may be used for the intended sports facilities.

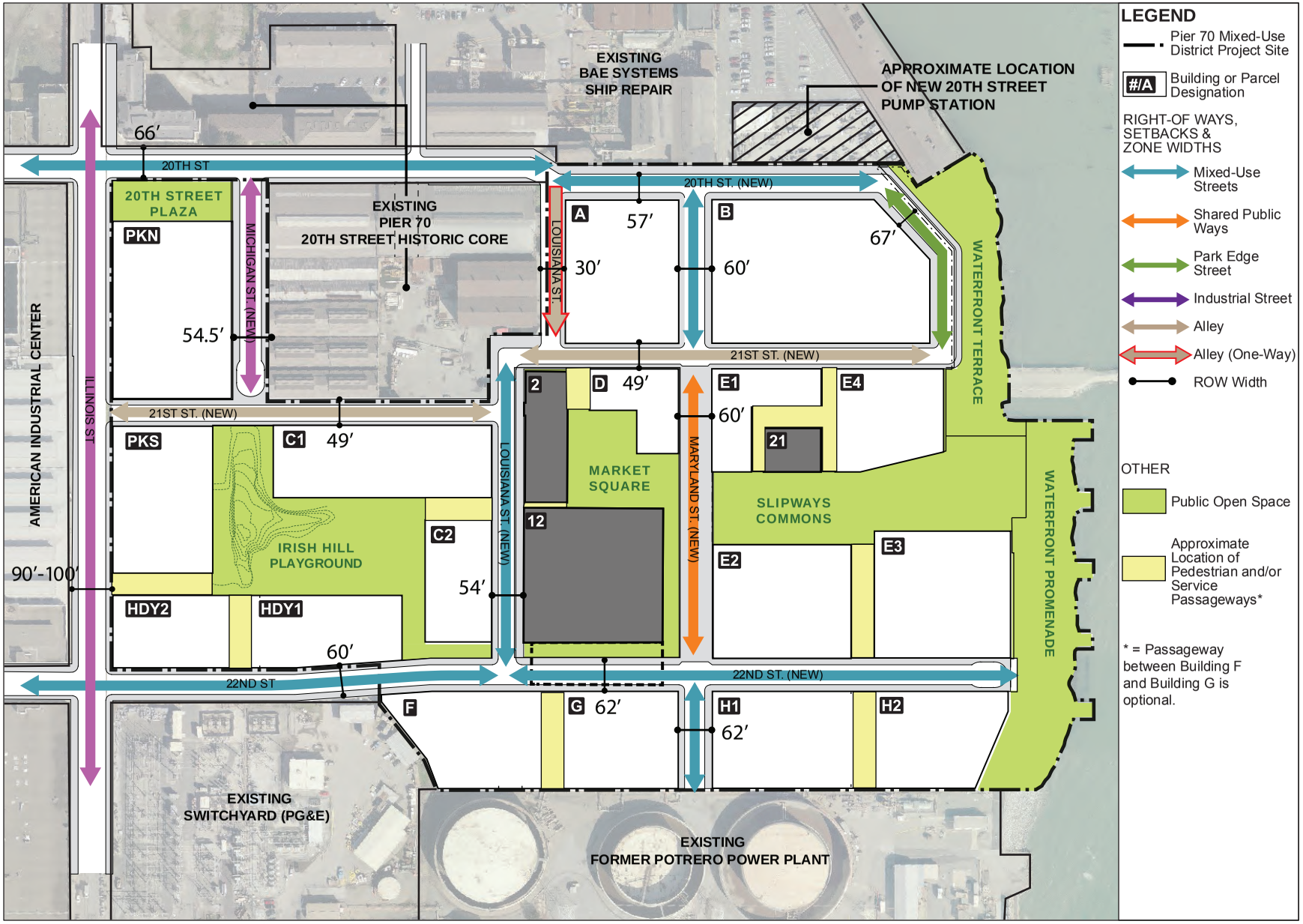
If rooftop community gardens are built, garden plots would be accessible to the public and may be managed by either a community organization or by local residents. Community gardens may be designed as raised planters, a series of plots, or one large plot. The amount of space allotted to community garden plots would be scaled appropriately to the level of maintenance and oversight available.

Figure 2.16: Proposed Roadway Network, on EIR p. 2.50, has been revised to reflect the right-of-ways, setbacks, and zone widths established in the *Design for Development,* as follows. The scale bar has also been revised as a staff-initiated text change, as discussed in Chapter 5, p. 5.32, of this RTC.

Section 4.D, Cultural Resources

* On EIR p. 4.D.101, the items listed under Impact CR-11 have been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

- *No Replication of Historic Buildings*. New construction shall not replicate or mimic historic buildings. False historicism is not permitted (~~S6.8.1~~ S6.9.1).
- *Building Variety*. ~~All new individual buildings within the Pier 70 SUD shall be visually distinct from each other with variations in: building massing, materials, glazing pattern and proportion, color, architectural detail, articulation, roofline modulation. Every building shall vary from its adjacent building in at least two of the above variations, of which one shall not be color (S6.8.2).~~ To maintain the historic architectural variety that has existed at Pier 70, all new individual buildings within the Project shall vary from their adjacent building in at least two of the following ways: building massing, materials, glazing pattern and proportion, integral color (paint color differences do not qualify), architectural detail, articulation, or roofline modulation. Buildings with mid-block passage connectors are considered one building (S6.9.2).
- *Façade Articulation*. Material selection~~s~~ and application shall reflect but not replicate the scale, pattern and rhythm of adjacent contributing ~~buildings'~~ resources' exterior materials. Material selection~~s~~ shall not establish a false sense of historic development (~~S6.8.3~~ S6.9.3).
- *Rooflines*. ~~Duplication of the adjacent historic roofline is not permitted, unless flat (S6.10.2).~~ Direct replication of the particular geometries of the rooflines of historic buildings 12, 21, and 113-116 is not permitted in order to avoid false historicism (S6.11.2).



Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2017)

PIER 70 MIXED-USE DISTRICT PROJECT

(REVISED) FIGURE 2.16: PROPOSED ROADWAY NETWORK

* The items listed at the top of EIR p. 4.D.102 have been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

- *Historic Rhythms and Patterns*. New construction buildings should incorporate, through contemporary interpretation, one or more of the following features drawn from Pier 70's historic character: horizontal banding, shifted patterns/glazing, articulated rooflines, repetitive patterns, gridded windows, and weathered materials (~~G6.8.1~~ G6.9.1).
- *Material and Color Palette*. Material and color palette are encouraged to draw from Pier 70's historic texture and utilize the recommended material palette provided (see Figure 4.D.12, p. 4.D.84). Materials that are intended to patina or weather are encouraged (~~G6.8.4~~ G6.9.2).
- *Relate to Adjacent Resources*: In certain façade locations, new construction shall incorporate elements that relate to the adjacent resource ~~in~~ while keeping with contemporary ~~design and~~ construction (~~S6.14.5~~ S6.15.5).

Section 4.E, Transportation and Circulation

The last paragraph on EIR p. 4.E.43, continuing on p. 4.E.44, has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> The Proposed Project would include two "raised streets", or ~~a~~ shared public ways. One would be located on Maryland Street between 21st Street and 22nd Street. Additionally, 20th Street at the waterfront would be raised to connect pedestrians to the waterfront park. These ~~This~~ shared streets would have limited vehicular traffic and would give priority to pedestrians over automobiles. These ~~This~~ streets would consist of a single shared paved surface with no curbs or gutters. The streets would include raised domes, or another similar feature, to delineate the boundary between the pedestrian zone and traffic to allow for safe travel by those with visual impairment. Automobiles could access ~~it~~ them from the adjoining streets by a curb-cut similar to a typical driveway. The proposed shared public ways would allow for temporary closures of the street to vehicular traffic for markets and events. The shared public way on 20th Street is adjacent to the open space connecting to the Blue Greenway and the San Francisco Bay. The Blue Greenway is the portion of the San Francisco Bay Trail that extends between Mission Creek and the southern City limits, through the Proposed Project, as discussed in "Bicycle Circulation Improvements" below.

Section 4.J, Recreation

In addition, a new paragraph has been added after the second paragraph under the heading "Open Space" on EIR p. 4.J.29, as shown below (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> Open spaces would include the Waterfront Promenade, Waterfront Terrace, Slipway Commons, Building 12 Market Plaza and Market Square, Irish Hill Playground, 20th Street Plaza, and potentially Buildings C1 and C2 rooftops, as shown in Table 4.J.3:

Proposed Project Open Space Program. (See also "Proposed Open Space Plan," in Chapter 2, pp. 2.45-2.48, and Figure 2.15: Proposed Open Space Plan, p. 2.46.)

If rooftop ball courts are built on the rooftops of Parcels C1 and C2, design may focus on a single activity or multi-purpose courts. Potential programming may include, but would not be limited to, basketball, tennis, handball, volleyball, and bocce ball. Natural or artificial playing surfaces may be used for the intended sports facilities. If rooftop community gardens are built, garden plots would be accessible to the public and may be managed by either a community organization or by local residents. Community gardens may be designed as raised planters, a series of plots, or one large plot. The amount of space allotted to community garden plots would be scaled appropriately to the level of maintenance and oversight available.

3. PUBLIC AGENCIES, ORGANIZATIONS, AND INDIVIDUALS COMMENTING ON THE DRAFT EIR

Public agencies, non-governmental organizations, and individuals submitted written comments (letters and emails) on the Pier 70 Mixed-Use District Draft EIR, which the City received during the public comment period from December 22, 2016 to February 21, 2017. In addition, the Planning Commission held a public hearing about the Draft EIR on February 9, 2017, and Commissioners, organizations, and individuals made oral comments at that hearing. Tables 3.1 through 3.3, below, list the commenters' names, along with the corresponding commenter codes used in Section 4, Comments and Responses, to denote each set of comments, the comment format, and the comment date. This Responses to Comments document codes the comments in three categories:

- Comments from agencies are designated by "A-" and the acronym of the agency's name.
- Comments from organizations are designated by "O-" and the acronym of the organization's name. In cases where several commenters from the same organization provided comments, the acronym is followed by the commenter's last name.
- Comments from individuals are designated by "I-" and the commenter's last name.

Within each of the three categories, commenters are listed in alphabetical order. In cases where commenters spoke at the public hearing and submitted written comments, or submitted more than one letter or email, comment codes end with a sequential number.

Table 3.1: Public Agencies Commenting on the Draft EIR

Commenter Code	Name of Person and Agency Submitting Comments	Comment Format	Comment Date
A-ABAG	Maureen Gaffney, San Francisco Bay Trail and San Francisco Bay Area Water Trail, Association of Bay Area Governments	Email	February 22, 2017
A-BCDC	Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission	Letter	February 23, 2017
A-CPC-Hillis	Rich Hillis, President, San Francisco Planning Commission	Draft EIR Hearing Transcript	February 9, 2017
A-CPC-Johnson	Christine D. Johnson, Commissioner, San Francisco Planning Commission	Draft EIR Hearing Transcript	February 9, 2017
A-CPC-Moore	Kathrin Moore, Commissioner, San Francisco Planning Commission	Draft EIR Hearing Transcript	February 9, 2017
A-CPC-Richards	Dennis Richards, Vice President, San Francisco Planning Commission	Draft EIR Hearing Transcript	February 9, 2017
A-HPC	Andrew Wolfram, President, Historic Preservation Commission	Letter	February 1, 2017
A-PGE	Sara Sadler, Senior Land Planner, Pacific Gas and Electric Company	Email	February 21, 2017
A-SFDPH	Beronica Lee, REHS, Senior Environmental Health Inspector, Solid Waste Program/Local Enforcement Agency, Environmental Health Branch, Population Health Division, San Francisco Department of Public Health	Email	February 21, 2017
A-UCSF	Lori Yamauchi, Associate Vice Chancellor, UCSF Campus Planning	Email (Submitted by Diane Wong, Principal Planner/Environmental Coordinator – Campus Planning)	February 21, 2017

Table 3.2: Organizations Commenting on the Draft EIR

Commenter Code	Name of Person and Organization Submitting Comments	Comment Format	Comment Date
O-AIC	Charles Higley, Farella Braun + Martel LLP, on Behalf of American Industrial Center	Email	February 21, 2017
O-DNA	Bruce Kin Huie, President, Dogpatch Neighborhood Association	Email	February 21, 2017
O-DNA&PBNA	J. R. Eppler, President, Potrero Boosters Neighborhood Association, and Rachel Mansfield Howlett, Provencher & Flatt LLP, on behalf of Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association	Email	February 21, 2017
O-OE	Michael Ginter, Operating Engineers Local Union No. 3	Draft EIR Hearing Transcript	February 9, 2017
O-FoJP1	Jude Deckenbach, Friends of Jackson Park	Draft EIR Hearing Transcript	February 9, 2017
O-FoJP2	Jude Deckenbach, Friends of Jackson Park	Email	February 21, 2017
O-GPR1	Alison Heath, Grow Potrero Responsibly	Draft EIR Hearing Transcript	February 9, 2017
O-GPR2	Alison Heath, Grow Potrero Responsibly	Email	February 22, 2017
O-PBNA1	J. R. Eppler, President, Potrero Boosters Neighborhood Association	Draft EIR Hearing Transcript	February 9, 2017
O-PBNA2	J. R. Eppler, President, Potrero Boosters Neighborhood Association	Email	February 21, 2017
O-PHAP1	Peter Linenthal, Potrero Hill Archives Project	Draft EIR Hearing Transcript	February 9, 2017
O-PHAP2	Peter Linenthal, Director, and Abigail Johnston, Secretary, Potrero Hill Archives Project	Email	February 21, 2017
O-SFAC	Corey Smith, San Francisco Action Coalition	Draft EIR Hearing Transcript	February 9, 2017
O-SFH	Mike Buhler, President and CEO, San Francisco Heritage	Email	February 21, 2017

Table 3.3: Individuals Commenting on the Draft EIR

Commenter Code	Name of Individual Submitting Comments	Comment Format	Comment Date
I-Anasovich1	Philip Anasovich	Draft EIR Hearing Transcript	February 9, 2017
I-Anasovich2	Philip Anasovich	Email	February 21, 2017
I-Angles	Sean Angles	Email	February 21, 2017
I-Atlas	Tricia Atlas	Email	February 21, 2017
I-Baig	Nabeela Baig	Email	February 21, 2017
I-Brewster	Brad Brewster	Email	February 16, 2017
I-Brown	Gordon Brown	Email	February 20, 2017
I-Carpinelli	Janet Carpinelli	Email	February 20, 2017
I-C&DClark1	Clair D. and Don Clark	Letter	February 8, 2017
I-C&DClark2	Clair D. and Don Clark	Email	February 21, 2017
I-DClark1	Don Clark	Email	January 2, 2017
I-DClark2	Don Clark	Email	January 7, 2017
I-DClark3	Don Clark	Email	January 9, 2017
I-DClark4	Don Clark	Email	January 17, 2017
I-DClark5	Don Clark	Email	February 20, 2017
I-Cole	Audrey Cole	Email	February 8, 2017
I-Dunkelgod	Heidi Dunkelgod	Email	February 21, 2017
I-Fleeman	Jeffrey Fleeman	Email	February 21, 2017
I-Hall	Rick Hall	Draft EIR Hearing Transcript	February 9, 2017
I-Henson	Kayleigh Henson	Email	February 21, 2017
I-Herraiz1	Steven Fidel Herraiz	Draft EIR Hearing Transcript	February 9, 2017
I-Herraiz2	Steven Fidel Herraiz	Letter	February 20, 2017
I-Hong	Dennis Hong	Email	February 23, 2017
I-Horowitz	Gary Horowitz	Email	February 20, 2017
I-Kinser	Karen Kinser	Email	February 21, 2017
I-Kristen	Christine Kristen	Email	February 20, 2017
I-Leuthold&Jim	Mark Leuthold and Nelson Jim	Email	February 21, 2017
I-Levine&Liddell	Toby Levine and Katy Liddell	Email	February 21, 2017
I-Makanna	Jean Makanna	Email	February 21, 2017
I-McCarthy	Celeste McCarthy	Email	February 20, 2017

Commenter Code	Name of Individual Submitting Comments	Comment Format	Comment Date
I-McKee	Marti McKee	Draft EIR Hearing Transcript	February 9, 2017
I-Meroz	Yoram Meroz	Email	February 20, 2017
I-Miller	Ruth Miller	Email	February 21, 2017
I-Minott	Rodney Minott	Email	February 20, 2017
I-Schoofs	Gary Schoofs	Email	February 21, 2017
I-Schuttish	Georgia Schuttish	Email	February 21, 2017
I-Sheedy	Meghan Sheedy	Email	February 21, 2017
I-Shiraki	Matt Shiraki	Email	February 20, 2017
I-Shuang	Mike Shuang	Email	February 21, 2017
I-Smith	Shirlee Smith	Email	February 21, 2017
I-Spangler	William H. Spangler	Email	January 30, 2017
I-Stuebe	Elain Sprague Stuebe	Email	February 21, 2017
I-Tehrani	Lisa Tehrani	Draft EIR Hearing Transcript	February 9, 2017
I-Tobias	Marg Tobias	Email	February 21, 2017
I-Walbridge	Peter Walbridge	Email	February 21, 2017

4. COMMENTS AND RESPONSES

INTRODUCTION

This section summarizes the substantive comments received on the Draft Environmental Impact Report (Draft EIR or DEIR) and presents the responses to those comments.

Comments have been assigned unique comment codes, as described on RTC p. 1.3, and organized by topic. Comments related to a specific Draft EIR analysis or mitigation measure are included under the relevant topical section. Within each topical section, similar comments are grouped together under subheadings designated by the topic code and a sequential number. For example, the first group of comments in Subsection 4.D, Land Use and Land Use Planning, coded as "LU," is organized under heading LU-1. The order of the comments and responses in this section is shown below, along with the prefix assigned to each topic code.

Section 4 Subsection	Topic	Topic Code
4.A	Project Description	PD
4.B	Senate Bill 743	SB
4.C	Plans and Policies	PL
4.D	Land Use and Land Use Planning	LU
4.E	Population and Housing	PH
4.F	Cultural Resources	CR
4.G	Transportation and Circulation	TR
4.H	Noise and Vibration	NO
4.I	Air Quality	AQ
4.J	Wind and Shadow	WI
4.K	Recreation	RE
4.L	Public Services	PS
34M	Biological Resources	BI
4.N	Geology and Soils	GE
4.O	Hydrology and Water Quality	HY
4.P	Hazards and Hazardous Materials	HZ
4.Q	Other CEQA Considerations	OC
4.R	Alternatives	AL
4.S	Cumulative Effects	CU

Section 4 Subsection	Topic	Topic Code
4.T	Merits of the Proposed Project	ME
4.U	General Environmental Comments	GC
4.V	Authors and Persons Consulted	AU

Each comment is presented verbatim, except for minor typographical corrections, and concludes with the commenter's name and, if applicable, title and affiliation; the comment source (i.e., public hearing transcript, letter, or email); the comment date; and the comment code. Photos, figures, and other attachments submitted by commenters and referenced in individual comments are presented in RTC Attachment B: Comments Letters on the Draft EIR; they are not reproduced as part of the comments in this section. The reader is also referred to RTC Attachment B for the full text of each comment in the context of its comment letter or email.

Following each comment or group of comments, a comprehensive response is provided to address issues raised in the comments and to clarify or augment information in the Draft EIR, as appropriate. The responses provide clarification of the Draft EIR text and may also include revisions or additions to the Draft EIR. Revisions to the Draft EIR are shown as indented text. New text is underlined, and deleted material is shown as ~~strikethrough~~ text. Corrections and/or clarifications to the Draft EIR presented in the responses are repeated in Chapter 5, Draft EIR Revisions.

A. PROJECT DESCRIPTION

The comments and corresponding response in this section relate to the Project Description, presented in EIR Chapter 2. The comments are further grouped according to the following issues:

- PD-1: Hoedown Yard Entitlement
- PD-2: Stable Project Description and Availability of Design for Development Document
- PD-3: Affordable Housing Requirements and Dwelling Unit Mix
- PD-4: Public Trust
- PD-5: Project Phasing
- PD-6: Jurisdiction and Authority of the Bay Conservation and Development Commission
- PD-7: Shoreline Protection
- PD-8: Public Access
- PD-90: Bay Fill
- PD-10: Public Financing of Sea Level Rise Adaptation
- PD-11: Structural Soundness of Pier at Pier 70

A corresponding response follows each group of comments.

COMMENT PD-1: HOEDOWN YARD ENTITLEMENT

"**Comments on Project Description and Impacts**
"1. Comment P S.3 The DEIR states that the Planning Code amendments would apply to the Hoedown Yard. The DEIR should clarify that if the Hoedown Yard sale is not approved then the analysis on page 7.57 of a no Hoedown Yard alternative would apply." *(Sara Sadler, Pacific Gas and Electric Company, Letter, February 21, 2017 [A-PGE-3])*

"2. P.2-35: The DEIR states that: "Board of Supervisors Resolution No. 54-14, if the City exercises its option to purchase the Hoedown Yard from PG&E, proceeds from the sale of the Hoedown Yard would be directed to the City's HOPE SF housing program, which includes the Potrero Terrace and Annex HOPE SF project." Please clarify the text to indicate that once the property has been purchased from PG&E in accordance with the Option Agreement, the City has indicated that any proceeds received by the City related to the Option Agreement for the Hoedown Yard are earmarked for the City's HOPE SF projects." *(Sara Sadler, Pacific Gas and Electric Company, Letter, February 21, 2017 [A-PGE-4])*

"1. General: The environmental analysis assumes that the 3.6-acre PG&E parcel will be used as part of the project. However, if the CPUC does not approve the sale of the Hoedown Yard, then the 3.6-acre parcel may not be used for the project, and the mitigation measures identified in the

DEIR would not be necessary on this parcel. Please add language to clarify this point."
(Sara Sadler, Pacific Gas and Electric Company, Letter, February 21, 2017 [A-PGE-10])

RESPONSE PD-1: HOEDOWN YARD ENTITLEMENT

The Proposed Project includes development of the PG&E-owned Hoedown Yard, and that site is included in the description of the Illinois Parcels portion of the project site (EIR p. 2.18). Environmental analysis presented throughout the EIR assumes that the City will exercise its option with PG&E to purchase the Hoedown Yard site. Footnote 5 on EIR p. 2.2 describes that the City has an option to purchase the Hoedown Yard from PG&E, and PG&E has consented to include the Hoedown Yard in the project sponsors' rezoning efforts. However, the City would not exercise its option to purchase the Hoedown Yard and development of this parcel would not proceed unless PG&E locates a suitable relocation site for the current utility operations at the Hoedown Yard. As with any substantive change made to a project, changes to the project site configuration or program proposed in the future would be subject to review in accordance with CEQA.

Further, EIR pp. 7.96-7.97 describes a No Hoedown Yard Alternative, which would modify the Proposed Project to eliminate all future development at or improvement on the Hoedown Yard parcel. Aspects of this alternative are already included in both the No Project Alternative and the 2010 Pier 70 Master Plan Alternative because they excluded development of the Hoedown Yard, and therefore analysis of a No Hoedown Yard Alternative was already within the range of alternatives analyzed. Additionally, because significant and unavoidable transportation and air quality impacts are not specifically attributed to development on the Hoedown Yard site, having a No Hoedown Yard Alternative would not substantially reduce environmental impacts as compared to the Proposed Project. If the Hoedown Yard is not redeveloped as part of the Proposed Project, mitigation measures required by the EIR would not apply to the Hoedown Yard site. However, if the Hoedown Yard were redeveloped in the future consistent with the Special Use District, the mitigation measures would apply.

If the Hoedown Yard sale is approved, any proceeds received by the City, other than proportional amounts that would be distributed to the Port and Forest City in accordance with the proposed Disposition and Development Agreement (DDA), would be directed to the City's HOPE VI rebuild projects in accordance with Board Resolution No. 54-14, such as the Potrero Terrace and Annex project.

COMMENT PD-2: STABLE PROJECT DESCRIPTION AND AVAILABILITY OF DESIGN FOR DEVELOPMENT DOCUMENT

"**Project Description**
"The Proposed Project is described as "conceptual" and will be constructed in phases in which parcels would be developed as commercial, residential or parking uses. The description includes ten "variants" for the project's sewer/wastewater, grading, and modifications to the proposed infrastructure and building systems to "enhance sustainability."

"The specific uses would be determined after the EIR is adopted and after Project approval. This type of scheme shortcuts the required public review process that is meant to occur prior to adoption of a project. (CEQA Guidelines § 15124.) Each land use category contains variables that may result in differing impacts within each land use category; a conceptual plan does not fairly or adequately account for the Project's environmental impacts. For example, a PDR use would have considerably less impact on traffic and transit than a restaurant use. Parking would encourage dependence on automobiles and result in greater traffic and circulation impacts. A large office component would bring more workers who will need housing. Relying on RALI (Retail/Arts/Light-industrial) designation or a theoretical Maximum Residential or Maximum Commercial scenario doesn't allow an adequate analysis of impacts.

"An accurate, stable and consistent project description is necessary to an adequate evaluation of the project's impacts; the project description should describe the physical development that will result if the project is approved; and the description should be sufficiently detailed to provide a foundation for a complete analysis of environmental impacts. (CEQA Guidelines § 15124.) "An accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR." (County of Inyo v. City of Los Angeles (1977) 71 Cal.App.3d 185.)"
(J. R. Eppler, President, Potrero Boosters Neighborhood Association, and Rachel Mansfield Howlett, Provencher & Flatt LLP, on behalf of Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association, Email, February 21, 2017 [O-DNA&PBNA-2])

"**Land Use and Land Use Planning**
"The Proposed Project is described as "conceptual" and will follow a phased program in which parcels would be developed as commercial, residential or parking uses. The exact uses would be determined after the EIR is finalized. Within each of those categories are variables that will have a myriad of impacts. For example, a PDR use would have considerably less impact on traffic and transit than a restaurant use. Parking would encourage dependence on automobiles. A large office component would bring more workers who will need housing. Relying on RALI (Retail/arts/light-industrial) designation or a theoretical Maximum Residential or Maximum Commercial scenario doesn't allow an adequate analysis of impacts." *(Alison Heath, Grow Potrero Responsibly, Email, February 22, 2017 [O-GPR2-2])*

"So a couple other things. On -- it was unclear to me, and it looks like the Planning Commission, when I look at the -- the list of approvals that need to go through the City, it does look like the Planning Commission will be seeing the Design for Development, and so I look forward to seeing this." *(Commissioner Christine D. Johnson, San Francisco Planning Commission, DEIR Hearing Transcript, February 9, 2017 [A-CPC-Johnson-3])*

"On behalf of Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association, ("Citizens", hereafter) thank you for the opportunity to comment on the Draft EIR prepared for the above named Project. The Project is described in the Draft EIR as entailing the following:

> 'The Pier 70 area (Pier 70) encompasses 69 acres of historic shipyard property along San Francisco's Central Waterfront. Under the Burton Act, Pier 70 is owned by the City and County of San Francisco (City) through the Port Commission of San Francisco (Port or Port Commission). The Port intends to rehabilitate or redevelop Pier 70 and has selected Forest City Development California, Inc. (Forest City) to act as master developer for 28 acres of the site and initiate rezoning and development of design standards and controls for a multi-phased, mixed-use development on that site and two adjacent parcels. As envisioned, the proposed Pier 70 Mixed Use District Project would include market-rate and affordable residential uses, commercial use, retail/arts/light-industrial (RALI) uses, parking, shoreline improvements, infrastructure development and street improvements, and public open space. Together, the Port and Forest City are the project sponsors for the Proposed Project. The proposed Pier 70 Mixed-Use District Project, for which this project-level EIR has been prepared, comprises a project site of an approximately 35-acre area bounded by Illinois Street to the west, 20th Street to the north, San Francisco Bay to the east, and 22nd Street to the south. The project site is south of Mission Bay, east of the Potrero Hill and Dogpatch neighborhoods, and within the northeastern portion of San Francisco's Central Waterfront Area Plan, one of four areas covered by the Eastern Neighborhoods Rezoning and Area Plans (Eastern Neighborhoods Plan). The project site is located within Pier 70, except for the 3.6-acre parcel adjacent to Pier 70's southwest corner, known as the Hoedown Yard, which is owned by the Pacific Gas and Electric Company (PG&E). (DEIR pgs. S.1 – S.2.)
>
> 'Two development areas constitute the project site. The "28-Acre Site" is an approximately 28-acre area located between 20th, Michigan, and 22nd streets and San Francisco Bay ... The "Illinois Parcels" form an approximately 7-acre site that consists of an approximately 3.4-acre Port-owned parcel, called the "20th/Illinois Parcel," along Illinois Street at 20th Street …which is owned by PG&E. The Hoedown Yard includes a City-owned 0.2-acre portion of street right-of-way that bisects the site.
>
> 'The Proposed Project would amend the San Francisco General Plan (General Plan) and Planning Code, adding a new Pier 70 SUD, which would establish land use zoning controls for the project site and incorporate the design standards and guidelines in the proposed Pier 70 SUD Design for Development document (Design for Development). All new construction at the project site must be consistent with the Design for Development.
>
> 'The Zoning Maps would be amended to show changes from the current zoning (M-2 [Heavy Industrial] and P [Public]) to the proposed SUD zoning. Height limits on the 28-Acre Site would be increased from 40 feet to 90 feet, except for a 100-foot-wide portion adjacent to the shoreline that would remain at 40 feet, as authorized by Proposition F in November 2014. The Planning Code text amendments would also modify the existing height limits on an eastern portion of the Hoedown Yard from 40 to 65 feet. Height limits are further restricted through the design standards established in the proposed

Design for Development. The Proposed Project would also amend the Port's Waterfront Land Use Plan. Under the proposed SUD, the Proposed Project would provide a phased mixed-use land use program in which certain parcels could be developed for either primarily commercial uses or residential uses, with much of the ground floor dedicated to RALI uses. In addition, two parcels on the project site (Parcels C1 and C2) could be developed for structured parking or for residential/commercial or residential use, depending on future market demand for parking and future travel demand patterns. Development of the 28-Acre Site would include up to a maximum of approximately 3,422,265 gross square feet (gsf) of construction of new buildings and improvements to existing structures (excluding basement-level square footage allocated to accessory and district parking). New buildings would have maximum heights of 50 to 90 feet. Development of the Illinois Parcels would include up to a maximum of approximately 801,400 gsf in new buildings; these new buildings would not exceed a height of 65 feet, which is the existing height limit along Illinois Street on both the Port-owned and the western portion of the Hoedown Yard.

'The majority of the project site is located within the Union Iron Works Historic District, which is listed in the National Register of Historic Places (National Register) in recognition of Pier 70's role in the development of steel shipbuilding in the United States and for industrial architecture built at the site between 1884 and the end of World War II. The 28-Acre Site contains 12 of the Historic District's 44 contributing historic resources and one of the ten non-contributing resources. With implementation of the Proposed Project, three contributing resources (Buildings 2, 12, and 21) would be rehabilitated in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties and adapted for reuse; one (the existing remnant of Irish Hill 8) would be mostly retained; and seven structures and sheds (Buildings 11, 15, 16, 19, 25, 32, and 66), containing 92,945 gsf, would be demolished. The Port has proposed to demolish the 30,940-gsf Building 117, located on the project site, prior to approval of the Proposed Project as part of the Historic Core Project. The single non-contributing resource on the project site (Slipways 5 through 8, which are currently covered by fill and asphalt) would be partially demolished. The Proposed Project includes transportation and circulation improvements, new and upgraded utilities and infrastructure, geotechnical and shoreline improvements, and 9 acres of public open space. Three options for sewer/wastewater treatment, three options for grading around Building 12, and an option for pedestrian passageways are evaluated in this EIR. The Proposed Project also includes four variants that consider modifications to the proposed infrastructure and building systems to enhance sustainability.'

"**Design for Development Document**

"As noted, the Design for Development document will set several Project parameters, yet this document was not provided for review with the Draft EIR and according to the City's statements, it will not be available for review until after the comment period has elapsed. Since the Draft EIR relies on a conceptual plan for the Project rather than a detailed description of stable project components, and the Design for Development document governs the specifics of the Project's components, the document contains relevant information regarding the review of the potentially significant impacts of the Project and must be made available to commentors on the Draft EIR. Citizens request the comment period for the Draft EIR be extended until the public is able to review the Design for Development document in conjunction with the Draft EIR. This information must be in the EIR and not buried in an appendix or other document referenced by

but not included in the EIR. (San Joaquin Raptor Rescue Ctr. v. County of Merced (2007) 149 CA 4th 645, 659; Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova (2007) 40 C4th 412, 422; California Oak Foundation v. City of Santa Clarita (2005) 133 CA 4th 1219.)" *(J. R. Eppler, President, Potrero Boosters Neighborhood Association, and Rachel Mansfield Howlett, Provencher & Flatt LLP, on behalf of Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association, Email, February 21, 2017 [O-DNA&PBNA-1])*

RESPONSE PD-2: STABLE PROJECT DESCRIPTION AND AVAILABILITY OF DESIGN FOR DEVELOPMENT DOCUMENT

Comments assert that the Proposed Project, as described and analyzed in the EIR, is conceptual and variable, and therefore does not provide sufficient information to adequately analyze the Proposed Project in the EIR. The comments do not identify what they believe is missing from these descriptions and analyses and how that could result in a change in the conclusions of the EIR. The Proposed Project describes and analyzes the environmental consequences of two mutually exclusive development scenarios: the Maximum Residential Scenario and the Maximum Commercial Scenario (EIR pp. 2.25-2.33), which each define a maximum limit under a specific mix of uses that could be developed under the proposed SUD. Included in the analysis are also assumptions for travel demand by land uses, including RALI. For purposes of estimating travel demand, the RALI uses of the Proposed Project were divided into Retail, Restaurant, and Light Industrial/Arts categories. The travel demand rates for Retail and Restaurant categories were obtained directly from the 2002 *San Francisco Transportation Impact Analysis Guidelines for Environmental Review*. The Light Industrial/Arts uses were assumed to be similar to Production, Distribution, and Repair (PDR) uses, which typically use the General Office trip generation rate in San Francisco; thus, the General Office trip generation rate was applied to the Light Industrial/Arts category of land uses.[1]

The Draft EIR also describes and analyzes the environmental consequences of three grading options for Building 12 (EIR pp. 2.68-2.69); three Wastewater and Stormwater Flow Options (EIR pp. 2.6-2.66); and four Project Variants that each modify one limited aspect of the proposed project: the Reduced Off-Haul Variant (EIR p. 2.75); the District Energy System Variant (EIR pp. 2.75-2.76); the Wastewater Treatment and Reuse System Variant (EIR pp. 2.76-2.78); and the Automated Waste Collection System Variant (EIR pp. 2.78-2.79).

The identification and evaluation of each of these project features do not result in an unstable and uncertain project description. On the contrary, in anticipating, defining and evaluating different choices for certain aspects and details of the project, the EIR provides more, rather than less, specificity. The EIR anticipates the economic, technical, environmental, design and regulatory

[1] Fehr & Peers, Appendix E: Travel Demand Memorandum from the *Pier 70 Mixed-Use District Project Transportation Impact Study*, December 2016.

choices to which the Proposed Project would be subject, and identifies, analyzes, and discloses the environmental consequences of those choices.

The project sponsors and decision-makers will consider the analyses of environmental impacts under the scenarios, options, and variants identified in the EIR. This information about environmental consequences under the scenarios, options, and variants presented in the EIR will inform future choices under the Proposed Project. This approach is consistent with, and indeed an appropriate and intended result of, the CEQA process.

As such, the EIR is "prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences." (*CEQA Guidelines* Section 15151).

The proposed Pier 70 SUD includes an amendment to the San Francisco Planning Code, and incorporates by reference the *Pier 70 SUD Design for Development*, which is the underlying document that presents visions and principles for development of the project site and that establishes implementing standards and design guidelines. The *Design for Development* document is analyzed in the Draft EIR specific to policies that relate to the physical environment, including land use and open space programs, design parameters (including policies for building design guidelines, lighting, and signage), and the streetscape and circulation network. These policies are summarized as part of the Proposed Project (EIR pp. 2.35-2.45) and physical environmental effects are analyzed in applicable topics of the EIR (Section 4.B, Land Use and Land Use Planning, pp. 4.B.21-4.B.23; Section 4.D, Historic Resources, pp. 4.D.71-4.D.86; Section 4.E, Transportation and Circulation, p. 4.E.58, p. 4.E.103 and pp. 4.E.105-4.E.106; Section 4.I, Wind and Shadow, p. 4.I.62; Section 4.J, Recreation, p. 4.J.30; and Section 4.L, Public Services, p. 4.L.21). A complete copy of the document, including relevant policies that are included in the *Design for Development* document as part of the Proposed Project, is available as part of the Administrative Record.

COMMENT PD-3: AFFORDABLE HOUSING REQUIREMENTS AND DWELLING UNIT MIX

"5. **Housing / Occupancy** in the proposed DEIR, can Table 2.3 summary show a break down of these dwelling units by:

"a. Studio, One Bed Room, two bedroom, three bedroom, family units.

"b. Can this chart also show what is required and what the Sponsor is providing, (such as what the sponsor providing in excess of what is required by the Sponsor)? *(Dennis Hong, Email, February 23, 2017 [I-Hong-13])*

"c. How does the affordable housing requirements – MOHCD requirements and etc., (BMR), fit in to this project? *(Dennis Hong, Email, February 23, 2017 [I-Hong-14])*

RESPONSE PD-3: AFFORDABLE HOUSING REQUIREMENTS AND DWELLING UNIT MIX

Affordable Housing

Affordable housing units (below market rate housing) are proposed under the Proposed Project, in accordance with Proposition F and Board of Supervisors Resolution No. 54-14, as described on EIR p. 2.35:

> ***AFFORDABLE HOUSING PROGRAM***
>
> Under the Proposed Project, 30 percent of all completed residential units on the 28-Acre Site would be required to be offered at below market rate prices, and a majority of residential units constructed would be rentals, in compliance with Proposition F. The Proposed Project's affordable housing requirement would be established through transaction documents between the City, the Port, and Forest City for the Proposed Project. Residential units on the Illinois Parcels would be subject to the affordable housing requirements in Section 415 of the Planning Code. Under Board of Supervisors Resolution No. 54-14, if the City exercises its option to purchase the Hoedown Yard from PG&E, proceeds from the sale of the Hoedown Yard would be directed to the City's HOPE SF housing program, which includes the Potrero Terrace and Annex HOPE SF project.

Dwelling Unit Mix

The number of dwelling units proposed by the project sponsors, including the mix of bedroom types, is described in the EIR Project Description on pp. 2.29 and 2.29. The exact mix of dwelling unit types to be provided by the Proposed Project has not been established, but for the purpose of analysis in the EIR, certain percentages of dwelling units were assumed as studios or one-bedroom units, and as two- or more bedrooms units. As described in RTC Chapter 2, Revisions to the Proposed Project, RTC pp. 2.31, since publication of the Draft EIR, the project sponsors have been exploring opportunities to accommodate more family housing by increasing the number of three-bedroom units on the project site, and are considering a project-wide unit mix that may include up to 10 percent of the total residential units to be three-bedroom units. This would be applicable for both the Maximum Residential and Maximum Commercial scenarios.

COMMENT PD-4: PUBLIC TRUST

"**Public Trust**
"As stated in the DEIR, the public trust doctrine holds that navigable waters and tidal lands are the property of the state and must be protected for public use and enjoyment. It appears that the portion of the proposed project within the Commission's jurisdiction is subject to the public trust.

"• The FEIR should reference and discuss the Bay Plan policies on public trust lands, which require that the Commission, in taking actions on such land, "assure that the action is consistent with the public trust needs for the area and, in the case of lands subject to legislative grants, would also assure that the terms of the grant are satisfied and the project is in furtherance of statewide purposes." Public trust uses cited in the Bay Plan include commerce, navigation, fisheries, wildlife habitat, recreation and open space.

"• The FEIR should indicate that the Commission's determination regarding a project's consistency with the public trust doctrine is done independently and in consultation with the State Lands Commission.

"• The FEIR should discuss which of the proposed long-term adaptation strategies have the potential to adversely effect or reduce in size public access areas provided at the project site, and possible ways to minimize these effects." *(Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-33])*

RESPONSE PD-4: PUBLIC TRUST

The following text has been added under "Public Access" on p. 3.14 to include a discussion of Bay Plan policies on public trust lands (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

Public Trust

Policy 1: When the Commission takes any action affecting lands subject to the public trust, it should assure that the action is consistent with the public trust needs for the area and, in case of lands subject to legislative grants, should also assure that the terms of the grant are satisfied and the project is in furtherance of statewide purposes.

The comments provided by BCDC regarding the scope of their jurisdiction and review procedures are noted. The EIR states that the Proposed Project is subject to review and approvals, including BCDC approval of permits for improvements and activities within BCDC's jurisdiction (EIR p. 2.88). The EIR acknowledges that "BCDC will make the final determination of consistency with Bay Plan policies for the portions of the project site that are within its permit jurisdiction" (p. 4.B.26).

The following text has been added after the paragraph under "San Francisco Bay Conservation and Development Commission" on EIR p. 4.B.15 to expand the discussion of public trust (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

Several new footnotes have been added as part of this revision. The new footnotes will be assigned their proper sequential numbers in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly.

> Bay Plan policies provide that when the BCDC takes any action affecting lands subject to the public trust, it should assure that the action is consistent with the public trust needs for the area and, in the case of lands subject to legislative grants, should also assure that the terms of the grant are satisfied and the project is in furtherance of statewide purposes.[17A] When approving a major permit, BCDC regulations require that BCDC make a finding that the project is consistent with the public trust needs for the area. (14 Cal. Code. Regs 10501(d)(2)). Accordingly, any major permit issued for Project activities within BCDC jurisdiction will require a determination that the activity is consistent with the public trust. The Bay Plan includes a finding that the purpose of the public trust is to assure that the lands to which it pertains are kept for trust uses, such as commerce, navigation, fisheries, wildlife habitat, recreation, and open space (Bay Plan, p. 88).[17B] Additionally, BCDC's determination regarding the Proposed Project's consistency with the public trust doctrine is done independently and in consultation with the State Lands Commission, which exercises oversight authority over granted lands.[17C]
>
> [New footnotes]
>
> [17A] San Francisco Bay Conservation and Development Commission, *Bay Plan, p. 88.* Available online at *http://www.bcdc.ca.gov/plans/sfbay_plan.html*, accessed May 31, 2017.
>
> [17B] Ibid.
>
> [17C] The State Plan Commission works cooperatively to assist trustees on issues including trust consistency determination. California State Lands Commission website, *Granted Public Trust Lands.* Available online at http://www.slc.ca.gov/Programs/Granted_Lands.html, accessed May 31, 2017.

With respect to the project's long-term adaptation strategies and public access, there is currently no public access to the Bay within the project site. Project objectives promote public access and sea level rise adaptation. Specifically, project objectives, stated on EIR p. 2.4, include the following:

- Provide access to the San Francisco Bay where it has been historically precluded, by opening the eastern shore of the site to the public with a major new waterfront park, extending the Bay Trail, and establishing the Blue Greenway, and create a pedestrian- and bicycle-friendly environment.
- Elevate and reinforce site infrastructure and building parcels to allow the new Pier 70 neighborhood to be resilient to projected levels of sea level rise and any major seismic event, as well as incorporate financing strategies that enable the project and the Port's Bay shoreline to adapt to future, increased levels of sea level rise.

Consistent with these project objectives, the Proposed Project's long-term sea level rise adaptation strategies are intended to support and promote public access, and would not reduce or have adverse effects on public access. As described on EIR pp. 2.69-2.70, the project sponsors' primary criteria for sea level rise adaptation include the following: (1) reserve the 100-foot

shoreline band for public access that is safe and feasible; (2) elevate all buildings and immovable facilities (e.g., roadways) such that adaptation would not be necessary for current worst-case end-of-century sea level rise estimate provided in the National Research Council's June 2012 *Sea-Level Rise for Coasts of California, Oregon and Washington*; and (3) elevate the Bay Trail such that adaptation would not be necessary over the next 20 to 30 years (by mid-century). These criteria are consistent with BCDC Bay Plan policies described in the EIR on pp. 4.33-4.O.34, including Shoreline Protection Policy 1, which provides that new shoreline protection projects and maintenance or reconstruction of existing projects and uses should be authorized if, among other factors, the project is properly designed and constructed to prevent significant impediments to physical and visual public access.

Based on these criteria, the Proposed Project's improvement concepts allow for future adaptations along the shoreline to address higher levels of sea level rise with either the same or a different structural configuration. The Bay Trail in the vicinity of the shoreline would be located at an elevation to accommodate 24 inches of sea level rise before adaptation may be necessary; and the approximately 40-foot-wide zone between the Bay Trail and the water's edge would be designed to provide safe public access to the water in the near term, and this zone would function as the space where future adaptations could be creatively implemented based on the concepts of "Living with the Bay" and "Managed Retreat." Future adaptations in this zone would allow for public access to retreat within the zone between the Bay Trail and the shoreline. Adaptations could also include relocating and raising pathways and spur trails, or reconfiguring the shoreline protection to provide flatter slopes, wetlands and wave breaks. (See EIR p. 2.70.) The Proposed Project would include a public financing mechanism to pay for the cost of future improvements related to sea level rise adaptation, should such improvements be necessary, with the City and the Port responsible for implementing these strategies. (See EIR p. 2.70.)

As described in the EIR, p. 2.71 and p. 4.O.67, under existing conditions, the shoreline would continue to be subject to flooding and wave action as a result of sea level rise. However, the Proposed Project would include shoreline protection improvements for the approximately 1,380 feet of shoreline along the eastern edge of the 28-Acre Site. The objectives of the proposed shoreline protection improvements include maintaining a stable shoreline in the project area by preventing shoreline erosion and protecting the proposed development from coastal flooding. The proposed shoreline protection system is designed to minimize the need for placing fill in San Francisco Bay; maximize open space and public access to the shoreline edge; improve existing slope protection, where feasible; develop aesthetically pleasing and cost-efficient shoreline protection; and provide for future sea level rise adaptation. The project site shoreline does not support marsh vegetation because, as described on EIR p. 2.10, the historical shoreline was filled to form the eastern edge of the project site and as such, the Proposed Project incorporates structural methods for shoreline protection.

The Proposed Project includes shoreline protection improvement options for each of four "reaches," Reaches I-IV (which are each a continuous stretch of or extent of land). Details for shoreline protection improvements for Reaches I-IV are discussed on EIR pp. 2.73-2.74. Protecting the shoreline from erosion protects elements of the Proposed Project that facilitate improved public access to San Francisco Bay. In addition to shoreline protection, all of the options include elements that are specifically designed to support public access. Specifically, Reach I improvements would include an approximately 6-foot-wide informal pedestrian pathway at this elevation to provide access to the shoreline until such time as it becomes infeasible (due to projected sea level rise). Reach II improvements would repair or replace the existing bulkhead on the water side of the existing bulkhead wall using a sheet pile wall or soldier pile wall, and would not affect public access. Reach III improvements include a hardscape steps option that would consist of wide concrete steps that could also be used for sitting and walking, and a cantilevered/pile-supported deck that would extend over the sloping shoreline for a short distance between craneway structures. This option would allow visitors to be closer to the water and could offer a space for public art. At this elevation there would also be an approximately 6-foot-wide informal pathway to provide pedestrian access to the shoreline until such time as it becomes infeasible. Reach IV improvements would include improvements and repairs to the existing revetment to create a smooth, sloped revetment, as well as an approximately 6-foot-wide informal pathway to provide pedestrian access to the shoreline until such time as it becomes infeasible. In sum, the Proposed Project's shoreline protection improvements would protect the shoreline, including project components that facilitate improved public access, and would not adversely affect public access to San Francisco Bay.

COMMENT PD-5: PROJECT PHASING

"Under the proposed phasing of the Maximum Residential and Maximum Commercial scenarios, no shoreline public access improvements would be provided until Phases 4 and 5 of the proposed project (2024-2029). Please discuss the anticipated condition of the shoreline during in the interim, and identify if there are any plans or the potential to provide shoreline access during this time. Please identify if any work is proposed or anticipated within BCDC's jurisdiction, including construction-related activities or staging, prior to 2024." *(Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-16])*

"**Figure 2.26 and 2.27: Proposed Phasing Plans**
"In Phase 1, improvements to 20th Street should be included---at least to Louisiana Street if not to the water's edge. 20th Street is the circulation spine that activates the buildings. Because the historic core's buildings will already be operational, funds from all adjoining projects should be focused on the 20th Street streetscape. For subsequent phases, construction access can be diverted to 21st and 22nd Streets, to protect 20th Street. SIDENOTE: Under what circumstances could the Pier 70 Mixed-Use Development be accelerated in schedule? Like the Historic Core's

fast-paced construction schedule and successful leasing, favorable economic and market conditions could warrant earlier completion." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-4])*

RESPONSE PD-5: PROJECT PHASING

The EIR analyzes a conceptual phasing program included as part of the Proposed Project. As stated on EIR p. 2.79:

> For both development scenarios, the Maximum Residential Scenario and the Maximum Commercial Scenario, Proposed Project construction is conceptual; however it is expected to begin in 2018 and would be phased over an approximately 11-year period, concluding in 2029. Proposed development is expected to involve up to five phases, designated as Phases 1, 2, 3, 4, and 5. Phasing estimates for the Maximum Residential Scenario are shown in Table 2.5: Project Construction and Rehabilitation Phasing for the Maximum Residential Scenario, and Figure 2.26: Proposed Phasing Plan – Maximum Residential Scenario. Phasing estimates for the Maximum Commercial Scenario are shown in Table 2.6: Project Construction and Rehabilitation Phasing for the Maximum Commercial Scenario, and Figure 2.27: Proposed Phasing Plan – Maximum Commercial Scenario. These phases are subject to change, but would occur within the maximum development ranges presented in the two scenarios.
>
> Infrastructure improvements (utilities, streets, and open space) and grading and excavation activities would be constructed by Forest City, as master developer, and would occur in tandem, as respective and adjacent parcels are developed. Vertical development on the various parcels could be constructed by Forest City and its affiliates, or by third party developers.

Each of the Proposed Project's five phases identify the range when particular parcel and infrastructure improvements would be constructed and the EIR analyzes construction and operational impacts of the five phases for appropriate environmental topics. While these phases are subject to change, they are expected to occur within the maximum development ranges presented in the two scenarios. Any changes to project phasing that may be proposed in the future would be subject to review in accordance with CEQA.

The Proposed Project includes open space improvements during Phase 4, including Slipways Commons (eastern portion [continued from Phase 3]), Waterfront Terrace, and Waterfront Promenade (northern portion), and continued improvements to the Waterfront Promenade (southern portion [continued from Phase 4]) during Phase 5. The Project Description does not identify work proposed or anticipated within BCDC's jurisdiction prior to 2024. As noted in the EIR, the Proposed Project would require BCDC approval of activities within BCDC's jurisdiction along the Bay shoreline. (See EIR Chapter 2, Project Description, p. 2.88; Chapter 3, Plans and Policies, p. 3.11; and Section 4.B, Land Use and Land Use Planning, p. 4.B.26.) The project sponsors will obtain BCDC permits as required. To the extent any work prior to 2024 requires a

BCDC permit, the project sponsors would obtain a BCDC permit in accordance with applicable law.

Comments stating a preference for alternative phasing programs do not raise any specific environmental issues on the adequacy or accuracy of the EIR's project phasing analysis. City decision-makers may consider this issue as part of their deliberations on the merits of the Proposed Project and whether to approve, modify, or disapprove the Proposed Project. See also RTC Section 4.T, Merits of the Proposed Project.

COMMENT PD-6: JURISDICTION AND AUTHORITY OF THE SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

"On December 27, 2016, San Francisco Bay Conservation and Development Commission ("BCDC" or "the Commission") staff received the Draft Environmental Impact Report ("DEIR") prepared by the City and County of San Francisco Planning Department for the Pier 70 Mixed-Use District Project, proposed in a 35-acre area located adjacent to Pier 70, along San Francisco's southeast waterfront. The proposed project would consist of market-rate and affordable residential uses (between 3,735 and 6,868 residents), commercial uses and retail/arts/light-industrial uses (for a combined 1,582,230 to 2,749,300 gross square feet, and between 5,559 and 9,768 employees), a parking structure, geotechnical and shoreline improvements, new and upgraded utilities and infrastructure, transportation and street improvements, and publicly accessible open spaces (approximately 9 acres) including along the shoreline.

"The Commission's staff has reviewed the DEIR and is submitting its comments regarding the document. Although the Commission itself has not reviewed the DEIR, the staff comments are based on the McAteer-Petris Act, the Commission's San Francisco Bay Plan ("Bay Plan")*, the Commission's San Francisco Waterfront Special Area Plan ("San Francisco Waterfront SAP"), the Commission's San Francisco Bay Area Seaport Plan ("Seaport Plan"), the Commission's federally-approved management program for the San Francisco Bay, and the federal Coastal Zone Management Act ("CZMA").

"BCDC's Jurisdiction and Authority

"The following paragraphs provide information about BCDC's jurisdiction and authority to clarify and provide additional context to the information provided in the DEIR.

"Jurisdiction

"The Commission has "Bay" jurisdiction over all areas of the Bay subject to tidal action up to the shoreline. The shoreline is located at the mean high tide line, except in marsh areas, where the shoreline is located at five feet above mean sea level. The Commission also has jurisdiction over managed wetlands, salt ponds, and the tidal portion of certain waterways, as identified in the McAteer-Petris Act. Additionally, the Commission has "shoreline band" jurisdiction over an area 100 feet landward of and parallel to the shoreline.

"In accordance with the provisions of the McAteer-Petris Act, the Commission has designated certain areas within the 100-foot shoreline band for specific priority uses for ports, water-related industry, water-oriented recreation, airports and wildlife refuges. The Commission is authorized

to grant or deny permits for development within these priority use areas based on the appropriate Bay Plan development policies pertaining to the priority use. Outside the area of the Commission's jurisdiction where permits from development are not required, the relevant Bay Plan policies are advisory in nature.

"A small portion of the proposed project site falls within a Bay Plan-designated Port Priority Use Area, including an area adjacent to Building 6 and at the location of the proposed Pump Station. Port Priority Use Areas have been determined to be necessary for future port development and are reserved for port-related and other uses that will not impede development of the sites for port purposes. Any portion of the proposed project falling with the Port Priority Use Area must also be consistent with the relevant policies of the Seaport Plan and the Bay Plan policies on Ports.

"As identified in the DEIR, the project site also falls within the scope of the San Francisco Waterfront SAP, which applies the requirements of the McAteer-Petris Act and the provisions of the Bay Plan to the San Francisco waterfront in greater detail, and which should be read in conjunction with both the McAteer-Petris Act and the Bay Plan. The San Francisco Waterfront SAP includes both general and geographic-specific policies that guide BCDC's regulatory decisions on permit applications, consistency determinations, and related matters."

[*Footnote cited in the comment:*]
"* Please note that, as used in the referenced Bay Plan policies, the word "should" is mandatory."

(Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-1])

"• For purposes of defining BCDC's jurisdiction, please clarify the location of the mean high tide line at the project site. The DEIR refers in several locations to a "high tide line" of +7.4 NAVD88, but in context it is unclear if this is synonymous with the mean high tide line, or if it represents the ordinary high water mark, the higher high tide line, or another mark." (*Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-2])*

"• We recommend inclusion of a figure in the FEIR that depicts the extent of the Commission's Bay and shoreline band jurisdiction, the mean high tide line, and an overlay of Port Priority Use Area." (*Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-6])*

"Authority

"As identified in the DEIR, a portion of the proposed project would occur within the Commission's jurisdiction and thus requires Commission authorization. Within the Commission's jurisdiction, permits are required for certain activities, including construction, changes of use, many land divisions, dredging, and dredged material disposal. Permits are issued if the Commission finds the activities to be consistent with the McAteer-Petris Act and the policies and findings of the Bay Plan, and in this project area, the San Francisco Waterfront SAP and Seaport Plan.

"Pursuant the CZMA, the Commission also reviews federal projects for effects on the coastal zone, whether or not the projects are located within the Commission's coastal zone as defined by state law. For such projects, the Commission is required to concur with or object to the federal agency's determination or federal permit applicant's certification that a project is consistent with the Commission's laws and policies. Based on the inclusion of a number of federal permits in the "Project Approvals" section of the DEIR, the proposed project is likely subject to the Commission's regulatory authority under the CZMA. Any non-federal activity that requires either a federal permit or license or is supported by federal financial assistance that affects BCDC's coastal zone must be conducted in a manner that is fully consistent with the enforceable policies of BCDC's federally approved Coastal Management Program. Where a project is subject to both the Commission's state law and federal jurisdictions, the Commission's Coastal Management Program provides that issuance of a permit under the McAteer-Petris Act will be deemed to be a concurrence with a consistency certification under the CZMA.

"• In the FEIR, please identify BCDC's regulatory obligation to review project elements inside and outside its jurisdiction that require a federal permit or licenses, or that are supported by federal funding that affect any land or water use or natural resources of BCDC's coastal zone. Identify any elements of the proposed project that require a federal permit or license, or that are supported by federal financial assistance." (*Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-7])*

"Fill and Impacts to Bay Resources
"The DEIR anticipates the need for filling of Bay waters for shoreline protection, and under certain alternatives, for outfall pipes associated with a stormwater treatment system. The DEIR indicates that the proposed project has the potential to impact special status marine species and their habitat, including longfin smelt, green sturgeon, Pacific herring, harbor seals, California sea lions, and native Olympia oysters, as well as other species of concern.

"• The FEIR should reference Section 66605 of the McAteer-Petris Act, which states, among other things, that further filing of the Bay should only be authorized if it is the minimum necessary to achieve the purpose of the fill and if harmful effects associated with its placement are minimized." *(Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-19])*

RESPONSE PD-6: JURISDICTION AND AUTHORITY OF THE SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

Bay Conservation and Development Commission Jurisdiction Authority

The comments provided by BCDC regarding the scope of their jurisdiction and review do not raise issues related to the Proposed Project's environmental impacts. However, a response is provided herein.

As described in EIR Chapter 3, Plans and Policies, pp. 3.11-3.15, BCDC functions as the State's coastal management agency for San Francisco Bay. For the Proposed Project, BCDC's jurisdiction includes the Bay and areas within the shoreline band, defined as 100 feet inland of the mean high tide line. The Proposed Project would require BCDC approval of activities within BCDC's jurisdiction along the Bay shoreline. BCDC will make the final determination of consistency with *San Francisco Bay Plan* policies for the portions of the project site that are within its permit jurisdiction, as described in EIR Chapter 2, Project Description, p. 2.88; Chapter 3, Plans and Policies, p. 3.11; Section 4.B, Land Use and Land Use Planning, p. 4.B.26; Section 4.O, Hydrology and Water Quality, pp. 4.O.30-31.

The mean high tide line is the same as the mean high water mark used to determine jurisdiction of the US Army Corps of Engineers (Corps) under Section 10 of the Rivers and Harbors Act. The mean high water mark on the project site is at an elevation of 5.7 feet NAVD88[2] as stated on EIR p. 4.O.4; construction of structures in the Bay or placement of fill materials below this elevation are considered bay fill by BCDC, as stated on EIR p. 4.O.50.

As described below on RTC pp. 4.A.20-4.A.22, the text of the EIR Project Description has been revised to reflect those activities that would be conducted below the mean high tide line (mean high water mark). Edits are also provided for the text of Section 4.O, Hydrology and Water Quality, to provide clarity of the elevation that is used to determine jurisdiction of the Corps under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbor Act, and BCDC under the McAteer-Petris Act.

Consistent with this comment, Section 4.M, Biological Resources, states on EIR p. 4.M-40 that BCDC's permit jurisdiction does not extend to federally owned areas, such as Golden Gate National Recreation Area lands, because they are excluded from State coastal zones pursuant to the Coastal Zone Management Act of 1972 (CZMA). However, the CZMA requires that all applicants for Federal permits obtain certification from the State's approved coastal program to ensure a proposed project is consistent with the State's coastal program. In San Francisco Bay, BCDC is charged with making this consistency determination. As noted on EIR p. 2.88 and in Section 4.M, Biological Resources, and Section 4.O, Hydrology and Water Quality, the Proposed Project could potentially require a federal permit from the Corps in accordance with Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act. Therefore, the Proposed Project must obtain certification from BCDC for these activities, as acknowledged in Impact BI-4 (EIR pp. 4.M.69and 70) and Impact HY-1 (EIR pp. 4.O.49-4.O.52).

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[2] Moffatt & Nichol, *Pier 70 Development, Preliminary Shoreline Improvements Report, San Francisco, California*, draft report, August 2015, Table 3.1 and p. 19.

Lastly, the project site is identified on Bay Plan Map 4.[3] The Bay Plan maps depict areas that should be reserved for priority land uses on the Bay shoreline. Within those areas, in accordance with provisions of the McAteer-Petris Act, the Commission has set and described the specific boundaries of the 100-foot shoreline band within which it is authorized to grant or deny permits for shoreline development. The Plan maps are necessarily general in nature. These maps are not intended to delineate the Commission's jurisdiction. The Commission's staff should be consulted concerning questions of precise jurisdiction.[4] Therefore it is not possible to include in the FEIR a figure that depicts the Commission's jurisdiction based on Plan Map 4. As part of the BCDC permitting process, the project sponsors would coordinate with BCDC to confirm the precise areas of BCDC's jurisdiction and the Port priority use area within the project site and these boundaries will be shown on a site map submitted with the permit application.

Consistency with Bay Conservation and Development Commission Requirements

Under the McAteer-Petris Act, BCDC has permit authority for the placement of fill, extraction of materials, or substantial changes in use of land, water, or structures within its jurisdiction, and to enforce policies aimed at protecting the Bay and its shoreline, as well as maximizing public access to the Bay. Consistency with the McAteer-Petris Act, the policies and findings of the Bay Plan, the Seaport Plan, and the San Francisco Waterfront Special Area Plan as they relate to environmental impacts under CEQA are addressed in several sections of the EIR.

The EIR, p. 3.11, acknowledges the regulatory jurisdiction and framework provided by the BCDC:

> For the Proposed Project, BCDC's jurisdiction includes the Bay and areas within 100 feet inland of the mean high tide line. The Proposed Project would require BCDC approval of activities within BCDC's jurisdiction along the Bay shoreline. BCDC will make the final determination of consistency with Bay Plan policies for the portions of the project site that are within its permit jurisdiction.

Further, EIR Chapter 3, Plans and Policies, along with RTC Section 4.C, Plans and Policies; Section 4.B, Land Use and Land Use Planning; Section 4.J, Recreation; Section 4.M, Biological Resources; and Section 4.O, Hydrology and Water Quality, describe regulatory requirements and applicable policies and prescribe a set of rules for shoreline development along the San Francisco waterfront.

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[3] BCDC Bay Plan, Map 4, Amended 2006 and Reprinted 2012. Available online at http://www.bcdc.ca.gov/pdf/bayplan/Plan_Map_4.pdf, accessed April 10, 2017.

[4] *Bay Plan*, Part V, p. 93, http://www.bcdc.ca.gov/plans/sfbay_plan.html, last accessed 4/10/17.

The San Francisco Bay Area Seaport Plan, referenced in the comment, constitutes the maritime element of the Metropolitan Transportation's Regional Transportation Plan, and provides the basis for Port policies of the Bay Plan.[5] This plan identifies several Port priority use areas that are reserved for regional maritime port-related uses and for other uses that will not impede development of the area for Port purposes. Piers 68-70 are identified as a Port priority use area; however, the Port uses are confined to the northern portion of this area where the BAE Systems Ship Repair facility is located. While the proposed pump station is within the Port priority use area, the pump station would not impede the development of the area for Port purposes; in fact the pump station would accommodate wastewater flows from a portion of the Port Property use area and would facilitate Port use by improving the wastewater management capabilities within the Port priority use area.

Section 66605 of the McAteer-Petris Act identifies restrictions on the type of bay fill that may be permitted by the BCDC. Specifically, this section states that fill should only be authorized when public benefits from the fill exceed the public detriment. The fill should be limited to water-oriented uses or minor fill for improving the shoreline appearance for public access to the San Francisco Bay, and should be authorized only when there is no upland alternative for the purpose. The amount of fill should be minimized and should not cause harmful effects to the Bay, including effects on fish and wildlife.

The only project activities that could involve the permanent placement of fill below the mean high tide line (mean high water mark) include the repairs to the bulkhead in Shoreline Reach II if the repaired or new bulkhead would exceed the current extent of the existing structure (approximately 200 cubic yards of fill [see EIR p. 4.M.70]).

The new stormwater outfall would be constructed in existing subtidal soft and hard substrate habitat and could affect the associated biological communities. However, the potential disturbance and/or loss of these habitats and associated marine communities would have a minimal effect on special-status fish and marine mammal foraging because of the very small area being disturbed, as described on EIR p. 4.M.59. Also, as described on EIR p. 4.M.70, the Section 404 or Section 10 permits for the Proposed Project (issued by the Corps) and the Water Quality Certification (issued by the RWQCB) would require water quality protection measures to avoid and/or minimize temporary impacts from in-water construction activities and protection measures for special-status marine species to ensure in-water work would not cause adverse effects to Federally protected waters. Further, to implement Mitigation Measure M-BI-4: Compensation for Fill of Jurisdictional Waters, EIR p. 4.M.71, the project sponsors would be required to provide compensatory mitigation, as necessary, at a minimum ratio of 1:1 for any fill beyond what is

[5] San Francisco Bay Conservation and Development Commission and Metropolitan Transportation Commission, San Francisco Bay Area Seaport Plan, April 18, 1996, as amended through January 2010.

required for normal repair and maintenance of existing structures. Therefore, placement of this fill would be consistent with Section 66605 of the McAteer-Petris Act.

The text of the Project Description has been revised as presented below to reflect those activities that would be subject to a Federal permit and those that would involve the permanent placement of fill.

The following revisions have been made to the second paragraph under the heading "Option 2: Separate Sewer and Stormwater System Option (Separated Approach)" on EIR p. 2.62 (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> For the stormwater system, the project sponsors would install new storm drain lines beneath existing and proposed streets to convey stormwater flows via gravity to a new outfall located near the foot of the realigned 21st Street. The new outfall would be constructed within the Bay and would discharge stormwater to the Central Basin of Lower San Francisco Bay. The separate stormwater system would be considered a Small Municipal Separate Storm Sewer System and would be managed in accordance with the SWRCB Small MS4 General Stormwater Permit, described in Section 4.O, Hydrology and Water Quality. If constructed below the high tide level of 7.4 feet NAVD88 (96 feet project datum [-4 feet SF Datum]), construction of this outfall would be subject to a permit from the US Army Corps of Engineers under Section 404 of the Clean Water Act. Construction of this outfall would not involve the placement of any fill below the mean high water mark which is at an elevation of 5.7 feet NAVD88 (94.3 feet project datum [-5.7 feet SF Datum]). Therefore, construction of this outfall would not be subject to Section 10 of the Rivers and Harbor Act or BCDC permitting requirements (see Section 4.M, Biological Resources, for a more a more detailed discussion of these permitting requirements).

The following revisions have been made to the first paragraph on EIR p. 2.73 (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> Options for shoreline protection improvements were developed for each reach. The proposed shoreline protection improvements and sea level rise adaptation planning criteria are described below, along with anticipated permitting requirements applicable to each reach. These permitting requirements are further discussed in EIR Section 4.M, Biological Resources.

The following revisions have been made to the first paragraph under the heading "Reach I" on EIR p. 2.73 (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> Along Reach I, the existing rip-rap revetment above would be repaired by removing the rip-rap and placing new geotextile fabric and rip-rap materials. The repaired shoreline would have an approximately 3:1 slope. Construction of these repairs would require in-bay construction activities below the high tide level of 7.4 feet NAVD88 (96 feet project datum [-4 feet SF Datum]). Construction below the high tide level would be subject to a permit from the US Army Corps of Engineers under Section 404 of the Clean Water Act.

> All construction activities would be conducted above the mean high water mark which is at an elevation of 5.7 feet NAVD88 (94.3 feet project datum [-5.7 feet SF Datum]). Therefore, the shoreline improvements in this reach would not be subject to Section 10 of the Rivers and Harbor Act or BCDC permitting requirements (see Section 4.M, Biological Resources, for a more a more detailed discussion of these permitting requirements).

The following revisions have been made to the first paragraph under the heading "Reach II" on EIR p. 2.73 (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> Along Reach II, the existing bulkhead would be studied and either repaired or replaced. The repair or replacement would be constructed on the water side of the existing bulkhead wall, located in San Francisco Bay shoreline. Two options are being considered: a sheet pile wall or a soldier pile wall. ~~Since repair and replacement would require excavation and fill,~~ Construction would occur below the ~~high tide level of 7.4 feet NAVD88 (96 feet project datum [-4 feet SF Datum])~~ mean high water mark which is at an elevation of 5.7 feet NAVD88 (94.3 feet project datum [-5.7 feet SF Datum]). Therefore, these construction activities would be regulated under Section 10 of the Rivers and Harbors Act.~~, tTwo options are being considered: a sheet pile wall or a soldier pile wall.~~ Improvements in this reach would be considered permanent placement of bay fill if the repaired or new bulkhead would exceed the current extent (footprint and/or volume) of the existing structure, and would require a permit from the BCDC (see Section 4.M, Biological Resources, for a more a more detailed discussion of these permitting requirements).

The following revisions have been made to the first paragraph under the heading "Reach III" on EIR p. 2.74 (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> Proposed shoreline protection improvements for Reach III include repairing the existing slope protection with armor stone and a crushed-rock leveling course. Construction of these repairs would require in-water construction activities below the high tide level of 7.4 feet NAVD88 (96 feet project datum). Construction below the high tide level would be subject to a permit from the US Army Corps of Engineers under Section 404 of the Clean Water Act. All construction activities would be conducted above the mean high water mark which is at an elevation of 5.7 feet NAVD88 (94.3 feet project datum [-5.7 feet SF Datum]). Therefore, the shoreline improvements in this reach would not be subject to Section 10 of the Rivers and Harbor Act or BCDC permitting requirements (see Section 4.M, Biological Resources, for a more a more detailed discussion of these permitting requirements).

The following revisions have been made to the first paragraph under the heading "Reach IV" on EIR p. 2.74 (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> The proposed shoreline protection improvements along Reach IV would include improvements and repairs to the existing revetment to create a smooth sloped revetment.

Construction of these improvements would require in-water construction activities below the high tide level of 7.4 feet NAVD88 (96 feet project datum). Construction below the high tide level would be subject to a permit from the US Army Corps of Engineers under Section 404 of the Clean Water Act. All construction activities would be conducted above the mean high water mark which is at an elevation of 5.7 feet NAVD88 (94.3 feet project datum [-5.7 feet SF Datum]). Therefore, the shoreline improvements in this reach would not be subject to Section 10 of the Rivers and Harbor Act or BCDC permitting requirements (see Section 4.M, Biological Resources, for a more a more detailed discussion of these permitting requirements). Above 11.4 feet NAVD88 (+100 feet Project Datum [+0 feet SF Datum]) elevation, the slope would include an engineered riprap revetment option or flatter slopes option with erosion resistant materials (e.g., vegetation).[62] At this elevation, there would also be an approximately 6-foot-wide informal pathway to provide pedestrian access to the shoreline until such time as it becomes infeasible.

The following revisions have been made to the first paragraph under the heading "Water Quality Effects of In-Bay Construction Activities" on EIR p. 4.O.49 (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

Water Quality Effects of In-Bay Construction Activities

As discussed in "Wetlands and Other Jurisdictional Waters" in Section 4.M, Biological Resources, pp. 4.M.18-4.M.19, San Francisco Bay is a navigable water of the United States. Therefore, San Francisco Bay is considered a jurisdictional water of the U.S. regulated by the Corps under both Section 404 of the CWA and Section 10 of the Rivers and Harbors Act. Activities in the Bay are also regulated by the BCDC under the McAteer-Petris Act. The elevation where jurisdiction begins for each of these is as follows: ~~up to the~~

- Both Section 10 of the Rivers and Harbors Act and the McAteer-Petris Act regulate in-water activities below the mean high water mark (also referred to as the mean high tide line), which is at an elevation of 5.7 feet NAVD88 (94.3 feet project datum) at the project site. ~~San Francisco Bay is also CWA up to~~
- Section 404 of the CWA regulates in-water activities below the high tide line which is at an elevation of 7.4 feet NAVD88 (96.0 feet project datum) at the project site.

These waters are also regulated by the RWQCB as Waters of the State ~~and BCDC regulates the fill and extraction of materials in San Francisco Bay below the mean high water mark~~ (see Impact BI-4 in Section 4.M, Biological Resources, pp. 4.M.69-4.M.71~~, for further discussion of the requirements specified by these regulations~~). Therefore, any work along San Francisco Bay shoreline below the mean high tide line ~~which is at an elevation of 7.4 feet NAVD88 (96.0 feet project datum)~~ is considered construction in the Bay.

COMMENT PD-7: SHORELINE PROTECTION

"**Shoreline Protection**
"The DEIR indicates that shoreline protection improvements under the proposed project would consist of: removing an existing rip-rap revetment and placing a new engineered riprap revetment (Reach I); repairing (with a sheet pile wall) or replacing (with a soldier pile wall) an existing bulkhead (Reach II); repairing a section of rip-rap revetment with armor stone and a crushed-rock leveling course, or replacing with a concrete structure incorporating steps (Reach III); and improvements and repairs to an existing revetment to create a smooth sloped revetment (Reach IV).

"• The Bay Plan establishes criteria by which new shoreline protection projects may be authorized and which existing shoreline protection may be maintained or reconstructed. Bay Plan Shoreline Protection Policy No. 1 establishes a number of criteria against which the Commission will examine the necessity for shoreline armoring and the appropriateness of the proposed method of armoring. For each of the proposed shoreline protection elements of the proposed project, please discuss: (1) the erosion and/or flood protection considerations necessitating shoreline protection; (2) why the type of protective structure proposed is the most appropriate for each area, given the use it is protecting, flood or erosion considerations, or other factors; (3) if the shoreline protection structure would be properly engineered to provide erosion control and flood protection for the life of the proposed project based on a 100-year flood event that takes future sea level rise into account; (4) how the shoreline protection structure would be designed to prevent significant impediments to physical and visual public access; and (5) how the shoreline protection structures on the north and south ends of the project site would be integrated with current or planned shoreline protection measures on adjacent properties." *(Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-25])*

"• In the FEIR, please indicate that shoreline protection structures authorized by the Commission are required under Bay Plan Shoreline Protection Policy No. 3 to be maintained according to a long-term maintenance program." *(Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-27])*

"• Bay Plan Water Quality Policy No. 7 requires that, wherever practicable, native vegetation buffer areas should be used in place of hard shoreline and bank erosion control methods (e.g., rock riprap) where appropriate and practicable. Bay Plan Shoreline Protection Policy No. 4 requires that "shoreline protection projects should include provisions for nonstructural methods such as marsh vegetation and integrate shoreline protection and Bay ecosystem enhancement, using adaptive management," whenever feasible and appropriate. The FEIR should discuss where the use of vegetation and ecosystem enhancement elements may be used in favor of or in addition to hard shoreline protection." *(Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-28])*

"• Please discuss shoreline dynamics at the project site in relation to the proposed shoreline protection structures, specifically whether the existing Pier 70 structure acts to dissipate wave energy. If Pier 70 were to fail or be removed from the Bay in the future, would the proposed shoreline protection structures provide adequate protection from wave action?"
(Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-29])

RESPONSE PD-7: SHORELINE PROTECTION

The comments provided by BCDC regarding shoreline protection do not raise issues related to the Proposed Project's environmental impacts. However, a response is provided herein.

The Shoreline Protection Policies of the Bay Plan are discussed in EIR Chapter 3, Plans and Policies, p. 3.14, and EIR Section 4.O, Hydrology and Water Quality, p. 4.O.33 and p. 4.O.34. In accordance with Shoreline Protection Policy 1, BCDC may authorize the construction of new shoreline protection projects and reconstruction of existing projects if: 1) they are necessary to provide flood or erosion protection; 2) the structure is appropriate for the project site; 3) the improvements are appropriately engineered for the life of the project to protect against a 100-year flood event that takes future sea level rise into account; 4) the improvements would not impede public access; and 4) the protection system is integrated with the current or planned future shoreline protection measures. Shoreline Protection Policy 3 requires a long-term maintenance program. The text of the Project Description has been revised as presented below to address how the proposed shoreline improvements are consistent with these policies.

The project site does not support marsh vegetation because, as described in EIR p. 2.10, the historical shoreline was filled to form the eastern edge of the project site and as such, the Proposed Project incorporates structural methods for shoreline protection. Therefore, incorporation of marsh vegetation and nonstructural shoreline protection methods in accordance with Bay Plan Policy Nos. 4 and 7 is infeasible.

The Moffatt & Nichol *Pier 70 Development Preliminary Shoreline Improvements Report,* which is included in the EIR Administrative Record, provides a coastal flooding analysis and preliminary designs for the proposed shoreline improvements to protect the shoreline from flooding and erosion.[6] This evaluation includes a wave runup analysis based on a combination of water levels and wind waves to estimate the total water level at various locations along the shoreline. Modeling for this analysis incorporated existing conditions and estimates of sea level rise. The modeling also conservatively assumed that the existing pier does not provide any

[6] Moffatt & Nichol, *Pier 70 Development, Preliminary Shoreline Improvements Report, San Francisco, California*, draft report, page 4. August 2015.

protection of the shoreline. Therefore, the proposed shoreline improvements would provide adequate protection from wave action even in the unlikely event that the pier structure were to fail or be removed from the Bay in the future. *The Pier 70 Development Preliminary Shoreline Improvements Report* has been updated to state that the existing pier does not provide protection to the shoreline because it is pile supported and allows wave transmission to the shore.[7]

The following text has been added after the third paragraph on EIR p. 2.74 (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> **Summary**
>
> The improvements described above constitute minor repairs to the existing shoreline protection system along the bayfront of the 28-Acre site that is currently in disrepair. These improvements are restricted to repair or replacement of the existing bulkhead in Reach II, and repair or replacement of the existing rip rap slopes in Reaches I, III, and IV. The final slope and shape of the shoreline would be substantially the same as existing conditions and there would be no substantial change in how the shoreline protection system integrates with that of adjacent properties to the north and south. The proposed improvements would also raise the top of the shoreline to an elevation of 15.4 feet NAVD88. As proposed, the improvements would provide shoreline protection from erosion based on current flooding conditions, and the worst case flooding projected for the year 2100 as described in Section 4.O, Hydrology and Water Quality. The entire 100-foot shoreline band, including the shoreline protection features, would be reserved for public access that is safe and feasible as described above under the heading "Proposed Shoreline Protection Improvements and Sea Level Rise Adaptation." The project sponsors would also implement a long-term inspection and maintenance program to observe for deterioration of the shoreline protection system, and would repair any deficiencies noted to ensure adequate erosion and flood protection for the life of the project.

COMMENT PD-8: PUBLIC ACCESS

"The proposed response to rising sea levels at the site would result in a reduction of the accessible public access area as certain areas become periodically or permanently inundated by rising sea levels during the life of the proposed project. The DEIR explains on page 2.70: "The approximately 40-foot-wide zone between the Bay Trail and the water's edge would be designed to provide safe public access to the water in the near term. This zone would also function as the space where future adaptations could be creatively implemented based on the concepts of "Living with the Bay" and "Managed Retreat." Future adaptations in this area would allow for public access to retreat within the zone between the Bay Trail and shoreline. Adaptations could also include relocating and raising pathways and spur trails, or reconfiguring the shoreline protection to provide flatter slopes, wetlands and wave breaks."

"• Please clarify the process by which anticipated sea level rise adaption work in the 40-foot-wide zone between the Bay Trail and the water's edge would be planned and implemented.

[7] Moffatt & Nichol, *Pier 70 Development, Preliminary Shoreline Improvements Report, San Francisco, California*, draft report, pp. 8-9. August 2015, Revised June 27, 2017.

> Will the planning process include any pre-determined "triggers" for action, such as when average water levels reach a certain elevation or at a certain future date? Commission staff will not expect that a definitive adaptation response be determined at this time, but it will be interested in understanding in more detail the potential adaptation responses being considered and if options exist that would ensure that required public access remains viable in the event of future sea level rise. Bay Plan Public Access Policy No 5 requires that public access "be sited, designed, managed and maintained to avoid significant adverse impacts from sea level rise and shoreline flooding," and Policy No. 6 requires that "[a]ny public access provided as a condition of development should either be required to remain viable in the even[t] of future sea level rise or flooding, or equivalent access consistent with the project should be provided nearby." *(Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-18])*

"The DEIR indicates that sea level rise adaptation measures incorporated into the proposed project would include: building the Bay Trail to a grade that would accommodate anticipated high water levels such that adaptation would not be necessary over the next 20 to 30 years; creating a temporary public access area between the Bay Trail and the water's edge that would be designed to provide safe public access to the water in the near term, and that would allow for public access to retreat within the zone between the Bay Trail and shoreline; and ultimately implementing adaptations such as relocating and raising pathways and spur trails or reconfiguring the shoreline protection to provide flatter slopes, wetlands, and wave breaks." *(Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-30])*

RESPONSE PD-8: PUBLIC ACCESS

The comments correctly summarize the Proposed Project's sea level rise adaptation measures as described in the Draft EIR, and do not raise issues related to the Proposed Project's environmental impacts. Nevertheless, a response is provided herein.

The EIR evaluates future potential for sea level rise to affect the Proposed Project in Section 4.O, Hydrology and Water Quality, pp. 4.O.8-4.O.17, 4.O.66-4.O.67, and 4.O.71. As noted in the comment and on the EIR p. 2.70, the 40-foot-wide zone between the Bay Trail and water's edge would be designed to provide safe public access to the water in the near term. This zone would also function as the space where future adaptations could be creatively implemented on the concepts of "Living with the Bay" and "Managed Retreat." Future adaptations in this area would allow for public access to retreat within the zone between the Bay Trail and shoreline. Adaptations could also include relocating and raising pathways and spur trails, or reconfiguring the shoreline protection to provide flatter slopes, wetlands, and wave breaks. As also noted in the EIR, these protection improvement concepts would allow for future adaptations along the shoreline to address higher levels of sea level rise with either the same or a different structural configuration. As detailed in EIR Tables 2.5 and 2.6, and Figures 2.26 and 2.27, under the Maximum Residential or Maximum Commercial Scenario, shoreline improvements are

anticipated to occur during Phase 4 (2024 – 2026) and Phase 5 (2027 – 2029). The project sponsors would monitor the actual rate of sea level rise locally and analyze sea level rise prediction models and studies to determine when the proposed adaptations are needed to maintain public access to the shoreline.

With respect to the comment's request for detail about potential adaption responses being considered and if options exist that would ensure that required public access remains viable in the event of future sea level rise, as noted in Response PD-4: Public Trust, RTC pp. 4.A.9-4.A.12, there is currently no public access to the bay within the project site. As noted in that response, the project objectives promote public access and sea level rise adaptation.

Further, the shoreline would continue to be subject to flooding and erosion as a result of wave action as sea levels rise. However, the Proposed Project would include shoreline protection improvements for the approximately 1,380 feet of shoreline along the eastern edge of the 28-Acre Site to control flooding and erosion, and maintain the shoreline in a condition suitable for public access (EIR pp. 2.71, 4.O.67).

The Proposed Project requires BCDC approval of activities within BCDC's jurisdiction along the Bay shoreline. BCDC will make the final determination of consistency with Bay Plan policies for the portions of the project site that are within its permit jurisdiction, including consistency with the policies and guidelines noted in the comment.

COMMENT PD-9: BAY FILL

"• As the amount of fill placed would differ with each of the alternative methods of shoreline protection and stormwater treatment, and as would their potential impacts, the FEIR should provide more information regarding the amount of fill each would require in order for the Commission to evaluate the potential effects associated with the fill and to determine whether the fill placement would need to be mitigated. Please consider if measures or construction techniques exist that would avoid or reduce the need to fill the Bay." *(Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-20])*

"• The DEIR indicates that the proposed project would include removal of fill at a ratio of at least 1:1 if required to mitigate for its impacts by regulatory agencies, and that compensation may include, among other things, removal of chemically treated wood along San Francisco's eastern waterfront. Pier 70 is described in the DEIR as dilapidated and dangerous to the public, and the DEIR indicates that it is constructed of creosoted wood. As mitigation is generally to be conducted at, or as close as possible, to the project site, the FEIR should discuss the potential to remove the pier in part or full to accomplish the mitigation requirements that may be associated with the proposed project." *(Ethan Lavine, Principal*

Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-21])

RESPONSE PD-9: BAY FILL

As noted on EIR p. 3.11, under the McAteer-Petris Act, an agency or individual must secure a permit from BCDC if they propose to place fill, dredge sediment, or place dredged materials in San Francisco Bay or certain tributaries within BCDC jurisdiction. Most activities within the 100-foot shoreline band are also subject to a permit from BCDC. The type of permit issued depends on the nature and scope of the proposed activities. Construction of those elements of the Proposed Project within BCDC's jurisdiction would require a Major Permit under the McAteer-Petris Act (EIR p. 4.O.31). Placement of fill below the mean high water mark would be subject to a permit from BCDC, which would ensure that the water quality policies of the Bay Plan are implemented (EIR pp. 4.O.51-4.O.52).

The EIR states on p. 4.O.50 that the proposed shoreline improvements would result in approximately 2,200 cubic yards of excavation and 2,070 cubic yards of fill below the high tide level. However, only approximately 200 cubic yards of this fill would be placed below the mean high tide line,[8] and would therefore be considered bay fill under the McAteer-Petris Act. The BCDC permit application will provide additional detail regarding the amount of fill proposed to be placed and will provide a consideration of whether measures or construction techniques exist that would avoid or reduce the need to fill the Bay. BCDC will make the final determination as to whether mitigation is required.

The EIR acknowledges that project activities resulting in the discharge of Bay fill or other disturbance to jurisdictional waters (i.e., below the high tide line) require permit approval from the Corps, and a water quality certification and/or waste discharge requirements from the RWQCB. Those projects within the San Francisco Bay or within the shoreline band require a permit from BCDC. Collectively, these regulatory agencies and the permits and authorizations they issue for the Proposed Project would require that placement of new fill in jurisdictional waters be avoided or minimized to the maximum extent practicable while still accomplishing the Proposed Project's purpose, and would specify an array of measures and performance standards as conditions of Proposed Project approval. Permanent placement of new fill resulting in the loss of jurisdictional waters in excess of that necessary for normal maintenance may trigger a requirement for compensatory mitigation that will be aimed at restoring or enhancing similar ecological functions and services as those displaced. The types, amounts, and methods of compensatory measures required may differ between the permitting agencies depending on the specific resources they regulate and the policies and guidelines they implement. Implementation

[8] Moffatt and Nichol, "Pier 70 Development, Preliminary Shoreline Improvements Report, San Francisco, California," Draft, August 2015, Revised June 27, 2017. p. 19.

of Mitigation Measure M-BI-4: Compensation for Fill of Jurisdictional Waters, EIR p. 4.M.71, would reduce potential Proposed Project-related impacts on jurisdictional waters to a less-than-significant level by requiring restoration or enhancement of the San Francisco shoreline or intertidal/subtidal habitat along the eastern waterfront as compensation for the permanent fill of jurisdictional waters in support of the Proposed Project if it is determined, through review by regulatory agencies, that the placement of permanent fill in San Francisco Bay exceeds the minimum threshold for repair and replacement or new, permanent fill is placed (EIR pp. 4.M.70-4.M.71).

Mitigation Measure M-BI-4 provides that construction associated with repair or replacement of the Reach II bulkhead shall be conducted as required by regulatory permits (i.e., those issued by the Corps, RWQCB, and BCDC). This mitigation measure also provides that compensation may include on-site or off-site shoreline improvements or intertidal/subtidal habitat enhancements along San Francisco's eastern waterfront through removal of chemically treated wood material (e.g., pilings, decking, etc.) by pulling, cutting, or breaking off piles at least 1 foot below the mudline or removal of other unengineered debris (e.g., concrete-filled drums or large pieces of concrete). Mitigation Measure M-BI-4 establishes 1:1 as a minimum ratio for compensatory mitigation, in accordance with CEQA.

Ultimately, compensation will be conducted as required by regulatory permits issued by the agencies having jurisdiction. Removal of the dilapidated Pier 70 pier structure extending from the project site's shoreline is separate from the Proposed Project and would be subject to separate permitting requirements and associated CEQA review, and related mitigation. Further, removal of the dilapidated pier structure would be a complex, costly project requiring permits and approvals outside the jurisdiction and control of the City as lead agency. Therefore, the EIR does not consider removal of the dilapidated Pier 70 structure as a mitigation requirement.

COMMENT PD-10: PUBLIC FINANCING OF SEA LEVEL RISE ADAPTATION

"• The DEIR indicates that the proposed project "would include a public financing mechanism to pay for the cost of future improvements related to sea level rise adaptation, should such improvements be necessary, with the City and the Port responsible for implementing these strategies" (2.70). Please describe how such a financing mechanism would be function, the amount of funding believed to be necessary to fund future sea level rise adaptation efforts, and if the financing mechanism would be adequate to fund necessary adaptation efforts or if it is anticipated that additional funding would be required." *(Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-32])*

RESPONSE PD-10: PUBLIC FINANCING OF SEA LEVEL RISE ADAPTATION

The comments provided by BCDC regarding public financing do not raise issues related to the Proposed Project's environmental impacts. The Proposed Project includes improvement concepts that would allow for future adaptations along the shoreline to address higher levels of sea level rise with either the same or a different structural configuration. As described on EIR p. 2.70, the Proposed Project would include a public financing mechanism to pay for the cost of future improvements related to sea level rise adaptation, should such improvements be necessary, with the City and the Port responsible for implementing these strategies; these future improvements would undergo separate CEQA analysis, if required. To elaborate, in connection with the project approvals, or at some time after the project approvals, the Board of Supervisors would need to approve the formation of one or more community facilities districts that would impose a shoreline special tax on residential and commercial properties developed within the Proposed Project. Taxes generated from the shoreline special tax would be available to be used by the Port to fund shoreline adaptation studies and shoreline protection projects, should such improvements be necessary. Creation of this public financing mechanism does not affect the analysis or conclusions of the EIR.

COMMENT PD-11: STRUCTURAL SOUNDNESS OF PIER AT PIER 70

"Not included within the project site, but directly adjacent, is the existing Port-owned Pier 70. The DEIR describes the pier as "likely not structurally sound," and indicates that it would remain in place after the proposed project is constructed. The DEIR states that "its use by future site occupants and visitors could cause it to fail due to the increased loads." Proposed Mitigation Measure M-GE-3b would involve placement of a gate or equivalent at Pier 70 to prevent access and posting of a sign informing the public of potential risks associated with use of the structure and prohibiting public access.

"
- The DEIR indicates that Pier 70 may be structurally unsound and that its use by future site occupants and visitors could cause it to fail. Please discuss the basis of this assessment. If brought up to safety standards, Pier 70 (or a portion thereof) has potential value as a public access and recreation resource. The project site boundaries exclude Pier 70 itself, though they do extend along the shoreline directly adjacent to Pier 70. The proposed project incudes as mitigation measure the installation of a gate and signage to prevent public access to the pier. In the FEIR, please reference Bay Plan Appearance, Design, and Scenic Views Policy No. 13, which encourages local governments, such as the project sponsor, to "eliminate inappropriate shoreline uses and poor quality shoreline conditions by regulation and by public actions (including development financed wholly or partly by public funds)." *(Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-17])*

RESPONSE PD-11: STRUCTURAL SOUNDNESS OF PIER AT PIER 70

As noted on EIR p. 2.7, the dilapidated pier is outside the project site boundary. While the structural soundness of the pier structure has not been formally evaluated, the EIR conservatively

states that the dilapidated pier extending from the project site into the Bay could also fail if it is used by site occupants and visitors. Because the structural soundness is uncertain, EIR Section 4.N, Geology and Soils, appropriately considered failure of the structure as a reasonably foreseeable indirect impact of the Proposed Project associated with bringing residents, workers, and visitors to the project site. The EIR, pp. 4.N.31-4.N.32, concludes that "Although the pier is not a geologic unit, its use by future site occupants and visitors could cause it to fail due to the increased loads, which would be a significant impact." Mitigation Measure M-GE-3b: Signage and Restricted Access to Pier 70, EIR pp. 4.N.31-4.N.32, is included to mitigate these potential impacts to a less-than-significant level by preventing access to the pier. Because the pier is outside of the project boundary, use of the pier for public access or a recreational resource as suggested in the comment is not feasible.

B. SENATE BILL 743

The comments and corresponding response in this section relate to the topic of Senate Bill 743 (i.e., Public Resources Code Section 21099), discussed in EIR Chapter 1, Introduction, and EIR Section 4.A, Introduction.

COMMENT SB-1: SENATE BILL 743

"• Additionally the project does not qualify as an Infill Opportunity Zone under SB 743 because it is not within 1 /2 mile of a major transit stop. Unless a project qualifies as an Infill opportunity zone under SB 743, it must be evaluated for visual impacts.

"• The closest rail station is Cal Train at over 1 mile away. The commonly recognized definition of a rail station is a platform for passenger on-boarding with at least one building providing such ancillary services as ticket sales and waiting rooms.

"• The closest light rail stops are platforms without buildings. This does not qualify as a transit station. SB 743 has no discernable application without applying a practical definition of rail station. Many muni rail stops have no facilities what-so-ever. Using a definition that recognizes train stations without facilities would be equivalent to defining all points on any rail system as an Infill Opportunity Zone.

"• There are no intersections of two or more major bus routes within 1/2 mile that *in actual fact* provide service at 15 minute intervals.

"• Attached are photos from Friday January 20 of the # 10 bus stop at 7:10 am and the #22 bus stop at 5:35 pm showing intervals of 18 minutes, 63 minutes, 22 minutes and 39 minutes between buses serving the project area. These are peak morning and evening commute times. Photos are taken at 18th and Connecticut and 16th and Mission. *[See the copy of this letter in RTC Attachment B: Comment Letters on the Draft EIR, for the photographs mentioned in the comment.]*

"• Bus lines including #55, #22 and other lines routinely run two or three buses back to back during peak afternoon hours resulting in 20-30 minute service intervals. A photo of three #22 buses back to back is attached.

"• Escalators are run backwards during peak hours to minimize transit station usage. See attached photo of Embarcadero Station.

"• There is no public transportation within 1/2 mile of 20th - 24th street that routinely provides peak afternoon service in a measured routine 15 minute interval. A service interval of 15 minutes commonly means the maximum interval as measured over time does not exceed 15 minutes except in very rare events. There is no data in the EIR to substantiate actual 15 minute intervals.

"• During baseball season, the T train routinely exceeds 20 minute intervals.

"• San Francisco Muni is structurally incapable of meeting demand as noted in: http://www.savemuni.org/2016/03/sfmta-ignores-muni-metro-crowding/" *(Clair and Don Clark, Letter, February 8, 2017 [I-C&DClark1-2])*

"**Visual Impacts**

"• The Pier 70 Mixed-Use District Project does not qualify as Infill Opportunity Zone under SB 743 and should be evaluated for visual impact to residents of Potrero Hill.

"• 90 foot building heights will significantly impact aesthetics and obscure scenic vistas and substantially degrade the existing visual character or quality of the site and its surroundings, and create a new source of substantial light or glare which would adversely affect day or nighttime views in the area." *(Clair and Don Clark, Letter, February 8, 2017 [I-C&DClark1-8])*

"I have the following comments on the Pier 70 Mixed-Use District Project

"The EIR has not adequately evaluated of aesthetic impact of Pier 70 Mixed-Use District Project to residents of Potrero.

"• 90 foot building heights will significantly impact aesthetics and obscure scenic vistas and substantially degrade the existing visual character or quality of the site and its surroundings, and create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

"The Pier 70 Mixed-Use District Project does not qualify as a[n] Infill opportunity zone under SB 743 because it is not within 1/2 mile of a major transit stop. Unless a project qualifies as an Infill opportunity zone under SB 743, it must be evaluated for visual impacts

"• The closest rail **station** is Cal Train at over 1 mile away. The commonly recognized definition of a rail station is a platform for passenger on-boarding with at least one building providing such ancillary services as ticket sales and waiting rooms

"• The closest light rail **stop** is a platform without buildings and does not qualify as a transit station

"• There are no intersections of two or more major bus routes within 1/2 mile that in actual fact provide service at 15 minute intervals

"• There is no public transportation within 1/2 mile of 20th-24th street that routinely provides peak afternoon service in a measured routine 15 minute interval. A service interval of 15 minutes commonly means the maximum interval as measured over time does not exceed 15 minutes except in rare events. It is no actual data in the EIR to substantiate actual 15 minute intervals

"• During baseball season, the T train routinely exceeds 20 minute intervals. San Francisco Muni is known to be structurally deficient in meeting service intervals with adequate capacity as delineated in the following: http://www.savemuni.org/2016/03/sfmta-ignores-muni-metro-crowding/

"• Bus lines including 55, 22 and other lines routinely run two or three buses back to back consistently during peak afternoon hours resulting in 20-30 minute service intervals" *(Don Clark, Email, January 9, 2017 [I-DClark3-1])*

"The Pier 70 Mixed-Use District Project does not qualify as a[n] Infill opportunity zone under SB 743 because it is not within 1/2 mile of a major transit stop. Unless a project qualifies as an Infill opportunity zone under SB 743, it must be evaluated under CEQA regulations for impacts that obscure scenic vistas or substantially degrade the existing visual character or quality of the site and its surroundings.

"• The closest rail station is Cal Train at over 1 mile away. The commonly recognized definition of a rail station is a platform for passenger on-boarding with at least one building providing such ancillary services as ticket sales and waiting rooms

"• The closest light rail stop is a platform without buildings.

"• There are no intersections of two or more major bus routes that in actual fact provide service at 15 minute intervals within 1/2 mile

"There is no public transportation within 1/2 mile of 20th-24th street that routinely provides peak afternoon service in a measured routine 15 minute interval. A service interval of 15 minutes commonly means the maximum interval as measured over time does not exceed 15 minutes except in rare events. It is not reasonable to claim a published interval of 15 minutes without measured actual performance. During baseball season, the T train routinely exceeds 20 minute intervals. San Francisco Muni is known to be structurally deficient in meeting service intervals with adequate capacity as delineated in the following: http://www.savemuni.org/2016/03/sfmta˜ ignores˜m uni˜m etro˜cro wding/: *(Don Clark, Email, January 7, 2017 [I-DClark2-1])*

"Specifically I do not see any discussion of aesthetic impact to residents of Potrero. It would appear that the 90 foot building heights will significantly impact aesthetics and obscure scenic vistas and substantially degrade the existing visual character or quality of the site and its surroundings, and create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

"I didn't note any visual simulation or assessment of impact to residents of Potrero. From topographical maps, it appears that all residents down-slope from Connecticut street will have scenic views completely eliminated." *(Don Clark, Email, January 2, 2017 [I-DClark1-1])*

"I would like to submit the following Visual Simulations as comments on the Pier 70 Mixed Use Project. *[Note: For the visual simulations mentioned in the comment, refer to the bracketed version of this email in RTC Attachment B: Comment Letters on the Draft EIR. The comment includes four pairs of simulations: After / Before – 10 Turner Terrace approx. 155 feet elevation; After / Before – Pathway from end of Connecticut Avenue approx. 165' Elevation; After / Before – Pathway from end of Connecticut Avenue approx. 175' Elevation; After / Before – Potrero Community Center ~ 200 feet. It also includes a map titled Areas Affected by Pier 70 Project Visual Impacts.]*

"Scenic Vistas are severely impacted by the Pier 70 Project

"• Simulations are scaled to 100' based on the 130' height of power plant with structures B, E4, E3 and H2 located at the same longitude

"• The Red Line is a datum from this height and longitude

"• Structures B, E1, E3, H1 and H2 appear to have the most significant impact due to 90' heights above 15' ground levels

"• Visual Impact increases as elevation decreases

" – At 200' elevation bay views are obscured ~30% above buildings

" – At 175' elevation bay views are obscured ~50% above buildings

" – At 165' elevation bay views are obscured ~60% above buildings

" – At 155' elevation bay views are obscured ~80% above buildings

" – At 120'-140' elevation bay views are estimated to be obscured 100%"

(Don Clark, Email, February 20, 2017 [I-DClark5-1])

"Please include this analysis of visual impacts from the Pier 70 Mixed-Use District Project along my EIR comments dated February 8, 2017 which I previously submitted. The analysis is in an attached presentation titled "Scenic Vistas are severely impacted by the Pier 70 Project." *[Note: For the visual simulations that are part of the comment, refer to the bracketed version of this email in RTC Attachment B: Comment Letters on the Draft EIR. The comment includes four pairs of simulations: After / Before – 10 Turner Terrace approx. 155 feet elevation; After / Before – Pathway from end of Connecticut Avenue approx. 165' Elevation; After / Before – Pathway from end of Connecticut Avenue approx. 175' Elevation; After / Before – Potrero Community Center ~ 200 feet. It also includes an untitled map and a map titled Areas Affected by Pier 70 Project Visual Impacts.]* I have emailed an electronic copy of this presentation to Melinda Hue. To summarize:

"• Structures B, E1, E3, H1 and H2 appear to have the most significant impact due to 90' heights above 15' ground levels

"• Visual Impact increases as elevation decreases

" – At 200' elevation bay views are obscured ~30% above buildings

" – At 175' elevation bay views are obscured ~50% above buildings

" – At 165' elevation bay views are obscured ~60% above buildings

" – At 155' elevation bay views are obscured ~80% above buildings

" – At 120'-140' elevation bay views are estimated to be obscured 100%

"• Views of homeowners and residents are severely impacted – see figure to right

"Please incorporate these comments into the final EIR.

"Scenic Vistas are severely impacted by the Pier 70 Project

"• Simulations are scaled to 100' based on the 130' height of power plant with structures B, E4, E3 and H2 located at the same longitude

"• The Red Line is a datum from this height and longitude

"• Structures B, E1, E3, H1 and H2 appear to have the most significant impact due to 90' heights above 15' ground levels

"• Visual Impact increases as elevation decreases

" – At 200' elevation bay views are obscured ~30% above buildings

" – At 175' elevation bay views are obscured ~50% above buildings

" – At 165' elevation bay views are obscured ~60% above buildings

" – At 155' elevation bay views are obscured ~80% above buildings

" – At 120'-140' elevation bay views are estimated to be obscured 100%"
(Clair and Don Clark, Email, February 21, 2017 [I-C&DClark2-1]

"**Transportation and Circulation**

"SB 743

"In order to qualify under SB 743 for CEQA streamlining, and as articulated by Public Resources codes section 21099, a project must be found to be an infill project located in a transit priority area. Transit priority area is defined as an area within one-half mile of a major transit stop that is existing or planned. Unless a project qualifies, it must be evaluated for visual impacts.

"**How does the Project conform to the requirements of SB 743 and Public Resources Code section and 21099**?

"Citizen's testimony confirms that the closest major transit stop is over ½ mile away, transit improvements do not sufficiently serve the area, and service intervals of existing transit regularly exceed 15 minutes.

"**How does the Draft EIR define and employ the term 'major transit stop'?**

"What major transit stop within ½ mile of the Project area functions with intervals under 15 minutes?

"Resident, Don Clark's January 9, 2017 comment letter includes recent photographs that confirm greater than 15-minute intervals for transit in the Project area. Photographs of the #10 bus stop at 7:10am and the #22 bus stop at 5:35pm show intervals of 18-, 22-, 39-, and 63-minute headways between buses serving the Project area. Mr. Clark states that bus lines including #55, #22 and other lines routinely run two or three buses back to back during peak afternoon hours resulting in 20-30 minute service intervals. Photographs also show three #22 buses back to back and escalators that run backwards during peak hours to minimize transit station usage. During baseball season, the T train routinely exceeds headways of 20 minutes.

"Mr. Clark asserts there is no public transportation within ½ mile of Pier 70 that routinely provides peak afternoon service at a 15-minute interval. A service interval of 15 minutes commonly means the maximum interval as measured over time that does not exceed the 15-minute interval except in very rare events. There is no data in the EIR to substantiate actual 15-minute intervals.

[See the bracketed copy of this letter in RTC Attachment B: Comment Letters on the Draft EIR, for the map shown here.]

"Further evidence shows that the area is underserved by area transit, proposed improvements do not adequately service the Pier 70 area and modes of public transit are routinely subjected to greater than 15 minute intervals.

"The 22 line, depicted in this map, terminates at Tennessee and 20th and will be moved in 2020 to replace the 55 line, as depicted in the northern edge of the image. The replacement will not provide access to Pier 70 unless the line is extended from its current terminus.

"The 48, which currently terminates adjacent to Pier 70, operates with 20 to 30 minute headways on the weekend and 12-15-20 minute headways during the week. It provides access to the 24th Street BART. It is also an extraordinarily long line, running out to the Great Highway. The length of the line is an operational challenge, which leads to gaps and bunching in service. MUNI has planned to replace the 48 with a shorter route (the 58) but that change is currently indefinitely delayed and there is no schedule for its implementation.

"The T Third light rail provides north-south transit. As currently configured, this line is also extraordinar[i]ly long, beginning near the SF/Brisbane boarder, running up 3rd to King, then to the Embarcadero – all on the surface, in some areas, mixed with traffic, subject to traffic signals – then through the MUNI subway to its terminus at Balboa Park. This has been a severe operational challenge as well; 10-minute headways seem to never be met. The route will become shorter once the Central Subway opens – optimistically in 2019 – as the T will run from its southern terminus up 3rd and 4th streets to a terminus at Washington and Stockton. But the additional capacity will be swamped by the needs of the Warrior's arena, at 16th and 3rd. This is confirmed by the Warriors implementation of light rail vehicles to mitigate the arena's impact. With 200 events a year, the additional capacity is already fully subscribed, without accommodating additional waterfront projects, like Mission Rock. San Francisco Muni is structurally incapable of meeting demand as noted in: http://www.savemuni.org/2016/03/sfmta-ignores-muni-metro-crowding/" *(J. R. Eppler, President, Potrero Boosters Neighborhood Association, and Rachel Mansfield Howlett, Provencher & Flatt LLP, on behalf of Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association, Email, February 21, 2017 [O-DNA&PBNA-3])*

"Pier 70 is essentially an exclave and arguably not within a transit priority area. The nearest rail station is over a mile away and there are no intersecting bus lines within a ½ mile. The Caltrain stop on 22nd is technically not a rail station, and it is more than ½ a mile from much of the area that will be developed under the proposed Pier 70 development. The nearby buses and T-Third do not run reliably and often have intervals of over 15 minutes during peak commute times." *(Alison Heath, Grow Potrero Responsibly, Email, February 22, 2017 [O-GPR2-16])*

"1. **CEQA:** Even though current CEQA does not require images renderings and etc. of a proposed project. I disagree with this CEQA issue only because all to often words, black and white elevations - describing the design and etc., does not present what it will look like when finished. I believe all too often some great projects fail because of this missing Figure or image. This DEIR does an excellent job with this issue and is a positive Plus for its justification and uniqueness to this blighted area. Granted, design, color and materials are personal, but I studied and practiced both architecture and urban design and understand this, it's not perfect but it does it's due diligence with this. To add just one link to this document / presentation in my opinion in

future cases would be to insert a project rendering in to an existing aerial photograph along with other proposed adjacent foreseeable projects would be very beneficial. In my hey days we called it an Birds Eye View, so lets get started:" *(Dennis Hong, Email, February 23, 2017 [I-Hong-2])*

RESPONSE SB-1: SENATE BILL 743

Senate Bill 743 (codified as Public Resources Code Section 21099) provides that "aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment." Comments assert that the Proposed Project should not qualify as being within a transit priority area because it is not within one-half mile of a major transit stop, and state that its visual impacts must therefore be evaluated. As noted on EIR p. 4.A.3, Public Resources Code Section 21099 states that a project's aesthetic and parking impacts will no longer be considered significant impacts on the environment if the project meets all of the following three criteria:

- The project is a residential, mixed-use residential, or employment center;
- The project is located on an infill site; and
- The project is within a transit priority area.

The Proposed Project meets each of these criteria, as noted on EIR p. 4.A.4. Therefore, aesthetics impacts have not been analyzed in the EIR. The EIR presents conceptual renderings in Chapter 2, Project Description, for informational purposes. While photo simulations of building massing are presented in Section 4.D, Cultural Resources, on EIR pp. 4.D.72-4.D.79, they are not presented for analysis of aesthetics impacts but as part of the analysis of effects of new infill construction on existing historic architectural resources. This response explains how the Proposed Project meets each of the three criteria in CEQA Section 21099, mandating that aesthetic and parking impacts not be considered significant environmental impacts.

The Proposed Project would qualify as a residential, mixed-use residential, *and* employment center project.[1] This is due to the fact that, depending on the uses implemented, it would include between 1,645 to 3,025 residential units, a maximum of 1,102,250 to 2,262,350 gross square feet (gsf) of commercial use, a maximum of 275,075 to 269,495 gsf of retail use, a maximum of 68,765 to 67,375 gsf of restaurant use, and up to 143,100 gsf of arts/light-industrial use. It would be considered an employment center project (defined as a project located on property zoned for commercial uses with a floor area ratio of no less than 0.75 that is located within a transit priority area) because the site is currently zoned M-2 (Heavy Industrial) (which is considered a commercial use in San Francisco) and P (Public), and the Proposed Project would have commercial uses and a floor area ratio of more than 0.75.

[1] San Francisco Planning Department, Transit-Oriented Infill Eligibility Checklist for the Pier 70 Mixed-Use District Project, November 18, 2015.

The project site is located on an infill site. An infill site is defined in Public Resources Code Section 21099 as "a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses." Because the project site had been previously developed as the Pier 70 shipyard and because the perimeter of the site is located adjacent to, and across from, active urban land uses, it is considered an infill site.

The project site is located within a transit priority area as mapped by the Planning Department.[2] A transit priority area is an area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program adopted pursuant to Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations. As noted on EIR p. 4.A.3 in Footnote 1, Public Resources Code Section 21099 defines a "transit priority area" and Section 21064.3 defines a "major transit stop" as follows:

> A "transit priority area" is defined as an area within one-half mile of an existing or planned major transit stop. A "major transit stop" is defined in California Public Resources Code Section 21064.3 as a rail transit station, a ferry terminal served by either a bus or rail transit service, ***or*** the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. A map of San Francisco's Transit Priority Areas is available online at http://sfmea.sfplanning.org/Map%20of%20San%20Francisco%20Transit%20Priority%20Areas.pdf. [***emphasis added***]

The project site meets all of the parameters of a transit priority area. The project site is located within one-half mile of multiple major transit stops: the 22nd Street Caltrain Station and the KT Third Ingleside light rail stop, both of which are rail transit service, and bus stops for two intersecting major bus routes, the 22 Fillmore and 48 Quintara. Both bus stops have service interval frequencies of 15 minutes or less during the morning and afternoon peak commute periods and thus fit the definition of major bus routes. From the intersection of Illinois Street and 20th Street (the furthest site access location from the 22nd Street Caltrain Station along the perimeter of the project site), the walking distance to the 22nd Street Caltrain Station is approximately 0.47 mile; the station is within approximately 0.25 mile of the 22nd Street and Illinois Street intersection (EIR p. 4.E.11). Additionally, the project site is within approximately one block (0.1 mile) of the nearest light rail station (at Third Street and 20th Street), served by the Muni Metro KT Third/Ingleside rail line, as measured from the intersection of 20th Street and Illinois Street. As measured from that intersection, bus stops for the 22 Fillmore and 48 Quintara routes are within approximately one block, on opposite sides of the intersection of Third and 20th

[2] San Francisco Planning Department, Map of San Francisco Transit Priority Areas, January 2014.

streets; as measured from the 22nd Street and Illinois Street intersection, the stops for these two bus routes are within approximately 0.25 mile. Thus, the project site is located within one-half mile of two different rail transit stations (KT Third Ingleside and 22nd Street Caltrain) and bus stops for two major bus routes (22 Fillmore and 48 Quintara). One comment notes that the 22 Fillmore is proposed for relocation along 16th Street. When that relocation occurs it would remove the site from the major bus route portion of the transit priority area criteria, but would not change the fact that the project site will continue to be within one-half mile of two rail transit stations – the T Third light rail station at Third and 20th streets and the Caltrain station at 22nd Street – and therefore will continue to meet the definition of a transit priority area.

Comments note that the Caltrain Station at 4th Street and King Street is approximately one mile from the site; however, the distances from major transit stops used as the basis for the exclusion of aesthetics and parking from the CEQA analysis were measured from the 22nd Street Caltrain Station, the station closest to the project site. Comments also note that the 22nd Caltrain Station does not meet the definition of a "rail transit station" because it does not have a building with ancillary facilities (ticketing, rest rooms, etc.). Public Resources Code Section 21099 does not define "rail transit station." As such, it is assumed to be any facility, with or without ancillary features, that has a rail transit stop.

Comments state that nearby transit stops do not have a service interval of 15 minutes or less during the peak periods, suggesting that the project site is not within a transit priority area. The 15-minute interval standard for a transit priority area is only related to bus stops, not rail stations such as the KT Third Ingleside or the 22nd Street Caltrain Station. Nevertheless, although there are periods of disruption when service frequencies are less reliable due to operational issues, the scheduled frequencies of the KT Third Ingleside and many of the adjacent bus routes are typically less than 15 minutes, as shown in Table 4.E.4: Local Muni Operations, EIR p. 4.E.13. The frequency of Caltrain service is discussed on EIR p. 4.E.19. The systemwide on-time performance for Muni ranged from 57-60 percent from January 2016 through March 2017.[3] Muni operations were early 16 to 19 percent of the time.[4]

One comment references photographs submitted by another commenter of Muni NextBus screens that show service intervals greater than 15 minutes for the 10 Townsend and 22 Fillmore bus routes (for the photographs, see Letter I-C&DClark1 in RTC Attachment B: Comment Letters on the Draft EIR). During January 2017, when the photographs were taken, the San Francisco Municipal Transportation Agency experienced technical problems with the NextBus transit

[3] San Francisco Municipal Transportation Agency (SFMTA), 2017, Percentage of On-time Performance. Available online at https://www.sfmta.com/about-sfmta/reports/performance-metrics/goal-2-preferred-means-travel/percentage-time-performance. Accessed May 17, 2017.

[4] Ibid.

prediction service, causing it to display inaccurate data for arriving buses and light rail.[5] By February 2017 the NextBus transit prediction service had been fully restored.[6]

Based on the above, and as noted in the *Transit Oriented Infill Eligibility Checklist* cited in Footnote 2 on EIR p. 4.A.4, the Planning Department determined that the Pier 70 Mixed Use District Project was eligible for the CEQA streamlining afforded by Public Resources Code Section 21099, and thus this EIR does not consider aesthetics and the adequacy of parking in determining the significance of project impacts under CEQA. (The completed *Transit-Oriented Infill Eligibility Checklist,* dated November 18, 2015, is included as part of the Administrative Record.) However, the Planning Department recognizes that the public and decision-makers nonetheless may be interested in information pertaining to the aesthetic effects of a proposed project and may desire that such information be provided as part of the environmental review process. The EIR presents conceptual renderings in Chapter 2, Project Description, but this information is provided solely for informational purposes and is not used to determine the significance of the environmental impacts of the project, pursuant to CEQA. While photo simulations of building massing are presented in Section 4.D, Cultural Resources, on EIR pp. 4.D.72-4.D.79, they are not presented for analysis of aesthetics impacts but as part of the analysis of effects of new infill construction on existing historic architectural resources.

Comments state that the Proposed Project should not be considered as being within an Infill Opportunity Zone. An Infill Opportunity Zone, as defined in Public Resources Code Section 21099, is intended to be established by a city or county if it is consistent with the General Plan or Specific Plan, and is in a transit priority area. When an Infill Opportunity Zone is established, it is exempt from Level of Service standards in the associated Congestion Management Plan. Infill Opportunity Zones are related, but disconnected, from the CEQA planning process. Pier 70 was not specifically considered an Infill Opportunity Zone by the City in the 2015 Congestion Management Program.[7] However, under the new eligibility criteria established in Public Resources Code Section 21099, the project site would be considered eligible for designation because it is within one-half mile of a major transit stop and designated as a Priority Development Area in the regional Sustainable Communities Strategy (*Plan Bay Area*) per Public Resources Code Section 65088.4. Eligibility of, or designation as, an Infill Opportunity Zone does not affect whether a project needs to be assessed for aesthetic impacts.

A comment asserts that escalators are run backwards at the Embarcadero station during peak hours to minimize transit usage. BART and the SFMTA regularly service their escalators and

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[5] SFMTA, Why Muni Arrival Times Are Off This Week, and How We're Working to Fix Them, January 6, 2017. Available online at https://www.sfmta.com/about-sfmta/blog/why-muni-arrival-times-are-off-week-and-how-we%E2%80%99re-working-fix-them. Accessed April 11, 2017.

[6] Ibid.

[7] San Francisco County Transportation Authority, 2015, Congestion Management Program, p. 68.

have the status of the escalators located on BART's website (http://www.bart.gov/stations/escalators). In addition, the photograph included in the comment letter displays a sign stating that the escalators are run in the up direction on Monday through Friday from 4:30 to 6:30 p.m. to improve circulation and safety on the platform; the sign also directs station users to the escalators running in the down direction. Regardless of whether escalators may be broken, underground transit stations are accessible via a mix of stairs, elevators, and escalators.

C. PLANS AND POLICIES

The comments and corresponding responses in this section relate to the topic of Plans and Policies, evaluated in EIR Chapter 3. The comments are further grouped according to the following issues:

- PL-1: Consistency with Plans and Policies
- PL-2: Requested Revisions.

A corresponding response follows each group of comments.

COMMENT PL-1: CONSISTENCY WITH PLANS AND POLICIES

"**Inconsistencies with Area Plans and Policies**

"CEQA requires the EIR to discuss and analyze the Project's inconsistency with area plans and policies. (CEQA Guidelines § 15125(d).) CEQA Guidelines Appendix G, regarding Land Use Planning, asks would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?" The Project's inconsistencies with the Central Waterfront Plan, Plan Bay Area, Waterfront Land Use Plan and General Plan must be considered as part of the CEQA review and is not.

"Please state how the Project is consistent with the following plan provisions.

"*General Plan*

"*PRIORITY POLICY 8 "That our parks and open space and their access to sunlight and vistas be protected from development."*

"*Housing Element of the General Plan*

"The San Francisco Housing Element requires that infrastructure should be planned and coordinated to accommodate new development.

"The Project conflicts with the following objectives and policies of the General Plan's Housing Element, and in particular fails to balance housing growth with adequate infrastructure, particularly public transit. The Project will disproportionately burden the neighborhood with housing growth well beyond any previous projections and concentrate it in an area with inadequate public services.

"OBJECTIVE 12 *Balance Housing Growth with Adequate Infrastructure that Serves the City's Growing Population*

"POLICY 12.1 *Encourage new housing that relies on transit use and environmentally sustainable patterns of movement.*

"POLICY 1.2 *Focus housing growth and infrastructure necessary to support growth according to community plans.*

"POLICY 4.6 *Encourage an equitable distribution of growth according to infrastructure and site capacity.*

"POLICY 13.1 *Support "smart" regional growth that locates new housing close to jobs and transit.*

"POLICY 13.3 *Promote sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian, and bicycle mode share.*

"*Transportation Element of the General Plan*

"The Project is car-centric with a large parking component. 50% of the over 100,000 external person trips each day are attributed to automobile use. This conflicts with the following policy:

"POLICY 1.3 *Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.*

"**How does the Project's reliance on cars further this policy?**

"It also requires that developers coordinate land use with transit service.

"POLICY 11.3 *Encourage development that efficiently coordinates land use with transit service, requiring that developers address transit concerns as well as mitigate traffic problems.*

"**How does the Project's heavy reliance on cars and acknowledged impacts to transit, along with the dramatic increase in population, further this policy?**

"*Central Waterfront Plan*

"The Eastern Neighborhoods Plan promised "a full array of public benefits." Unfortunately, the City has failed to provide most of the necessary infrastructure to support actual development, particularly in the context of unanticipated growth in an area already underserved by public transit.

"**Please include additional proposed mitigation for impacts to public transit.**

"The Project also conflicts with the following objectives and policies:

"OBJECTIVE 4.1 *Improve Public Transit to better serve existing and new development in Central Waterfront*

"POLICY 4.1.6 *Improve public transit in the Central Waterfront including cross-town routes and connections to the 22nd Street Caltrain Station and Third Street Light Rail.*

"OBJECTIVE 4.10 *Develop a comprehensive funding plan for transportation improvements.*

"With increased heights and density, views of the bay and historic features such as Irish Hill from the west will be diminished in conflict with the following policy:

"POLICY 3.1.5 *Respect Public View Corridors*

"*Waterfront Land Use Plan*

"As noted in the Draft EIR, the Project is inconsistent with the WLUP but an analysis of potential impacts resulting from these inconsistencies is not included. **Please include this analysis.**"
(J. R. Eppler, President, Potrero Boosters Neighborhood Association, and Rachel Mansfield Howlett, Provencher & Flatt LLP, on behalf of Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association, Email, February 21, 2017 [O-DNA&PBNA-23])

"**Inconsistencies with Area Plans and Polic[i]es**
There are clear inconsistencies with the Pier 70 Master Plan, Central Waterfront Plan, Plan Bay Area, Waterfront Land Use Plan, and General Plan which must be considered as part of the CEQA review. The DEIR states that conflicts with applicable plans "will continue to be analyzed and considered" (4.B.27) but fails to do even a minimal analysis of some of these potential conflicts and resulting impacts." *(Alison Heath, Grow Potrero Responsibly, Email, February 22, 2017 [O-GPR2-3])*

"*Pier 70 Preferred Master Plan*
"The DEIR includes a Pier 70 Master Plan Alternative but doesn't include an adequate analysis of substantial conflicts with the Preferred Project. The Proposed Project is a radical departure from what was the result of a long and inclusive planning process. The Master Plan precludes a dense residential development in support of ongoing heavy industrial uses and requires that proposals for housing demonstrate compatibility with the ship repair industry. It also promotes the use of alternative, sustainable modes of transit, something that the Proposed Project fails to do in any meaningful way by relying heavily on automobiles. Visual and pedestrian linkage between Building 12 and the Bay must be maintained under the Master Plan. Under the Proposed Project only a sliver of Building 12 is open to the Bay." *(Alison Heath, Grow Potrero Responsibly, Email, February 22, 2017 [O-GPR2-4])*

"*Housing Element of the General Plan*
"The San Francisco Housing Element requires that infrastructure needs be planned and coordinated to accommodate new development, but the Pier 70 Project conflicts with the following objectives and policies of the General Plan's Housing Element, and in particular fails to balance housing growth with adequate infrastructure, particularly public transit. The Proposed Project will disproportionately burden the neighborhood with housing growth well beyond any previous projections and concentrate it in an area with inadequate public services. These objectives are identified as "relevant" in the DEIR but the failure to provide infrastructure is not addressed.

"OBJECTIVE 12 *Balance Housing Growth with Adequate Infrastructure that Serves the City's Growing Population*

"POLICY 12.1 *Encourage new housing that relies on transit use and environmentally sustainable patterns of movement.*

"POLICY 1.2 *Focus housing growth and infrastructure necessary to support growth according to community plans.*

"POLICY 4.6 *Encourage an equitable distribution of growth according to infrastructure and site capacity.*

"POLICY 13.1 *Support "smart" regional growth that locates new housing close to jobs and transit.*

"POLICY 13.3 *Promote sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian, and bicycle mode share.*" *(Alison Heath, Grow Potrero Responsibly, Email, February 22, 2017 [O-GPR2-6])*

"*Transportation Element of the General Plan*
"The Proposed Project is car-centric with a large parking component. 50% of the over 100,000 external person trips each day will be by automobile and only 21% of trips will be made by public transit. The conflict with the following policy is not addressed in the DEIR:

"POLICY 1.3 *Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters. (Alison Heath, Grow Potrero Responsibly, Email, February 22, 2017 [O-GPR2-7])*

"The Transportation Element also requires that developers coordinate land use with transit service and mitigate traffic problems. Instead the Proposed Project will burden transit and increase traffic and the DEIR denies the severity of this impacts.

"POLICY 11.3 *Encourage development that efficiently coordinates land use with transit service, requiring that developers address transit concerns as well as mitigate traffic problems." (Alison Heath, Grow Potrero Responsibly, Email, February 22, 2017 [O-GPR2-8])*

"With increased heights and density, views of the bay and historic features such as Irish Hill from the west will be diminished in conflict with the following policy:

"POLICY 3.1.5 *Respect Public View Corridors" (Alison Heath, Grow Potrero Responsibly, Email, February 22, 2017 [O-GPR2-10])*

"• Please identify and consider the proposed project's consistency with the relevant general and geographic-specific policies of the San Francisco Waterfront SAP. Specifically, please see those policies specific to Public Access (page 8), View Corridors (page 10), and Permitted Uses on New or Replacement Fill (page 47)." (*Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-5])*

"• The construction of a project that would add 3,375 to 6,868 residents and 5,559 to 9,768 employees will by definition bring more people to the site. Section 66602 of the McAteer-Petris Act states, in part, "maximum feasible public access, consistent with a proposed project, should be provided." Bay Plan Public Access Policy No. 2 requires that "maximum feasible access to and along the waterfront and on any permitted fills should be provided in and through every new development in the Bay or on the shoreline." The FEIR should discuss the anticipated demand for shoreline public access given the addition of new residents, works, customers and other users expected at the site, and consider whether the proposed new public access areas are likely sufficient to accommodate these new users. The FEIR should also discuss nearby public shoreline areas, including the proposed Crane Cove Park, and consider the impacts the proposed project may have on public access at these locations. This information will be useful to the Commission in its evaluation of the adequacy of the public access proposed with the proposed project." (*Ethan Lavine, Principal*

Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-8])

"• Bay Plan Public Access Policy No. 6 requires that, wherever appropriate, public access required as a condition of development is to be permanently guaranteed "by requiring dedication of fee title or easements at no cost to the public, in the same manner that streets, park sites, and school sites are dedicated to the public as part of the subdivision process in cities and counties." Please indicate in the FEIR those areas of the project site that are to be permanently guaranteed as public access, and the method by which those areas are to be guaranteed. Please indicate those areas that within the areas designated as open space in the DEIR that may not be fully public in nature, such as those that would be used for commercial operations such as cafes and shops." (*Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-9])*

"• The DEIR indicates that the proposed viewing pavilions are large-scale public art and artifact pieces, which would be designed to emphasize the view of the horizon as well as accommodate a variety of public program uses such as cultural events and gatherings. The FEIR should discuss the consistency of these and any other large shoreline structures with Bay Plan policies on Appearance, Design, and Scenic Views. For instance, Bay Plan Appearance, Design, and Scenic Views Policy No. 10 requires that structures near the bay designed as landmarks "should be low enough to assure the continued visual dominance of the hills around the Bay." (*Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-11])*

"• The FEIR should consider the potential for facilities related to a variety of water-oriented recreational uses to be accommodated at the site, including but not limited to, swimming, fishing, and human-powered boating. The project sponsors have previously informed BCDC staff that such facilities are potentially incompatible with the site because of contaminants in the water, wind and wave action, and the potential for conflicts with nearby marine industrial uses. If such conflicts exist to the extent that they preclude or would require limited public access to the water, they should be analyzed as part of the FEIR. In the discussion, please consider the following policies and guidelines:

  "o Bay Plan Recreation Policy No. 1 states, in part: "Diverse and accessible water-oriented recreational facilities, such as marinas, launch ramps, beaches, and fishing piers, should be provided to meet the needs of a growing and diversifying population, and should be well distributed around the Bay and improved to accommodate a broad range of water-oriented recreational activities for people of all races, cultures, ages and income levels."

  "o Bay Plan Recreation Policy No 3(e) on non-motorized small boats states, in part: "Where practicable, access facilities for non-motorized small boats should be incorporated into waterfront parks, marinas, launching ramps and beaches, especially near popular waterfront destinations." Facilities may not be practicable in certain instances where

there is the potential for adverse affects on wildlife and their habitat, "or if such facilities would interfere with commercial navigation, or security and exclusion zones pose a danger to recreational boaters from commercial shipping operations."

- "o Public Access Design Guidelines Objective No. 2 is to make public access usable, which can be accomplished by, among other actions, "[t]aking advantage of existing site characteristics and opportunities, such as fishing, viewing, picnicking, swimming or boating." (*Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-12])*

"The DEIR indicates that the craneways are to be utilized for fishing. Please discuss in the FEIR BCDC Public Access Design Guidelines related to fishing facilities, which encourage the provision of fishing opportunities along the shoreline wherever feasible, particularly facilities that are designed to accommodate people with disabilities. Where boating conflicts or health considerations are present, facilities are to include public information about potential fishing hazards." (*Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-13])*

- "• The FEIR should indicate whether the public access areas are designed to permit barrier-free access for persons with disabilities to the maximum extent feasible. Public Access Design Guidelines Objective No. 2 is to make public access usable, which can be accomplished by, among other actions "[i]ncorporating accessibility improvements into public access areas." Plan Recreation Policy No. 1 states, in part: "Diverse and *accessible* water-oriented recreational facilities...should be provided to meet the needs of a growing and diversifying population" (emphasis added)." *(Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-14])*

- "• While they are advisory in nature, we recommend that the project sponsors consult the San Francisco Bay Trail's Design Guidelines and Toolkit, which contains goals and directions for planning and trail design. This is not a regulatory document and its guidelines will not be the basis of the Commission's analysis of the proposed Bay Trail segment through the project site. However, the document was designed to be complementary to BCDC's public access policies and shoreline development guidelines, and thus may provide valuable guidance of a more specific nature than is found in the Bay Plan or BCDC's Public Access Design Guidelines. It may be appropriate to reference this resource in the FEIR." *(Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-15])*

- "• In the FEIR, please indicate and consider the proposed project's consistency with the requirements related to the construction of riprap revetments established in Bay Plan Shoreline Protection Policy No. 2." *(Ethan Lavine, Principal Regulatory and Permit Analyst,*

San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-26])

"Here are specific references to open space and recreation that should be addressed in the EIR for Pier 70.

"Eastern Neighborhoods Plans
"Chapter 5:
"OBJECTIVE 5.1
"PROVIDE PUBLIC PARKS AND OPEN SPACES THAT MEET THE NEEDS OF RESIDENTS, WORKERS AND VISITORS

"Page 51 of Showplace Square/Potrero Hill Area Plan December 2008 adopted version:

'It is critical that at least one new substantial open space be provided as part of this Plan. The Planning Department will continue working with the Recreation and Parks Department to identify a site in Showplace / Potrero for a public park and will continue to work to acquire additional open spaces.'

"Page 52 of Showplace Square/Potrero Hill Area Plan December 2008 adopted version:

"POLICY 5.1.1

"Identify opportunities to create new public parks and open spaces and provide at least one new public park or open space serving the Showplace / Potrero." *(Sean Angles, Email, February 21, 2017 [I-Angles-5]*

"*Waterfront Land Use Plan*
"As noted in the DEIR, the Proposed Project is inconsistent with the WLUP but an analysis of potential impacts resulting from these inconsistencies is not included. *(Alison Heath, Grow Potrero Responsibly, Email, February 22, 2017 [O-GPR2-11])*

RESPONSE PL-1: CONSISTENCY WITH PLANS AND POLICIES

Several comments request that the EIR discuss the Proposed Project's consistency with various objectives and policies of the *San Francisco General Plan* and its Housing and Transportation Elements, and related Area Plans including the Central Waterfront Plan and Eastern Neighborhoods Plan; the Port of San Francisco's Waterfront Land Use Plan and Pier 70 Preferred Master Plan; and the Bay Conservation and Development Commission's (BCDC) San Francisco Bay Plan, San Francisco Waterfront Special Area Plan, the BCDC Public Access Design Guidelines, and the San Francisco Bay Trail Design Guidelines.

As required by CEQA Guidelines Section 15125(d), the EIR reviews and summarizes applicable plans (*San Francisco General Plan*, Central Waterfront Plan, San Francisco Planning Code, Waterfront Land Use Plan, Pier 70 Preferred Master Plan, Plan Bay Area, San Francisco Bay Plan and San Francisco Waterfront Special Area Plan, and San Francisco Bay Water Quality Control

Plan) and discusses inconsistencies with various applicable policies of these plans. In addition, where applicable, each environmental topic section in EIR Chapter 4, Environmental Setting and Impacts, includes a discussion of plans and policies most relevant to the respective environmental topic. As discussed on EIR p. 3.1,

> In accordance with CEQA Guidelines Section 15125(d), Chapter 3, Plans and Policies, discusses inconsistencies between the Proposed Project and applicable local, regional, and State plans and policies. Inconsistencies with existing policy do not, in and of themselves, indicate a significant physical environmental effect within the meaning of CEQA. To the extent that adverse physical environmental impacts may result from such inconsistencies, these impacts are analyzed in this EIR in the specific topic sections in Chapter 4, Environmental Setting and Impacts. The staff reports and approval motions prepared for the decision-makers as part of the entitlements approval process will include a comprehensive project analysis and findings regarding the consistency of the Proposed Project with applicable plans, policies, and regulations independent of the environmental review process.

The EIR explains that the Proposed Project would further many of the primary goals of the Pier 70 Preferred Master Plan, but would differ from it with respect to density and amount and location of residential uses (EIR p. 3.7).

While the CEQA Guidelines require a discussion of *inconsistencies* with applicable plans and policies, it does not require a comprehensive analysis of *consistency* with plans and policies. As part of the approval process for the various entitlements required for the Proposed Project, a comprehensive analysis of project consistency with applicable plans and policies will be undertaken to inform the decision-making body's review of the Proposed Project. This review is carried out independent of the environmental review process, as part of the decision-makers' decision to approve, modify, or disapprove the Proposed Project.

Comments do not present substantial evidence of any particular inconsistency with applicable plans and policies that is not already identified in the EIR, and comments do not present substantial evidence of any yet-unidentified significant environmental impact that would result from such an inconsistency that would change the conclusions of the EIR. An inconsistency with a general plan does not itself mandate a finding that the project will a have a significant effect on the environment. To the extent that any significant adverse physical environmental impacts may result from inconsistencies with plans and policies, these impacts are analyzed in this EIR in the specific environmental topic sections of Chapter 4, Environmental Setting and Impacts. More specific issues raised by the comments are discussed below.

Infrastructure Impacts

Comments assert that the Proposed Project would conflict with policies calling for provision of adequate infrastructure, but they do not present substantial evidence for the assertion. As discussed throughout EIR Chapter 2, Project Description, the Proposed Project includes provision of transportation and circulation improvements, new and upgraded utilities and infrastructure, geotechnical and shoreline improvements, and 9 acres of public open space. It also includes three options for sewer/wastewater treatment, and four variants that consider modifications to the proposed infrastructure and building systems to enhance sustainability.

Private Automobile Usage and Transit

Comments assert that the Proposed Project would conflict with Transit First and other policies that give priority to alternatives to the private automobile and require developers to address transit concerns. As discussed on EIR p. 2.51, the Proposed Project would include a *Pier 70 SUD Transportation Plan* to manage transportation demands and to encourage sustainable transportation choices, consistent with San Francisco's Transit First, Better Streets, Climate Action, and Transportation Sustainability Plans and Policies. Key features would include a shuttle service to regional and local mass transit, bike sharing stations and other means of encouraging bicycle use, unbundled parking, car-sharing services, and other approaches to discourage use of single-occupant private vehicles. See "Transportation Demand Management Plan" in EIR Section 4.E, Transportation and Circulation, pp. 4.E.46-4.E.47, for a discussion of TDM Plan strategies. For these reasons, the Proposed Project would not conflict with transportation policies intended to give priority to alternatives to the private automobile.

Comments assert that the Proposed Project requires mitigation for its impact on public transit. As analyzed on EIR pp. 4.E.84-4.E.97, with the exception of one Muni bus route, the project-generated transit trips would not result in a significant impact on local or regional transit service. As such, no mitigation is required except for Muni's 48 Quintara/24th Street bus route, which would require the project sponsors to pay capital costs for additional buses (or alternative measures as determined by the San Francisco Municipal Transportation Agency [SFMTA]). Similarly, the Proposed Project would contribute considerably to significant cumulative impacts on two Muni bus lines, the 22 Fillmore and 48 Quintara/24th Street routes (EIR pp. 4.E.113-4.E.118), and would not result in significant contributions to cumulative transit impacts on any other local or regional transit service (EIR pp. 4.E.119-4.E.122). Mitigation Measures M-C-TR-4A and M-C-TR-4B are included to increase capacity on these two bus routes under either the Maximum Residential Scenario (for the 48 Quintara/24th Street route) or the Maximum Commercial Scenario (for the 22 Fillmore route), or contribute an equivalent fair share to an alternative strategy developed by SFMTA. Moreover, as discussed on EIR p. 4.E.38, the Proposed Project would be required to pay a Transportation Sustainability Fee. For these reasons,

the Proposed Project would not be inconsistent with policies intended to provide and maintain transit service.

Bay Plan Policies

The comments regarding consistency with Bay Plan policies do not raise issues related to the adequacy and accuracy of the EIR's evaluation of the Proposed Project's environmental impacts. However, a discussion of Bay Plan consistency and BCDC review is provided here for informational purposes (see also EIR p. 3.11).

The Proposed Project would require BCDC review and permit approval of activities within BCDC's jurisdiction along the Bay shoreline. As part of BCDC's permit review and approval process, BCDC will review the Proposed Project for consistency with applicable *Bay Plan* policies, and will make the final determination of consistency with BCDC policies, to inform their decision to approve, modify, or disapprove the permit.

The project sponsors are aware of the BCDC policies and guidelines noted in the comment. The project sponsors have met with BCDC to solicit feedback on the Proposed Project. The project sponsors also made a public presentation to the BCDC Design Review Board on October 17, 2016, for the Board's first pre-application review of the project. Independent of the environmental review process under CEQA, the project sponsors will continue to work with BCDC to address their information needs and specific concerns they may have about aspects of the Proposed Project under BCDC jurisdiction.

More specific responses to comments related to consistency with *Bay Plan* policies concerning public shoreline access and Bay views are provided below.

Public Shoreline Access

Comments raise concerns about consistency with plans and policies promoting public access to the Bay. There is currently no public access to the Bay within the project site. A stated objective of the Proposed Project is to provide access to the Bay (EIR p. 2.4) and extend the Bay Trail with a new waterfront park. The Proposed Project includes 9 acres of public open space, including new waterfront open space such as the Waterfront Terrace, Waterfront Promenade, and Slipways Commons (see EIR Figures 2.7: Proposed Land Use Plan – Maximum Residential Scenario, 2.8: Proposed Land Use Plan – Maximum Commercial Scenario, and 2.15: Proposed Open Space Plan, on pp. 2.30, 2.32, and 2.46, respectively). The Waterfront Promenade would encompass a minimum 100-foot-wide portion of an approximately 5-acre waterfront park area, and would include a north-south-running pedestrian and bicycle promenade as part of the 20-foot-wide Blue Greenway and Bay Trail system. Anticipated features include outdoor dining terraces and

furnished picnic and seating terraces that would provide park users with opportunities for waterfront viewing and passive recreation. A 6-foot-wide informal shoreline pathway would run parallel to the riprap along the water's edge and would connect the various features at the San Francisco Bay edge. The Pier 70 slipway structures along the water's edge would be made accessible to the public and would offer opportunities for fishing. The Waterfront Terrace includes three primary spaces: a viewing pavilion to the north, a social lawn along the central portion, and picnicking and seating areas along the southern portion. It would also include the northern portion of the Blue Greenway and Bay Trail system. Slipways Commons open space would connect existing Buildings 2, 12, and 21 to the waterfront, and would be the most flexible, multi-purpose open space. Anticipated features include a multi-function commons, an event plaza, and a viewing pavilion. Roadways are limited to maximize recreational use of the park and encourage pedestrian travel. Additionally, the Proposed Project's long-term sea level rise adaptation strategies are intended to support and promote public access, and would not reduce or have adverse effects on existing public access (see Response PD-4: Public Trust, on RTC pp. 4.A.9-4.A.12).

Bay Trail's Design Guidelines and Toolkit

The comments regarding the San Francisco Bay Trail's Design Guidelines and Toolkit do not raise issues related to the Proposed Project's environmental impacts. The Proposed Project includes a project objective to "provide access to the San Francisco Bay where it has been historically precluded, by opening the eastern shore of the site to the public with a major new waterfront park, extending the Bay Trail, and establishing the Blue Greenway, and create a pedestrian- and bicycle-friendly environment" (EIR p. 2.4). Consistent with project objectives, the Proposed Open Space Plan includes extension of the Blue Greenway and Bay Trail through the southern half of the Pier 70 area (EIR pp. 2.45-2.47 and Figure 2.15). The project sponsors are aware of the San Francisco Bay Trail's Design Guidelines and Toolkit noted in the comment and will consider the document in planning the Bay Trail extension as part of the Proposed Project. The San Francisco Bay Trail's Design Guidelines and Toolkit is not identified in EIR Chapter 3, Plans and Policies, or Section 4.B, Land Use and Land Use Planning, because it is not a binding land use regulation. However, as noted in the EIR, analysis of the Proposed Project's consistency with applicable plans and policies would be undertaken independent of the CEQA process, as part of the decision-makers' action to approve, modify, or disapprove the project or aspects thereof (EIR pp. 4.B.17-4.B.18).

Bay Views

Comments request an analysis of the Proposed Project's consistency with the Port's Pier 70 Master Plan and BCDC's Bay Plan policies regarding design of shoreline improvements and views of the Bay. As noted on EIR pp. 4.A.3-4.A.4, the Proposed Project is subject to Public

Resources Code Section 21099(d). That provision applies to certain projects, including the Proposed Project, that meet the defined criteria for an infill site within a transit priority area. It eliminates the environmental topic of Aesthetics (including the subtopics of scenic views and scenic resources) from impacts that can be considered in determining the significance of physical environmental effects of such projects under CEQA. Accordingly, this EIR does not include a discussion of aesthetic impacts and no discussion of public views, and policies pertaining to public views, is required. As noted above, however, as part of BCDC's review and approval process for aspects of the Proposed Project within BCDC's jurisdiction, BCDC will review the Proposed Project for consistency with applicable *Bay Plan* policies and will make the final determination of consistency, to inform and support their decision to approve, modify, or disapprove the permit.

COMMENT PL-2: REQUESTED REVISIONS

"• The DEIR incorrectly identifies Pier 70 as Bay Plan-designated Water-Related Industry Priority Use Area (see page 4.J.18). The FEIR should indicate that a portion of the project site is designated by the Bay Plan as a Port Priority Use Area, and it should identify the role of the Seaport Plan and the Bay Plan policies on Ports in guiding BCDC's regulatory decisions on permit applications, consistency determinations, and related matters within Port Priority Use Areas. The FEIR should evaluate the consistency of the proposed land uses within the Port Priority Use Area given its use designation." (*Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-3])*

"• Please correct descriptions of the Bay Plan that refer to its most recent date of amendment as 2007. As identified elsewhere in the DEIR, the Bay Plan was amended in 2011 to incorporate Climate Change policies that are of relevance to the proposed project." (*Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-4])*

RESPONSE PL-2: REQUESTED REVISIONS

One comment requests that the Final EIR evaluate consistency of the proposed land uses within the Port Priority Use Areas. This issue is addressed in Response PL-1, above. Another comment requests that the year of the amended *Bay Plan* be revised. The second sentence of the first paragraph on EIR p. 3.10 has therefore been revised, as follows (new text is <u>underlined</u> and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> The San Francisco Bay Conservation and Development Commission (BCDC), created by the McAteer-Petris Act (California Government Code Sections 66600-66682), functions

> as the State's coastal management agency for San Francisco Bay. The San Francisco Bay Plan (Bay Plan) was prepared by BCDC from 1965 through 1969 and amended through ~~2007~~ 2011 in accordance with the McAteer-Petris Act.

A new sentence has been added after the second sentence of the second paragraph, which provides clarity on aspects included in the 2011 Bay Plan, on EIR p. 3.11 and the third sentence has been revised, as follows (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> For the Proposed Project, BCDC's jurisdiction includes the Bay and areas within 100 feet inland of the mean high tide line. The Proposed Project would require BCDC approval of activities within BCDC's jurisdiction along the Bay shoreline. The *Seaport Plan* is incorporated into BCDC's *San Francisco Bay Plan*, and is the basis of the *Bay Plan* port policies. BCDC uses the *Bay Plan* and *Seaport Plan* to help guide its regulatory decisions on permit applications, consistency determinations, and related matters. BCDC will make the final determination of consistency with *Bay Plan* and *Seaport Plan* policies for the portions of the project site that are within its permit jurisdiction.

The fourth sentence of the first full paragraph on EIR p. 4.J.18 has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> The *Bay Plan* identifies priority uses for the San Francisco Bay shoreline. These priority uses are identified on the *Bay Plan* maps and are defined as Ports, Water-related Industry, Water-oriented Recreation, Airports, or Wildlife Refuges. Some of these priority use areas surpass BCDC's permit jurisdiction that consists of land within 100 feet of the San Francisco Bay shoreline. According to *Bay Plan* Map No. 5 (Central Bay), Pier 70 is part of the "Central Basin" and is ~~identified as a Water-related Industry priority use area.~~ in a Port Priority Use Area. Policies related to this area are further specified in the *San Francisco Waterfront Special Area Plan*, as described below. The Proposed Project would not include development that would be inconsistent with *Bay Plan* recreation and public access policies (see Chapter 3, Plans and Policies, p. 3.11).

D. LAND USE

The comment and corresponding response in this section relate to the topic of Land Use, evaluated in EIR Section 4.B.

COMMENT LU-1: AMERICAN INDUSTRIAL CENTER

"On behalf of American Industrial Center ("AIC"), we submit the following comments to the Draft Environmental Impact Report for the Pier 70 Mixed Use Project (the "DEIR").

"On page 4.B.10, the DEIR describes AIC as a four-story, 84- to 92-foot tall complex. This description overstates the scale and massing of the buildings at AIC. In fact, AIC is composed of several buildings of varying heights. Of the approximately 865 feet of building frontage along Illinois Street, two-story buildings of approximately 33 feet in height occupy approximately 440 linear feet; a three-story building of approximately 52 feet in height occupies 110 linear feet; and a four-story building occupies approximately 315 linear feet." *(Charles J. Higley, Farella Braun + Martel LLP, on Behalf of American Industrial Center, Email, February 21, 2017 [O-AIC-1])*

RESPONSE LU-1: AMERICAN INDUSTRIAL CENTER

Based on the information provided in the comment, the first paragraph on EIR p. 4.B.10 has been revised as shown below (new text is underlined and deletions are shown in ~~strikethrough~~). These changes do not change any of the EIR's analyses or conclusions.

Along the West Side of Illinois Street

To the west of the project site, across Illinois Street, is the American Industrial Center, a four-story ~~84- to 92-foot-tall~~ complex that occupies two entire blocks bounded by Illinois Street, 20th Street to the north, 23rd Street to the south, and Third Street to the east. (Of the approximately 865 feet of building frontage along Illinois Street, two-story buildings of approximately 33 feet in height occupy approximately 440 linear feet; a three-story building of approximately 52 feet in height occupies 110 linear feet; and a four-story building occupies approximately 315 linear feet.) The American Industrial Center complex is zoned PDR-1-G (Production, Distribution and Repair-1-General). The blocks along the west side of Illinois Street and the east side of Third Street are in a 68-X Height and Bulk District, except for an area at 23rd Street, which is in an 85-X Height and Bulk District.

E. POPULATION AND HOUSING

The comments and corresponding responses in this section relate to the topic of Population and Housing, evaluated in EIR Section 4.C. The comments are further grouped according to the following issues:

- PH-1: Effects of Project-Related Population Growth on Transit and Public Services
- PH-2: Population Growth and Plan Inconsistencies
- PH-3: ABAG's Fair Share Policy
- PH-4: Employment-Induced Housing Growth
- PH-5: Neighborhood Density

A corresponding response follows each grouping of comments.

COMMENT PH-1: EFFECTS OF PROJECT-RELATED POPULATION GROWTH ON TRANSIT AND PUBLIC SERVICES

"The following impact analyses are additional examples of inadequate effectivity as a CEQA Lead Agency:

"• The impact C-PH-1 should be classified as significant. The comparison of population increase from the project to overall population in San Francisco is an egregious basis for comparison. The Census Tract 226 reports 1534 residents currently live in the impacted area. This project will increase the population fivefold to 8420 residents (1534 + 6886) and have a comparable impact on support and transportation services in the local area. The local area is already substantially under-served by public transportation." *(Clair and Don Clark, Letter, February 8, 2017 [I-C&DClark1-4])*

"• The impact C-PH-1 should be classified as significant. The comparison of population increase to San Francisco overall is irrelevant to the neighborhood impact of population growth and is an egregious basis for comparison. The local area of Census Tract 226 reports 1534 residents currently live in the impacted area. This project will increase the population five fold to 8420 residents (1534 + 6886) and have a comparable impact on support and transportation services in the local area. The local area is already substantially under-served by public transportation." *(Don Clark, January 17, 2017 [I-DClark4-1])*

"**Population and Housing**
"Census Tract 226 reports 1,534 residents currently live in the impacted area. This project will increase the population five-fold to 8,420 residents (1,534 plus 6,886) and has a comparable impact on support and transportation services in the local area." *(Bruce Kin Huie, President, Dogpatch Neighborhood Association, Email, February 21, 2017 [O-DNA-3])*

"Census Tract 226 reports 1,534 residents currently live in the impacted area. This project will increase the population fivefold to 8,420 residents (1,534 plus 6,886) and has a comparable impact on support and transportation services in the local area." *(J. R. Eppler, President, Potrero Boosters Neighborhood Association, and* Rachel *Mansfield Howlett, Provencher & Flatt LLP, on behalf of Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association, Email, February 21, 2017 [O-DNA&PBNA-15])*

RESPONSE PH-1: EFFECTS OF PROJECT-RELATED POPULATION GROWTH ON TRANSIT AND PUBLIC SERVICES

Comments note that the Proposed Project would result in a five-fold increase in the population of Census Tract 226 (the Census Tract in which the project site is located) and assert that this growth would overly burden the area's public services and transit. The Proposed Project's impacts on transit and public services are evaluated in EIR Sections 4.E, Transportation and Circulation, and 4.L, Public Services, respectively. Concerns regarding impacts on transit and public services are specifically addressed in RTC Sections 4.G, Transportation and Circulation, and 4.L, Public Services. The issue raised in the comments regarding comparing the project-related population increase to the City's population is addressed below in Response PH-2: Population Growth and Plan Inconsistencies, RTC pp. 4.E.5-4.E.9.

Comments state that the level of significance for Impact C-PH-1 (EIR pp. 4.C.34-4.C.38) should be "Significant" rather than "Less than Significant" as determined in the EIR and further state that comparison of population increase from the project to the population in San Francisco is an egregious basis for comparison because it overlooks localized growth-related impacts. However, the comments do not offer any evidence as to why the conclusions reached in the EIR are incorrect. To the extent that such comments express opposition to the anticipated population increase as a result of the Proposed Project's contribution to cumulative impacts, this concern is addressed in Response ME-1: Comments on the Merits of the Proposed Project, RTC pp. 4.T.9-4.T.10. Such comments may be considered and weighed by the decision-makers as part of their decision to approve, modify, or disapprove the Proposed Project. This consideration is carried out independent of the environmental review process.

COMMENT PH-2: POPULATION GROWTH AND PLAN INCONSISTENCIES

"**Population and Housing**
"The Central Waterfront Plan anticipated 2,020 new residential units in the Area under the Preferred Project that was approved as part of the Eastern Neighborhoods Plan. As of the end of 2015, over 1,600 units had already been constructed or were in the pipeline. The Project has the potential, with 3,025 residential units, to exceed the entire anticipated total by 1,005 units, by itself, alone. Combined with other development in the area, this is more than double what was projected under the Area Plan and well beyond what was considered in the Eastern Neighborhoods Plan EIR." *(Bruce Kin Huie, President, Dogpatch Neighborhood Association, Email, February 21, 2017 [O-DNA-4])*

"**Population and Housing Impacts**
"The impact C-PH-1 should be classified as significant. The comparison of population increase from the project to overall population in San Francisco does not present a valid basis for comparison; the proper comparison is the Project's increase to that of the area proposed. Land Use section (4.B.28) describes growth as "substantial". This is a direct contradiction to the statement in PH-1 that "the Proposed Project would not induce substantial population growth in an area, either directly or indirectly."…

"The Central Waterfront Plan anticipated 2,020 new residential units in the Area under the Preferred Project that was approved as part of the Eastern Neighborhoods Plan. As of the end of 2015, over 1,600 units had already been constructed or were in the pipeline. The Project has the potential, with 3,025 residential units, to exceed the entire anticipated total by 1,005 units, by itself, alone. Combined with other development in the area, this is more than double what was projected under the Area Plan and well beyond what was considered in the Eastern Neighborhoods Plan EIR.

"Under Plan Bay Area, population increases for the entire Port of San Francisco Priority Development Area are projected to be 1,497 households by 2040. The Maximum Residential Scenario for the Project would result in 3,025 new units, which alone exceeds the Plan Bay Area growth projections within the PDA by over 200%. It's unreasonable to label impacts from the Project's population growth as "less than significant" by simply claiming the Project is a consistent with Plan Bay Area's Goals for the entire region. The Plan Bay Area does not address the need for public services at the project level or local level, nor does it provide direct funding to mitigate the impacts for such a significant population increase in a single PDA." *(J. R. Eppler, President, Potrero Boosters Neighborhood Association, and Rachel Mansfield Howlett, Provencher & Flatt LLP, on behalf of Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association, Email, February 21, 2017 [O-DNA&PBNA-14])*

"The Draft EIR states that the "Project would potentially contribute to cumulative population and housing impacts in the context of existing, proposed, and reasonably foreseeable future development expected in San Francisco along with the region." (DEIR pg. 4.C.35.) CEQA requires that the cumulative analysis review closely related projects. This is particularly applicable to population and housing impacts, yet the Draft EIR fails to account for the cumulative impacts of direct and indirect population growth within the Central Waterfront Area and considers only regional and City-wide impacts. This is a serious omission given the aforementioned 448% residential population growth and increases in employment within the Central Waterfront Area.

"A full analysis of potential physical impacts resulting from the anticipated growth should be included in the Draft EIR's analyses." *(J. R. Eppler, President, Potrero Boosters Neighborhood Association, and Rachel Mansfield Howlett, Provencher & Flatt LLP, on behalf of Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association, Email, February 21, 2017 [O-DNA&PBNA-18])*

"The Proposed Project has the potential to result in direct and cumulative adverse physical environmental effects due to population growth. The Land Use section (4.B.28) describes growth as "substantial". This is a direct contradiction to the statement in PH-1 that "The Proposed Project would not induce substantial population growth in an area, either directly or indirectly". What is the threshold of significance if not "substantial"?

"The Proposed Project is growth-inducing because it would accommodate new residential development in an undeveloped area with a direct increase in population on a very large scale. As noted in the DEIR, under the Maximum Residential Scenario, the number of new residents in Census Tract 226 (Central Waterfront) would increase by 448% as a direct result of the Project. (4.C.22) Here the level of growth is described as "substantial". (4.C.23)

"The Central Waterfront Plan anticipated 2020 new residential units in the entire Area under the Preferred Project that was approved as part of the Eastern Neighborhoods Plan. As of the end of 2015, over 2704 units had already been constructed or were in the pipeline, with hundreds more submitted for review in 2016. But the Pier 70 project has the potential, with 3025 units, to exceed the entire anticipated total by 1005 all by itself. Combined with other development in the area, this is more than double what was projected under the Area Plan, and well beyond what was considered in the Eastern Neighborhoods PEIR.

"Under Plan Bay Area, population increases for the entire Port of SF Priority Development Area are projected to be 1497 households by 2040. The Maximum Residential Scenario for the Pier 70 Project would result in 3025 new units which alone exceeds the Plan Bay Area growth projections by over 200%. It's unreasonable to label impacts from Pier 70 population growth as "less than significant" by simply claiming the Project is a consistent with Plan Bay Area's Goals for the entire region. The Plan Bay Area does not address the need for public services at the project level or local level, nor does it provide direct funding to mitigate the impacts for such a significant population increase in a single PDA…

"The DEIR states that the "Proposed Project would potentially contribute to cumulative population and housing impacts in the context of existing, proposed, and reasonably foreseeable future development expected in San Francisco along with the region." (4.C.35) CEQA requires that cumulative analysis look at closely related projects. This is particularly applicable to population and housing impacts. However the DEIR ignores the cumulative impacts of direct and indirect population growth within the Central Waterfront Area and considers only regional and Citywide impacts. This is a serious omission given the aforementioned 448% residential population growth and increases in employment within the Central Waterfront Area.

"It's clear that the Proposed Project will result in significant population increases with the potential to result in adverse physical impacts. A full analysis of potential physical impacts resulting from that growth should be included." *(Alison Heath, Grow Potrero Responsibly, Email, February 22, 2017 [O-GPR2-12])*

"Also is there an overlap between, the Central SOMA plan and the Eastern Neighborhoods Plan, and the demand for housing in all the neighborhoods cited in the paragraphs above, due to these previous plans combined with this Pier 70 plan? What is that overall combined demand for housing units from these three area plans? And what would that combined demand be for existing housing in the neighborhoods cited above? (Part of the SW and most of the SE Quadrants)." *(Georgia Schuttish, Email, February 21, 2017 [I-Schuttish-5])*

"Certainly, population growth anticipated with this project is not less than significant. The number of residential units has the potential to exceed the entire total allowed under the Central Waterfront -- Waterfront Plan all at once and all by itself.

"It also exceeds ABAG's growth projections for the entire Port of San Francisco, burdening us with much more than our so-called fair share." *(Alison Heath, Grow Potrero Responsibly, DEIR Hearing Transcript, February 9, 2017 [O-GPR1-2])*

RESPONSE PH-2: POPULATION GROWTH AND PLAN INCONSISTENCIES

Comments express concern about population growth due to the development of housing under the Proposed Project and other projects in the area, noting that the Proposed Project would contribute housing in excess of what was planned for in the *Central Waterfront Area Plan* and analyzed in the *Eastern Neighborhoods Rezoning and Area Plan EIR*. Comments also state that the Draft EIR should analyze the physical impacts of the Proposed Project's population growth. As stated on EIR p. 4.C.22, the *Central Waterfront Area Plan* encourages the transformation of traditional Port activities (i.e., industrial uses) to accommodate a substantial amount of new housing. The Plan sees the Central Waterfront as "critical to supporting a much-needed increase in commercial services, enlivening open spaces, and creating a vibrant and cohesive residential neighborhood."[1] Additionally, the *Central Waterfront Area Plan* identifies Pier 70 as playing a substantial role in defining the Central Waterfront; however, changes to the zoning and height controls at Pier 70 were not included in the analysis of the Eastern Neighborhoods community planning and rezoning program in recognition of the Port's Pier 70 area master planning efforts. Therefore, the Proposed Project and associated population growth were not considered in the *Central Waterfront Area Plan* or the *Eastern Neighborhoods Rezoning and Area Plan EIR*. Further, the Proposed Project does not rely on the environmental analysis in the Eastern Neighborhoods Rezoning and Area Plan EIR. Accordingly, the Proposed Project's population impacts (see Section 4.E, Population and Housing) and the physical impacts of the proposed project's population growth are analyzed in this EIR.

A comment asserts that there is a contradiction between EIR p. 4.B.28, which states that population growth would be substantial, and Impact PH-1, which states on EIR p. 4.C.22 that "the Proposed Project would not induce substantial population growth in an area, either directly or indirectly." The EIR notes on p. 4.C.24 that population growth would not be substantial at the project site, either directly, through the development of a large number of new residential units, or indirectly, through the extension or expansion of roads or other public infrastructure that could allow more growth than could be served by existing infrastructure. The cumulative land use

[1] City and County of San Francisco, *Central Waterfront Area Plan*, December 2008, p. 21.

impact analysis in Impact C-LU-1 on p. 4.B.28, and some points of discussion in Section 4.C, Population and Housing, do indicate that population growth on the project site would be substantial; however, in this instance the term "substantial" is used to note that the projected population increase on the project site would be sizeable compared to existing conditions, and is not intended to indicate that direct or indirect effects of population growth would result in a significant physical environmental effect. According to CEQA Guidelines Section 15064(e),

> "Economic and social changes resulting from a project shall not be treated as significant effects on the environment. Economic or social changes may be used, however, to determine that a physical change shall be regarded as a significant effect on the environment."

Population and housing growth are examples of economic and social changes. Generally, a project that induces population growth is not viewed as having a significant impact on the environment unless this growth is unplanned and results in significant physical impacts on the environment. Thus, the growth and changes in employment and population, and potential demand for housing that would occur with implementation of the Proposed Project would not be considered adverse physical impacts in themselves. Secondary effects of population growth are analyzed in their respective sections of the EIR, including Section 4.E, Transportation and Circulation; Section 4.F, Noise; Section 4.G, Air Quality; Section 4.L, Public Services; Section 4.J, Recreation; and Section 4.K, Utilities and Service Systems.

One comment states that project-related population growth should be compared to the population in the vicinity of the project site, rather than the City's overall population, for a valid comparison. Population growth is considered in the context of local and regional plans and population, housing, and employment projections. As noted above, although the Proposed Project would result in sizeable population growth locally and on the project site, because the growth is planned and would not result in indirect or secondary growth (i.e., physical environmental effects from the expansion of infrastructure to un- or under- served areas), the impact is considered less than significant. Indirect or secondary growth impacts are typical of development patterns that occur in suburban areas adjacent to or near undeveloped lands and are not applicable to the project site, which is located in a built-up urban environment that is already served by infrastructure.

Similarly, comments state the impacts should be considered significant because population growth would exceed the Port of San Francisco Priority Development Area (PDA) projections. Also, a comment notes that impacts should be significant because it is invalid to compare the Proposed Project to *Plan Bay Area's* regional goals, which did not account for local or project impacts. As stated above, the increase in population would not result in physical environmental effects related to increases in infrastructure; rather, the Proposed Project would serve to advance key City policies identified in the Transit First Policy, Housing Element, and *Central Waterfront Area Plan*. Objectives of the Housing Element and *Central Waterfront Area Plan* include

providing adequate housing for current and future San Franciscans, and the Transit First Policy promotes the use of mass transit and encourages the use of public rights-of-way by pedestrians, bicyclists, and transit. In addition, the Proposed Project would further goals and strategies outlined in *Plan Bay Area* and the *Regional Housing Need Plan for the San Francisco Bay Area: 2014-2022*. The strategy of *Plan Bay Area* is to direct growth in PDAs (including the Port of San Francisco PDA), which have been identified as having the necessary infrastructure to accommodate such growth. The *Regional Housing Need Plan for the San Francisco Bay Area: 2014-2022* has set new housing goals for cities in the Bay Area to meet the State's housing need.

Direct population growth from the Proposed Project is considered planned growth, since the Proposed Project has been included in the City's population planning projections.[2] By 2040, approximately 88 percent of projected population growth is expected to occur within the City's PDAs, which include the project site (within the Port of San Francisco PDA).[3] Although the amount of residential development would be greater than what was identified by the Association of Bay Area Governments (ABAG) for the Port of San Francisco PDA, the development of residential uses in this area would conform with ABAG and the City's designation of the Port of San Francisco as one of 12 PDAs that are served by existing utilities, infrastructure, and transit, and with the potential to accommodate future population and housing growth in the City and Bay Area region.[4] Therefore, impacts on population and housing were considered less than significant in the EIR. Additionally, it is noted that *Plan Bay Area* is not intended to control local land use decisions, but to encourage urban infill development along major transit routes (Government Code Section 65080).

A comment asks about the relationship between the *Central SoMa Plan* and the *Eastern Neighborhoods Area Plans*, which are comprised of the Central Waterfront, Mission, Showplace Square/Potrero Hill, and East SoMa Area plans. The *Central SoMa Plan* and the *Eastern Neighborhoods Area Plans* are related in that they update the zoning and height maps and the Planning Code, and guide growth and development in portions of the South of Market Planning Area and eastern part of the City. The *Central SoMa Plan* was initially part of the Eastern Neighborhoods planning process; however, the City determined that the development potential of the Central SoMa area, coupled with the improved transit provided by the Central Subway, necessitated a separate planning process. The *Central SoMa Plan* area does not encompass the project site. The project site is located within the *Central Waterfront Area Plan*; however, as

[2] ABAG, *Projections 2013*, p. 20.
[3] ABAG, *Projections 2013*, p. 71.
[4] San Francisco County Priority Development Areas include Bayview/Hunters Point Shipyard/Candlestick Point; Balboa Park; Downtown-Van Ness-Geary; Eastern Neighborhoods; Mission Bay; Port of San Francisco; Transbay Terminal; Treasure Island; San Francisco/San Mateo Bi-County Area (with Brisbane); 19th Avenue Corridor; Market and Octavia; and Mission-San Jose Corridor.

stated on EIR p. 3.2, although the project site is included in the geographic area covered by the *Central Waterfront Area Plan*, that plan did not revise zoning and height controls for the majority of the Pier 70 area; only heights for the western end of the project site, west of the Michigan Street alignment, were revised,[5] deferring to the Port's Pier 70 area planning process, which was ongoing when the *Central Waterfront Area Plan* was being prepared.

Comments assert that the EIR should consider the cumulative demand for housing from the *Central SoMa Plan*, *Eastern Neighborhoods Area Plans*, and the Proposed Project. Each respective project or plan is required to undergo a CEQA analysis related to housing demand. Specifically, if a project displaces substantial numbers of existing housing units or creates demand for additional housing, necessitating the construction of replacement housing, it would result in a significant impact. The cumulative impact analysis for the Proposed Project included the *Eastern Neighborhoods Area Plans* and the *Central SoMa Plan*. The approach to the cumulative impact analysis is explained on EIR pp. 4.A.12-4.A.18. As stated on EIR p. 4.C.37, when combined with the cumulative projects, the population growth associated with increased project-related employment would not result in a housing demand that would exceed planned regional housing development, and would not be substantial.

Similarly, the *Eastern Neighborhoods Area Plans* and *Central SoMa Plan* were required to undergo a cumulative impact analysis and considered impacts related to housing demand. As the *Eastern Neighborhoods Rezoning and Area Plans* removed barriers to population and housing growth in wide areas of the City, it was determined to have secondary, cumulative effects due to population growth, which were analyzed in different topics of that EIR.[6] Because the *Central SoMa Plan* is intended to accommodate project employment and housing growth identified for San Francisco in *Plan Bay Area*, it would not result in cumulative effects related to population and housing.[7]

Comments ask about housing demand in the southern portions of the City resulting from the previously mentioned Area Plans and the Proposed Project. In addition to the CEQA analysis described above, housing demand and the fair share of housing necessary for each jurisdiction is also calculated in the Regional Housing Needs Assessment. The total housing need for each region is based on the region's forecast for population, households, and employment. The Regional Housing Needs Assessment process seeks to ensure that each jurisdiction recognizes its

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[5] The Height District for the area covered by the Illinois Parcels PKN, PKS, and HDY2 was changed from 40-X to 65-X.

[6] San Francisco Planning Department, *Eastern Neighborhoods Rezoning and Area Plans Final EIR*, certified August 7, 2008, p. 175. Available online at http://sf-planning.org/area-plan-eirs. Accessed April 12, 2017.

[7] San Francisco Planning Department, Central SoMa Plan Initial Study, February 2014, pp. 87 and 88.

responsibility to provide housing that represents the number of additional residential units that would be required to accommodate the anticipated growth in households; to replace expected demolitions and conversions of housing units to non-housing uses; and to achieve a future vacancy rate that allows for the healthy functioning of the housing market. As required by State law, the Housing Element of the *General Plan* discusses the City's fair share allocation of regional housing needs by income as projected by ABAG. It is the City's policy as outlined in the Housing Element to meet the housing needs established by the Regional Housing Needs Assessment (i.e., *Regional Housing Need Plan for the San Francisco Bay Area: 2014-2022*). Effects related to housing demand on existing neighborhoods are discussed under "Employment-Induced Housing Growth" on p. 4.E.12.

COMMENT PH-3: ABAG'S FAIR SHARE POLICY

"ABAG has a "Fair Share" policy to ensure that individual PDAs do not shoulder too much of the responsibility for meeting the region's housing needs. The number of units for the Project under the Maximum Residential Scenario grossly exceeds the 110% threshold limit for the entire PDA. To make matters worse, the Port PDA will include the Mission Rock Development with upwards of 1,500 additional residential units. The combined impacts of these massive residential projects are far beyond what was anticipated in the Plan Bay Area." *(J. R. Eppler, President, Potrero Boosters Neighborhood Association, and Rachel Mansfield Howlett, Provencher & Flatt LLP, on behalf of Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association, Email, February 21, 2017 [O-DNA&PBNA-16])*

"ABAG has a "Fair Share" policy to ensure that individual PDA's do not shoulder too much of the responsibility for meeting the region's housing needs. The number of units for Pier 70 under the Maximum Residential Scenario grossly exceeds the 110% threshold limit for the entire PDA. To make matters worse, the Port PDA will also include the Mission Rock Development with upwards of 1500 additional residential units. The combined impacts of these massive residential projects are far beyond what was anticipated in the Plan Bay Area." *(Alison Heath, Grow Potrero Responsibly, Email, February 22, 2017 [O-GPR2-13])*

RESPONSE PH-3: ABAG'S FAIR SHARE POLICY

Comments note that the number of units that would be developed under the Proposed Project would exceed the threshold of ABAG's "Fair Share" policy and that too much of the housing burden would be placed on the Port of San Francisco PDA. As stated on EIR pp. 4.C.6 and 4.C.7, the Bay Area's overall projected housing need over the defined planning period (2014-2022) is approximately 187,990 new residential units. San Francisco's share of this number is about 28,869 units.[8] Although the population increase would exceed the 2040 household and

[8] ABAG, *Regional Housing Need Plan for the San Francisco Bay Area: 2014-2022*, Appendix A, Attachment 1 and Appendix C, pdf pp. 21 and 28.

population estimates for the Port of San Francisco PDA[9], it would be within the 2040 estimates for the adjacent combined PDAs (26,880 new households and 79,100 new persons). The PDAs adjacent to the project site are the Eastern Neighborhoods PDA, the Mission Bay PDA, and the Bayview/Hunters Point Shipyard/Candlestick Point PDA. When considered together with adjacent PDAs, the population increase attributable to the Proposed Project would not be considered substantial because it would not exceed population increases identified by ABAG for the adjacent PDAs. The Port of San Francisco PDA is one of 12 PDAs in the City where 88 percent of population growth in the City is expected to take place,[10] and it is expected to help the City meet its allocation of the housing needs specified in ABAG's *Regional Housing Need Plan for the San Francisco Bay Area: 2014-2022*.

The 110 percent threshold related to ABAG's "Fair Share" policy refers to a jurisdiction's total housing growth within all of its PDAs.[11] Therefore, the 110 percent threshold does not apply solely to growth in the Port of San Francisco PDA, or any individual PDA; rather, it relates to housing growth throughout the City and County of San Francisco PDAs. In addition, ABAG's "Fair Share" policy is intended to limit an unfair housing assignment from the Regional Housing Need Allocation, and not to restrict local jurisdictions from approving additional housing units above and beyond their housing allocation.

COMMENT PH-4: EMPLOYMENT-INDUCED HOUSING GROWTH

"Employment opportunities at Pier 70 would also induce population growth in the region that will result in growth inducing impacts. As a direct result of the Project, there would be potentially adverse physical environmental effects due to population growth. The Draft EIR notes that under the Maximum Commercial Scenario, with 9,768 employees onsite, there would be an induced demand for between 5,592 and 9,768 housing units. (DEIR pg. 4.C.32-33.) Under the Maximum Commercial Scenario, with only 1,645 residential units onsite, there would be a net increase in the need for housing, thereby exacerbating the purported housing "crisis". The Draft EIR expects that only 29.4% of the induced housing need will be met on site. (DEIR pg. 4.C.33.) Physical impacts of that growth, particularly those related to transportation, public services and air quality, must be considered. Furthermore, the Jobs-Housing Linkage Fees are arguably out of date and don't fully mitigate the impacts on housing supply and affordability." *(J. R. Eppler, President, Potrero Boosters Neighborhood Association, and Rachel Mansfield Howlett, Provencher & Flatt LLP, on behalf of Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association, Email, February 21, 2017 [O-DNA&PBNA-17])*

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[9] ABAG, Plan Bay Area Priority Development Area Showcase, February 2015. Available online at http://gis.abag.ca.gov/website/PDAShowcase/. Accessed March 14, 2017.
[10] ABAG, *Projections* 2013, p. 71.
[11] ABAG, 2012, *Regional Housing Need Allocation (RHNA) Methodology Technical Documentation,* p. 5.

"As a direct result of the proposed project there would potentially be adverse and direct physical environmental effects due to population growth from a large commercial component. Employment opportunities at Pier 70 would also induce population growth throughout the region. The DEIR notes that under the Maximum Commercial Scenario, with 9768 employees onsite, that there would be an induced demand for between 5592 and 9768 housing units. (4.C.32-33) The DEIR expects that only 29.4 percent of the induced housing need will be met on site. (4.C.33) Simple math shows that under the Maximum Commercial Scenario, with only 1645 residential units onsite, that there would be a net increase in the need for housing, exacerbating the purported housing "crisis". Physical impacts of that growth, particularly those related to transportation, public services and air quality, must be considered. Furthermore the Jobs-Housing Linkage Fees are arguably out of date and don't fully mitigate the impacts on housing supply and affordability." *(Alison Heath, Grow Potrero Responsibly, Email, February 22, 2017 [O-GPR2-14])*

"Housing-work balance:
"Under the Maximum Commercial Scenario in the plan, the proposed project would add 9,768 employees to the area, and house 3,735 residents (table 4.C.4). In other words, the current project would increase the housing deficit by 6,033 residents, which would have to be commute from elsewhere in the city or beyond. That negates the objectives, claimed by the project and by local governments, of alleviating housing demand and reducing the pressure on transportation resources.

"Under the Maximum Residential Scenario, the project would have 6,868 residents and 5,599 employees, a net increase in housing for 1,269 people, or 18% of the total residential capacity generated. It is therefore a five-fold inefficient use of land resources toward alleviating housing pressure. A mostly residential project one-fifth the size of the one proposed would achieve the same increase in housing supply at a much smaller environmental cost." (*Yoram Meroz, Email, February 20, 2017 [I-Meroz-3])*

"On page 4.C.38 "Environmental Setting and Impacts, C. Population and Housing" it states:

> *'The demand for 3,205 to 5,592 housing units that would be generated by employment under the Maximum Residential Scenario and the Maximum Commercial Scenario, respectively, would be more than the total number of units provided by the Proposed Project. However, the housing demand could be met with units that could be developed under various Citywide and regional planning efforts and housing built as a result of the Jobs-Housing Linkage Fee…..'*

"My questions are:

"What specifically will or could happen to existing nearby or adjacent San Francisco residential neighborhoods with this demand for units from the Pier 70 development that cannot be met by the development itself?" *(Georgia Schuttish, Email, February 21, 2017 [I-Schuttish-1])*

"What is the difference in demand for housing units and demand for existing housing units?" *(Georgia Schuttish, Email, February 21, 2017 [I-Schuttish-2])*

"Many of these adjacent or nearby neighborhoods, such as the Mission, Bernal Heights, Noe Valley and Potrero Hill are already in high demand for high end luxury-type, multi-million dollar single family residences, either through new housing but primarily through alterations of existing housing stock. What is the impact on these adjacent or nearby neighborhoods due to increased demand generated by the Pier 70 development? What specific *"Citywide… planning efforts and housing…"* would meet this demand? Would the purchasing decisions for housing made due to this projected demand from the the Pier 70 project align or match-up with the housing demand that *"could be developed under various Citywide and regional planning efforts"*? Does this include alterations of existing housing? What is the impact on existing housing in these neighborhoods?" *(Georgia Schuttish, Email, February 21, 2017 [I-Schuttish-3])*

"Can you give some information as to what would be the impact on the demand for other neighborhoods, adjacent to the neighborhoods cited above, such as Glen Park, Diamond Heights, and those neighborhoods collectively known as the Outer Mission or similar neighborhoods in this SE Quadrant that are considered affordable or relatively affordable due to existing housing?" *(Georgia Schuttish, Email, February 21, 2017 [I-Schuttish-4])*

RESPONSE PH-4: EMPLOYMENT-INDUCED HOUSING GROWTH

Comments note that project-related employment growth would induce demand for housing, potentially affecting nearby neighborhoods. Housing demand impacts are analyzed in the EIR on pp. 4.C.31-4.C.34. As stated on EIR p. 4.C.33, the Proposed Project's employment growth would be considered substantial if it resulted in housing demand that would exceed anticipated on-site, Citywide, and regional housing development. Because the Proposed Project's employment growth would be met with planned housing growth Citywide in addition to regional growth associated with *Plan Bay Area* and the Housing Element, impacts are considered less than significant. A comparison of the estimated induced housing demand and the number of housing units that would be developed as part of the Maximum Commercial Scenario indicates that a substantial imbalance would not occur, as the worst-case scenario of the induced demand for 5,592 housing units would represent approximately 23.1 percent of the projected 24,180 units that could be developed under various area-wide large-scale housing projects, including the Candlestick Point-Hunters Point Project, the Treasure Island / Yerba Buena Island Redevelopment Plan, and the Parkmerced Project.

Regarding potential effects of increased housing demand on nearby neighborhoods and the existing housing stock, CEQA analysis focuses on future growth generated by the Proposed Project, and its ability to be accommodated by on-site residential development and by anticipated Citywide and regional development, not the existing housing stock. Because it is impossible to determine where the proposed new employees would live, housing demand is evaluated on a Citywide and regional level. Additionally, housing demand is calculated using the current

commute patterns established by the U.S. Census (i.e., 27.3 percent of jobs in San Francisco are held by commuters and 72.7 percent of jobs are held by those who live in the City).[12] The Proposed Project's induced housing demand is compared to projected housing units and planned growth in the City and region. Specific planning efforts to meet the City's fair share of the Regional Housing Needs Assessment include the Housing Element. The City's Housing Element contains objectives and policies that address the growing housing demand, focusing on strategies that can be accomplished within the City's limited land supply and that meet the housing goals developed in the Regional Housing Needs Assessment. Regionally, ABAG's *Plan Bay Area* is the integrated transportation and land use/housing strategy to accommodate future population growth and reduce greenhouse gas emissions. Because the Proposed Project would not induce housing demand that exceeds the projected housing units that ABAG has allocated to San Francisco and other Bay Area cities, displacement impacts would be less than significant.

Comments assert that indirect housing demand generated by the Proposed Project would not help alleviate housing pressure and does not meet the objectives claimed by the project sponsors. The project sponsors' objectives on EIR pp. 2.4-2.5 do not include alleviating housing pressure; rather, the Proposed Project would assist the City in meeting its fair share of regional housing needs by building additional housing units and creating a neighborhood that supports both residents and workers. Because the Proposed Project would not create a substantial housing imbalance and the worst-case-scenario-induced housing demand could be accommodated by on-site development and various area-wide, large-scale development projects, the EIR concludes that the impact would be less than significant, and no mitigation is required.

One comment states that the Jobs-Housing Linkage Fee is out of date and would not mitigate effects to housing supply and affordability. As stated above, the Proposed Project would not induce substantial housing growth and no housing demand mitigation is required. However, in accordance with City policy, the Jobs-Housing Linkage Fee would be applied per Planning Code Section 413 to assist in developing low- and moderate-income housing. In accordance with the proposed Development Agreement, the Jobs-Housing Linkage Fee revenue would be used to assist in developing low- and moderate-income housing in San Francisco.

Comments express general concern about the transportation, public services, and air quality effects related to growth and housing demand. Such impacts are discussed in the EIR in Section 4.E, Transportation and Circulation; Section 4.L, Public Services; and Section 4.G, Air Quality, respectively. See also RTC Section 4.U, General Environmental Comments, pp. 4.U.1-4.U.5. Comments related to gentrification and displacement are addressed in Response OC-1: Comments on Other CEQA Considerations, on pp. 4.Q.1-4.Q.6.

[12] San Francisco Planning Department, Data and Needs Analysis, p. I.14.

COMMENT PH-5: NEIGHBORHOOD DENSITY

"**4C: Population and Housing**
"This section is full of useful information concerning housing needs and the growth of jobs. There are two scenarios proposed: "Maximum Residential Scenario" and the "Maximum Commercial Scenario". In the former, 6,868 residents are added to 28-acre site along with 5599 employees. In the latter, 3735 residents and 9768 employees are added. Each scenario provides considerable parking, with the commercial scenario providing 35 more (out of a max of 3,496.)

"There are only two ways into this part of pier 70 -- 20th Street and 22nd Street. The Housing/Population section does not provide any thought on the degree of crowdedness nor how the project can be accomplished with a population of 12,467 or 13,503 to be squeezed into the space provided. It will be a dense neighborhood. However, In terms of San Francisco needs as revealed in this discussion, the "Maximum Residential Scenario" will satisfy to a greater degree the intense housing crunch we are having. In either case, no mitigations were required so long as the project follows City rules and regulations outlined." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-9])*

RESPONSE PH-5: NEIGHBORHOOD DENSITY

The comment notes that the Proposed Project would be a dense development and expresses a preference for the Maximum Residential Scenario because it would provide more housing than the Maximum Commercial Scenario. The comment notes that no mitigation is required as long as the Proposed Project complies with applicable rules and regulations. As discussed on EIR p. 4.C.23, the project site is located within an area of the SOMA Planning District, which has an average housing density of 54 units per acre.[13] The Proposed Project would result in a maximum housing density of about 86 residential units per acre (78 residential units per acre on the 28-Acre Site and 125 residential units per acre on the Illinois Parcels). As stated on EIR p. 4.C.23, local policy emphasizes promoting mixed use development with moderate to high residential densities to meet the City's housing needs and reduce greenhouse gas emissions; this has resulted in the development of buildings with more than 10 units (91 percent of the new construction in the last 10 years). A large proportion of new housing development has occurred in areas of the City well served by transit and essential services such as the SOMA Planning District, which includes the *Central Waterfront Area Plan* and the project site. Although the Proposed Project and associated population growth would be considered higher density, the growth can be accommodated on the project site because the level of density is less than in other high-density areas of San Francisco (e.g., 283 units per acre).

Effects of the Proposed Project on transportation and circulation related to traffic hazards, vehicle trips, and pedestrian traffic and facilities along 20th and 22nd streets are discussed in EIR Section 4.E, Transportation and Circulation.

[13] San Francisco Planning Department, Data and Needs Analysis, Map 6, p. I.70.

F. CULTURAL RESOURCES

The comments and corresponding responses in this section relate to the topics of Archeological Resources and Historic Architectural Resources, evaluated in EIR Section 4.D. The comments are further grouped according to the following issues:

- CR-1: Archeological Resources
- CR-2: Demolition of Contributing Buildings
- CR-3: Rehabilitation and Reuse of Contributing Buildings
- CR-4: Circulation and Streets
- CR-5: Infill Construction
- CR-6: Irish Hill Contributing Landscape Feature
- CR-7: Requested Revisions.

A corresponding response follows each group of comments.

COMMENT CR-1: ARCHEOLOGICAL RESOURCES

"It's certain that future excavations around and on Irish Hill will uncover artifacts from the community of workers who once lived there. These artifacts will tell us more about the consumer behavior of the several immigrant groups who settled in boarding houses, flats and small homes there." *(Peter Linenthal, Director, and Abigail Johnston, Secretary, Potrero Hill Archives Project, email, February 21, 2017 [O-PHAP2-2])*

"**Environmental Setting and Impacts**
"**D. Cultural Resources**
"**4.D.4 Late Nineteenth Century (1860-1899)**
"Irish Hill noted as residential neighborhood founded as direct outgrowth of industrial complexes. Irish Hill is THE vestige of the historic residential neighborhood within Pier 70 Development.

"**4.D.5-4.D.6 Irish Hill Neighborhood 1860-1885**
"Three paragraphs establish importance of the Irish Hill neighborhood as it relates to Shipbuilding industry and Pier 70 project area

"**4.D.7 Irish Hill Neighborhood, 1900-1914**
"Further states that Irish Hill "continued to attract new immigrants to the area"… "a place of employment and possibility"…"a place of work and residence for families from Ireland and other countries…

"Further states that "the outline of Irish Hill did not change dramatically between 1900-1914" … that all residential housing had been removed by end of WWI.

"**4.D.8 Prior Ground Disturbance within the Project Site**
"States that Irish Hill was cut back over time." (Janet Carpinelli, Email, February 20, 2017 [I-Carpinelli-1])

"Parts of the EIR were talking about the digging of parts of Irish Hill to make the road to go through to the machine shop area. The digging that will take place on Irish Hill is very minimal, maybe 3 percent of the hill, but the digging could also reveal many architectural and archeological things that people haven't really seen for a hundred years.

"The hill that is there -- that is there today has not been touched, really, for 100 years. 1918 was when the last excavations were there, and I just -- I brought a few artifacts to show you.

"Okay. This is a woman's dress boot. I found this on Irish Hill. It's full of mud. It actually has, still, the frills of the little leather laces that it was -- it had.

"This is a beer bottle from Irish Hill. Irish Hill was a very raucous neighborhood. There were many saloons, working-class men. This is how beer was bottled before the turn of the century. If you got hit on the head with this, you would be in series trouble. It's very heavy.

"Here I have the head of a clawhammer. I have a porcelain canning lid, so people on Irish Hill obviously canned their own food, built their own things.

"I have here Dr. Mung's Essence of Opium, which was a painkiller. It was reported to be safe for children, however, it was easily -- easily mismanaged and actually ended up killing quite a few babies, unfortunately." *(Steven Fidel Herraiz, DEIR Hearing Transcript, February 9, 2017 [I-Herraiz1-2])*

"4. Irish Hill has yielded and is likely to yield important historical artifacts. I have attached a photograph of some of the artifacts that were found on Irish Hill. (see pp. 11-12)" *[See the bracketed copy of this letter in RTC Attachment B: Comment Letters on the Draft EIR, for the photograph referenced in this comment and for additional attachments.] (Steven Fidel Herraiz, Letter, February 20, 2017 [I-Herraiz2-2])*

"From page 4.D.25 of the EIR, with regard to the artifacts that have been found or maybe found on Irish Hill:

> "Unless mitigated, ground-disturbing construction activity within the project site, particularly within undisturbed soils, could adversely affect the significance of archeological resources under CRHR Criterion 4 (information Potential) by impairing the ability of such resources to convey important scientific and historical information. This effect would be considered a substantial adverse change in the significance of a historic resource and would therefore be a potentially significant impact under CEQA."

"Though excavation of the hill would mostly take place along the northern foot of the hill, this area has been undisturbed since 1918, and could provide important artifacts. Unless Irish Hill is listed on the CRHR, any artifacts would not be protected or deemed 'significant.'" *(Steven Fidel Herraiz, Letter, February 20, 2017 [I-Herraiz2-4])*

RESPONSE CR-1: ARCHEOLOGICAL RESOURCES

Comments express concern that archeological resources that may be within the project site, particularly archeological remnants of the Irish Hill community, would be unprotected unless they are listed on the California Register of Historical Resources. The EIR describes the potential for the presence of archeological features associated with the residents of Irish Hill in the late nineteenth and early twentieth centuries (see EIR pp. 4.D.11-4.D.12). It also describes the potential historical research themes that may be addressed by the types of archeological resources that Irish Hill may contain (e.g., patterns of consumer behavior, social status, ethnic identity) (see EIR pp. 4.D.12-4.D.13). The EIR concludes that ground disturbance under the Proposed Project could impair the ability of archeological resources within the project site, if any are present, to convey important scientific and historical information and would therefore be a potentially significant impact under CEQA.

The EIR explains that Irish Hill is a contributor to the Union Iron Works National Register Historic District (UIW Historic District) (see EIR pp.4 D.35). Thus, archeological resources associated with Irish Hill may also be significant for their relationship with the UIW Historic District and may be significant for more than their data potential alone. As the EIR describes, archeological resources associated with the UIW Historic District could also be significant under NRHP Criteria A (Events) and C (Architecture/Construction) and the corresponding CRHR Criterion 1 (Events) and Criterion 3 (Architecture/Construction). Data recovery or documentation alone would be inadequate to mitigate such impacts. Due to this, the EIR also includes additional mitigation measures, such as an interpretive program, that would need to be implemented to mitigate archeological resources that are significant due to the association with the UIW Historic District (see EIR pp. 4.D.29-4.D.30)

The EIR presents two mitigation measures designed to protect archeological resources that would apply to development of the Proposed Project. Mitigation Measure M-CR-1a: Archeological Testing, Monitoring, Data Recovery and Reporting (EIR pp. 4.D.25-4.D.29) requires that a qualified archeological consultant prepare and implement a plan for pre-construction archeological testing, construction monitoring, and data recovery. Mitigation Measure M-CR-1b: Interpretation (EIR pp. 4.D.29-4.D.30) calls for a qualified archeological consultant to prepare and submit a plan for post-recovery interpretation of resources. Implementation of the program set out in the mitigation measures for testing, monitoring, data recovery, and interpretation of the resources would ensure that the scientific and historical significance of archeological resources would preserve and enhance the ability of archeological resources to convey their historical significance, which is the appropriate CEQA criterion. As concluded on EIR p. 4.D.30, with implementation of these mitigation measures, the impact on archeological resources would be less than significant.

COMMENT CR-2: DEMOLITION OF CONTRIBUTING BUILDINGS

"So we got a memo -- sometimes we get things passed up to us -- that was actually from the Historic Preservation Commission, and just sort of summarized some of their discussion around this. And there was one dissenting commissioner who said that -- disagreed that the analysis of the historic resource impacts are -- are mitigated through the proposed mitigations. And I think I would have a tendency to agree.

"My only -- the only thing I would say is -- I don't know if it requires a change in the project, but certainly, I believe that at least for that piece, we'll be looking at having a statement of -- what do we call it – don't – don't correct me -- the Statement of Overriding Considerations -- I was like "yes, what is it?" I think we'll be looking at a Statement of Overriding Considerations on -- on that piece. I don't necessarily believe that the mitigations are -- are proper for the historic resources for the amount of changes that we are doing here.

"I do feel like the new development will be contextual, and it will reference back to the history of Pier 70 in a proper manner, but that's not the same thing as keeping those historic resources." *(Commissioner Christine D. Johnson, San Francisco Planning Commission, DEIR Hearing Transcript, February 9, 2017 [A-CPC-Johnson-2])*

"The HPC reviewed the DEIR and had the following comments:

"• The majority of the HPC (six out of seven Commissioners) concurred with the analysis and conclusion in the DEIR, and concluded that the DEIR was adequate. The Commissioners agreed with the finding that there is no significant adverse impact to the Union Iron Works Historic District. They felt that while the proposed demolition of the adjoining buildings surrounding Building 12 would diminish some of the qualities of the historic district, there would still be enough remaining historic fabric and character-defining features to convey the district's significance. Furthermore, the Commissioners found that the proposed mitigations would result in a less than significant impact to the historic district." *(Andrew Wolfram, President, Historic Preservation Commission, Letter, February 1, 2017 [A-HPC-1])*

"The HPC reviewed the DEIR and had the following comments:…

"• Commissioner Pearlman dissented with the majority opinion, and disagreed with the analysis of historic resource impacts presented in the DEIR. Particularly, Commissioner Pearlman disagreed with the conclusion regarding the proposed demolition of the existing contributors. Commissioner Pearlman stated that the proposed demolition of the existing contributors (Buildings 15, 16, 25, 32, and 66), as well as the relocation of Building 21 to a new context, would cause a substantial adverse impact to the historic district. He stated that the demolition of these contributors would reduce the percentage of district contributors and cause a material impairment to the Union Iron Works Historic District. In addition, the proposed improvement/mitigation measures would not mitigate these impacts." *(Andrew Wolfram, President, Historic Preservation Commission, Letter, February 1, 2017 [A-HPC-2])*

"**Cultural Resource Impacts**
"The Draft EIR claims that demolition of contributing buildings would not alter the significance of Union Iron Works Historic District, identified as being on the National Register of Historic Places. The Draft EIR states HABS photographic documentation of the buildings and implementation of an interpretive display about the buildings' contribution to the Historic District will lessen impacts. (DEIR pgs. S.18 – 19.) Under *League for Protection v. City of Oakland* (1997) 52 Cal.App.4th 896, and *Architectural Heritage Association v. County of Monterey* (2005) 122 Cal.App.4th 1095, documentation of an historic resource through photographs, exhibits, construction of a marker or plaque, or incorporating historic design elements into a new project does not mitigate for the demolition of a historic resource." *(J. R. Eppler, President, Potrero Boosters Neighborhood Association, and Rachel Mansfield Howlett, Provencher & Flatt LLP, on behalf of Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association, Email, February 21, 2017 [O-DNA&PBNA-7])*

"**I. Evaluating Impacts on Historic Resources and District Eligibility**

"The EIR finds that there could be significant impacts on the Union Iron Works National Register Historic District and prescribes mitigation measures to reduce these impacts to a level that is less-than-significant. These measures include, for example, HABS/HAER documentation prior to demolition of any contributing resource. In addition to weighing the loss of seven contributors within the Waterfront Site, the cumulative impacts analysis for the Proposed Project must take into account all proposed demolitions, rehabilitation projects, and infill construction across the entire historic district.

"From Heritage's perspective, it is paramount that the historic district remains eligible for the National Register—and the existing district boundaries left intact—after full build out. The Proposed Project would demolish 7 of 11 (63%) contributing resources within the Waterfront Site,[1] with 14 of 44 (32%) contributors slated for removal district-wide. It should be emphasized, however, that a significantly greater percentage of square footage of extant resources would be retained."

[Footnote cited in the comment:]
[1] Buildings 11, 15, 16, 19, 25, 32, and 66, and portions of Slipways 5 through 8 would be demolished to construct the Proposed Project.
(Mike Buhler, President & CEO of San Francisco Heritage, Letter, February 21, 2017 [O-SFH-1])

"***III. Additional Preservation and Mitigation Measures***
"Because the loss of *any* contributing resource will irreversibly diminish the historic district, Heritage proposes augmented mitigation to increase preservation of historic features and reinforce visual and functional relationships throughout the subarea:

"• **Building 15:** Building 15 stands at the south end of the site and is part of the Building 12 complex. Constructed during World War II, Building 15 attaches to four other buildings, three to the south (Buildings 32, 25, and 16) and one to the north (Building 12), leaving only the eastern and western ends exposed. It is significant as one of a collection of resources associated with shipbuilding and repair during WWII and represents "as needed" patterns of growth.[2] Although Building 15 is currently slated for demolition in the EIR, Forest City has

proposed retaining its steel frame and allowing the realigned 22nd Street to pass underneath. Heritage strongly supports this innovative solution to suggest Building 15's appendage to Building 12. If San Francisco Public Works determines that retention of the structural frame is not acceptable, we recommend that the Port accept and own all street improvements at Pier 70 to enable retention of Building 15's structural frame. Alternatively, Building 15 could be preserved and 22nd Street rerouted around it to maintain the historic district's nonlinear street grid.

"• **Building 66:** Building 66 marks the northern end of the Building 12 complex, a series of five buildings constructed specifically for the WWII effort (Buildings 12, 15, 16, 25, 32, and 66). Although the EIR minimizes the impact of demolition because other WWII-era features would remain, Building 66 is unique among its peers as an open-air industrial structure purpose-built for the welding of ship hulls, itself an important technological advancement from riveted connections. Because Building 66 is essentially a massive shed without walls on two sides, it is highly adaptable to meet the needs of the Proposed Project. Much like Building 15, the proposed north-south alignment of Maryland Street could pass through and under Building 66.

"• **Slipways 5, 6, 7, and 8:** Located on the southeast corner of the Waterfront Site, Slipways 5-8 were designed and built in 1941 as part of the New Yard (Building 12 complex). Because the slipways were infilled after 1964 and the above-ground platforms and cranes were removed, they no longer contribute to the significance of the historic district. However, "it is assumed that the subsurface portions of the craneways remain under an asphalt parking lot." The craneways and the edge of the slipways remain visible along the shoreline. The subsurface remains and footprint of the craneways should be traced and interpreted above ground to reinforce their functional relationship to other WWII-era resources. Making this historical connection is especially important at the southeast corner of the Waterfront Site, which lacks historic resources and will be dominated by new infill construction."

[Footnotes cited in the comment:]

[1] Draft EIR at 4.D.62.

[2] The Building 12 complex and other developments at UIW from this period reflect the concept of functional specificity in several ways. Most important was the rationalization of the workflow process by establishing a straight or turning flow pattern. The desire for efficient work flow affected building placement and adjacencies, as well as the material handling system connecting the buildings. Other examples of functional specificity include the establishment and strategic placement of welding platforms and assembly layout areas, and proximity to slipways, where final assembly and fitting out occurred." Draft EIR at 4.D.43.

(Mike Buhler, President & CEO of San Francisco Heritage, Letter, February 21, 2017 [O-SFH-4])

"In several instances, justification for demolition of contributing buildings is given as follows: "In many instances the structures to be demolished are repeated elsewhere in the Historic District…" and because of this, a "significant concentration of World War II-era contributing features would remain in the historic district" and thus would "continue to provide strong visual and physical examples of the WWII eras of the UIW Historic District" (page 4.D.90).

"Is this a common and accepted methodology for determining that contributing fabric within a district can be removed with causing a significant impact?" *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-13])*

"Assuming for the purposes of argument that the justification described above is valid, there are several buildings on the list to demolish that may be unique enough in form and historic importance and as a record of the growth and historic events to warrant special attention.

"For instance, the removal of Building 66 falls under this blanket "there are other versions of this building type" argument, but in fact is unique among similar steel-framed WWII buildings in several ways. First, it has a unique form and silhouette because it lacks walls, and appears more as an open air industrial "pavilion." Second, it functioned as a welding pad (hence the need for ample ventilation and therefore no walls), so the form is expressive of an particular activity, whereas many of the similar buildings of the era are simply big sheds, with no expression of the particular function within; Finally, the change from riveted connections to welding of ship hulls in an important development that occurred at this this location, and this structure is a record of that change.

"Another example of a structure deemed to be expendable without impact is Building 15, which is really less an independent building than an addition to Building 12. Building 12 has a distinctive and fully resolved silhouette and roofscape. Building 15 is an appendage of similar scale with a fully open and contiguous interior volume, but of very different architectural form and roof shape. It seems clearly an "ad hoc" and fully utilitarian addition to a previously homogeneous building. As such it is representative of the "as needed" patterns of growth in this structures of utility, where likely the demands of time and space overruled the need for architectural unity. One could certainly make an argument that this architectural "mash-up" provides an important visual record of the history of the complex's development, and renders clearly the message that above all these are structures of utility." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-14])*

"Cumulative Impact: The Forest City project removes 7 of 11 historic structures. Within the entire district, and accounting for the Orton project and the BAE project, the project removes 14 of 44 structures. As pure percentages, these are high, and above general "rules of thumb" within historic districts. We acknowledge that the strong majority of the square footage (and cubic footage, if one includes volume) of the complex is being preserved. But given the overall high percentage of removal—especially in the FC project—we questions the need to remove certain structures that seemingly could be preserved without significant impact to the buildable area for new development—and therefore without negatively affecting to the overall financial viability of the project." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-18])*

"The draft EIR as currently written remains inadequate, incomplete, and inaccurate for the following reasons:…

"– **Historic and Cultural Resources**. The draft EIR does not adequately address and mitigate the impact of demolishing historic structures adjacent to Building number 12 that were

integral to the City's once fabled shipbuilding industry." *(Rodney Minott, Email, February 20, 2017 [I-Minott-2])*

RESPONSE CR-2: DEMOLITION OF CONTRIBUTING BUILDINGS

Comments Concerning the Demolition of Contributing Buildings

Comments express concern for the proposed demolition of contributing buildings within the Union Iron Works Historic District under the Proposed Project and other projects within the District. Comments express disagreement with the conclusion of the EIR that the proposed demolitions would have a less-than-significant impact on the UIW Historic District. Other comments express disagreement with the underlying determination of the degree to which these contribute to the District as a whole. As stated in CEQA Guidelines Section 15151, to the extent that the comments express the view of a qualified expert, "[d]isagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts. The courts have looked not for perfection but for adequacy, completeness and a good faith effort at full disclosure."

Comments also question the need for, or oppose, demolition of contributing buildings. These comments on the merits of the Proposed Project may be considered by the decision-makers in their decision to approve, modify or disapprove the Proposed Project.

The EIR, on pp. 4.D.46-4.D.62, presents a reasoned analysis of the individual significance for each of the 11 existing contributing features affected by the Proposed Project, providing an evaluation of potential eligibility for individual inclusion in the CRHR. The analysis presents substantial evidence that supports its conclusion that only Building 21 possesses sufficient individual significance to qualify for individual listing on the CRHR. A comment asserts that several contributing buildings to be demolished "may be unique enough in form and historic importance and a record of the growth and historic events to warrant special attention," mentioning, in particular, Building 66 and Building 15.

The EIR discusses Building 15 and Building 66 in terms of their potential for individual significance and status as contributors to the UIW Historic District (see pp. 4.D.50-4.D.52 and 4.D.59-4.D.60). Additional information regarding Buildings 15 and 66 is provided below, under the heading "Additional Information Regarding the Proposed Demolition of Contributing Buildings." While the comment describes these buildings' contributions to the District, it does not present substantial evidence that demolition would give rise to a significant impact on the UIW Historic District.

Impact on District

As discussed on EIR p. 4.D.86, the Proposed Project would result in the demolition of seven World War II-era buildings that contribute to the significance of the UIW Historic District. On pp. 4.D.68-4.D.69, the EIR notes that the criteria for assessing the significance of impacts on the UIW Historic District under CEQA are established in CEQA Guidelines Section 15064.5(b): "A project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment." The CEQA Guidelines define "substantial adverse change" as "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired" (Section 15064.5(b)(1)). The significance of a historic architectural resource is considered to be "materially impaired" and could have a potentially significant impact related to historic architectural resources if the project "demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion, or eligibility for, inclusion in the California Register of Historical Resources," as determined by the lead agency (Section 15064.5(b)(2)).

The EIR, under Impact CR-4 on pp. 4.D.86-4.D.92, presents a reasoned analysis of the impacts of the proposed demolition of contributing buildings on the District. The EIR acknowledges that the proposed demolition of contributing buildings would diminish the integrity of the Historic District. However, the analysis presents substantial evidence that supports a conclusion that the remaining features of the UIW Historic District would continue to possess sufficient integrity to continue to convey the historic significance of the District. As discussed on EIR p. 4.D.90, a significant concentration of World War II-era contributing features would remain within the UIW Historic District, including within the project site, and would continue to provide strong visual and physical examples of the World War II era of the Historic District's development. North and outside of the project site centered along 20th Street, buildings and structures of the District's earliest period of construction, including rare examples of industrial Victorian-era architecture, would remain to form the historic core of the UIW Historic District. As such, the proposed demolition of contributing buildings would not materially alter those physical characteristics that justify the UIW Historic District's inclusion in the CRHR. The UIW Historic District would maintain its eligibility for listing in the CRHR and the NRHP.

Comments do not present substantial evidence, in light of the record, that the Proposed Project would demolish those physical characteristics of the UIW Historic District that convey its historical significance and that justify its inclusion, or eligibility for inclusion, in the CRHR.

Cumulative Impact of Demolition

A comment expresses general concern for the cumulative impact of demolition on the UIW Historic District and the number of contributing buildings that would be demolished. The EIR presents a reasoned analysis of the cumulative impacts of demolition of contributing buildings and features within the UIW Historic District under the Proposed Project considered together with demolition under other ongoing and foreseeable projects within the UIW Historic District (EIR pp. 4.D.107-4.D.114). There is no numerical threshold for the proportion of contributors that must remain for an historic district to retain integrity. The EIR presents substantial evidence that supports a conclusion that demolition under the Proposed Project, together with the other ongoing and foreseeable projects within the District, would not materially alter those physical characteristics of the UIW Historic District that convey its historical significance and that justify its eligibility for inclusion in the CRHR. The comments do not present substantial evidence, in light of the record, contrary to this conclusion.

Improvement Measures and Mitigation Measures

A comment asserts that documentation cannot mitigate the impact of demolition on an historical resource. However, the comment appears to misconstrue Improvement Measure I-CR-4a: Documentation, and Improvement Measure I-CR-4b: Public Interpretation (EIR pp. 4.D.91-4.D.92) with mitigation for a significant impact of demolition on an historical resource. The EIR identifies a less-than-significant impact on the UIW Historic District resulting from the proposed demolition. As such, the EIR does not rely on documentation and interpretation under these measures to mitigate or reduce a significant impact of demolition to a less-than-significant level. Rather, the improvement measures are identified to further reduce the less-than-significant impact (diminution of the District's integrity) resulting from demolition, through implementation of a program of documentation and public interpretation of the UIW Historic District's history.

A comment requests that the EIR include specific additional mitigation measures to reinforce the visual and functional relationships within the District. As discussed above, the EIR concludes that the impact on the UIW Historic District resulting from demolition of some contributors would be less than significant. As such, no mitigation measures are required to avoid or reduce a significant impact of demolition. Such requests for revisions to the Proposed Project may be considered by the decision-makers in their decision to approve, modify, or disapprove the Proposed Project.

Additional Information Regarding the Proposed Demolition of Contributing Buildings

In response to concerns expressed in the comments about the impact of the proposed demolition of contributing buildings on the UIW Historic District, presented below are revisions and

additional information to supplement the impact analysis of demolition under Impact CR-4 on EIR pp. 4.D.89-4.D.94 (new text is underlined and deleted text is shown in ~~strikethrough~~). These revisions and additional information provide additional information regarding impacts of the proposed demolition of contributing buildings under the Proposed Project on the UIW Historic District. These revisions do not change any of the conclusions of the EIR.

Building 15 (Layout Yard), Building 16 (Stress Relieving Building), Building 25 (Washroom and Locker Room), and Building 32 (Template Warehouse)

Because Buildings 15, 16, 25, and 32 are ~~experienced as one structure~~ physically connected, they were examined collectively within the Building 12 complex rather than individually to determine the impact of demolition on the integrity of the UIW Historic District. The proposed demolition of these buildings is in part necessitated by the proposed rehabilitation of Building 12, the center of this building complex and its most significant and dominant structure, which was determined to be individually eligible for listing in the California Register. The Proposed Project would remove the abutting buildings so that Building 12 becomes freestanding (see the discussion of the impacts of rehabilitation efforts, below). Demolition of Buildings 15, 16, 25, and 32 is also proposed in order to extend 22nd Street eastward toward the Bay to improve vehicular and pedestrian access to this area of the Historic District and shoreline as well as to serve the needs of existing activities and proposed new infill development. A project option would retain the structural frame of Building 15; however, the removal of all other portions of this building would be treated as a *de facto* demolition.

Although the loss of these contributing buildings would diminish the integrity of the southern portion of the UIW Historic District, the loss would not be significant when considered on a District-wide basis. ~~because~~ Architecturally, these buildings are typical of other WWII-era steel frame buildings with corrugated metal siding found throughout the Historic District, including Buildings 6 (Light Warehouse), 14 (Heavy Warehouse), 21 (Substation No. 5), 49 (Galvanizing Warehouse) and 110 (Washroom and Locker Room). Buildings 6, 14, 49, and 110 are located ~~(~~outside of the project site but within the UIW District.~~)~~ As explained in the UIW Historic District National Register Nomination, these are fundamentally simple buildings that reflect the wartime rush to create a markedly expanded shipbuilding operation:

> "[T]he war [WWII] created an emergency situation requiring the construction of new ships, and, therefore, new shipbuilding facilities, as quickly as possible. The majority of new buildings from this period, similar to other World War II shipyards, were steel frame construction with corrugated metal cladding, relatively quick to erect….Steel frame buildings, including pre-fabricated buildings, became especially popular during World War II for both military and civilian industrial uses because of their relative ease and speed of construction."[42A]

As such, similar buildings in use from this era that are being retained, including Buildings 6, 14, 21, and 49, would provide adequate representation of this generally interchangeable ~~would be retained and would provide a significant concentration of better examples of these~~ World War II resource type~~s~~.

Demolition of Buildings 15, 16, 25, and 32 would not result in an impact on the District's eligibility for listing under Criteria A and C because Building 12 would retain integrity and continue to serve as a visual landmark and its prominence, location, and size will be maintained. Building 12 is the most significant structure in the complex and its significance is based both on its distinctive architectural features and its historic role as the central building within the WWII-era New Yard at the site. When constructed, the buildings to be demolished housed uses that were fundamentally ancillary to the shipbuilding process that was centered in Building 12 as the plate shop and mold loft. As a result, Building 12 would continue to convey the WWII-era shipbuilding history of the site in the absence of these ancillary structures.

In addition, buildings that housed the same uses as Buildings 25 and 32 during the WWII era will remain extant elsewhere in the District. Building 25 is one of two buildings on site that formerly served as washrooms and locker rooms. The other, Building 110, is being retained and incorporated into the Crane Cove Park project within the UIW Historic District. Building 32 is one of two WWII-era template warehouses extant within the District. The other, Building 30, is being relocated and integrated into the Crane Cove Park project within the UIW Historic District.

For these reasons, the Planning Department and the Port of San Francisco found that the proposed demolition of Buildings 15, 16, 25, and 32 would have a less-than-significant impact on the integrity of the UIW Historic District.

Building 19 (Garage No. 1)

Building 19, a modest-scale steel frame corrugated metal garage/warehouse structure, would be demolished due to the proposed extension of 20th Street eastward toward the Bay. This proposed vehicular and pedestrian access would be required to serve the needs of the existing activities in the northeast portion of the project site, as well as to support future infill development. The Port's development strategy directed new infill development to this largely open and vacant area of the UIW Historic District to minimize the loss of contributing features to maintain the District's historic character to the north and west where significant groupings of resources are located.

The integrity of the UIW Historic District would not be significantly impacted by the loss of this contributor because the UIW Historic District would continue to convey its significance and association with utilitarian steel frame and corrugated metal warehouse development from World War II. Similar modest to large warehouses would remain, including Buildings 6, 12, and 14 (Buildings 6 and 14 are outside of the project site but within the UIW Historic District boundary). For these reasons, the Planning Department and the Port of San Francisco found that the proposed demolition of Building 19 would have a less-than-significant impact on the integrity of the UIW Historic District.

Building 66 (Welding Shed)

Building 66 is a simple utilitarian facility that provided weather protection for welding pre-assemblies and other hull components associated with hull construction at the Building 12 complex. The proposed street network to serve the existing activities and proposed new infill development necessitates the removal of Building 66. Like Buildings 15, 16, 25 and 32, Building 66 is a simple steel-frame structure partially clad with corrugated metal.

Although the building supports the UIW Historic District's ability to convey activities associated with the production of war vessels during World War II, other remaining buildings of this construction type would continue to convey the UIW Historic District's significance associated with World War II, including Buildings 6 and 14 (outside of the project site but within the UIW Historic District boundary). For these reasons, the Planning Department and the Port of San Francisco found that the proposed demolition of Building 66 would have a less-than-significant impact on the integrity of the UIW Historic District.

Conclusion

In summary, Carey & Co., Inc. found, and the Planning Department and Port of San Francisco (in its capacity as the proponent of the UIW National Register Historic District nomination) concur, that a significant concentration of World War II-era contributing features would remain in the Historic District. They would continue to provide strong visual and physical examples of the World War II era of the UIW Historic District. In many instances, the structures to be demolished are repeated elsewhere in the Historic District, as is the case with World War II warehouses, restrooms, and electrical power substations. Additionally, the proposed loss of these resources would not result in the need to adjust the boundary, because the boundary represents the historic ownership and maximum development of the District at its peak operation during World War II. The boundary for the UIW Historic District, as with most historic districts, includes areas with non-contributing features.

The Proposed Project would result in the demolition of contributors to the UIW Historic District. For the reasons stated above, the proposed demolitions would not result in a substantial adverse change in the historic significance of the UIW Historic District, nor would they result in a deleterious effect on most of the District's character-defining features. The UIW Historic District is significant at the national level under NRHP/CRHR Criterion A/1 for its association with the development of steel shipbuilding in the United States (including its pioneering technological developments in shipbuilding and the production of significant wartime vessels), and at the local level under NRHP/CRHR Criterion C/3 as a physical record of the trends in industrial architecture from the late nineteenth century through World War II. Neither aspect of this significance would be endangered by the proposed demolitions. The UIW Historic District would retain sufficient contributing features, character-defining features, and overall integrity to continue its listing in the NRHP and the CRHR. As such, the demolition of contributing Buildings 11, 15, 16, 19, 25, 32, and 66 would not materially impair the physical characteristics that justify the UIW Historic District's inclusion in the NRHP or the CRHR.

None of the seven contributing buildings proposed for demolition were found to be individually eligible for listing in the NRHP or CRHR because they either functioned as support facilities to the primary shipbuilding or repair processes, are viewed as smaller additions to the primary buildings or functions, have compromised integrity because the understanding of their role in the shipbuilding process was reduced from the loss of other related facilities, or represent utilitarian buildings that are repeated elsewhere in the District.

The proposed demolition of contributing buildings would not result in the need to adjust the boundary of the UIW Historic District, because the District boundary is based on the

extent of the shipyard at the end of WWII, according to the Bethlehem Shipbuilding Division's 1944 Master Plan.

Per National Register Bulletin-Defining Boundaries for National Register Properties (published by the National Park Service, Revised 1997), District boundaries are determined by several factors, including integrity, setting and landscape features, use and research potential. As noted in this National Register Bulletin:

> "Select boundaries that define the limits of the eligible resources. Such resources usually include the immediate surroundings and encompass the appropriate setting… When such areas are small and surrounded by eligible resources, they may not be excluded, but are included as noncontributing resources of the property. That is, do not select boundaries which exclude a small noncontributing island surrounded by contributing resources; simply identify the noncontributing resources and include them within the boundaries of the property."
>
> "Boundaries should include surrounding land that contributes to the significance of the resources by functioning as the setting. This setting is an integral part of the eligible property and should be identified when boundaries are selected."[42B]

The District boundary, therefore, captures the entire shipyard's development from 1884 through 1945. The boundary for the UIW Historic District, as with most historic districts, includes areas that do not contain contributing features. Given the District's national significance as a historic shipbuilding facility, maintaining a District boundary that extends eastward to the shoreline of San Francisco Bay was essential. In addition, Building 12 would be retained and continue to mark the southernmost extent of the District and the proposed demolitions of contributing resources would be far removed from the District's northern boundary. Illinois Street would continue to separate the District from the street grid to the west.

The following new footnotes, cited in these revisions, have been added to EIR p. 4.D.89 (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR. The new footnotes will be assigned their proper sequential number in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly.

[42A] United States Department of the Interior, National Park Service, National Register of Historic Places Registration Form, *Union Iron Works Historic District*, April 17, 2014, Section 8, p. 50.

[42B] https://www.nps.gov/Nr/publications/bulletins/boundaries/bound1.htm

COMMENT CR-3: REHABILITATION AND REUSE OF CONTRIBUTING BUILDINGS

"The Draft EIR acknowledges that mitigation is needed for potentially significant impacts due to proposed alterations to the remaining contributing buildings, however, the proposed mitigation measures rely on compliance with the Secretary of the Interior's Rehabilitation Standard No. 9 and this standard includes non-mandatory language for conformance with its provisions. "Designing a new addition so that its size and scale in relation to the historic building are out of proportion, thus diminishing the historic character" is "not recommended" is not mandatory."

(J. R. Eppler, President, Potrero Boosters Neighborhood Association, and Rachel Mansfield Howlett, Provencher & Flatt LLP, on behalf of Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association, Email, February 21, 2017 [O-DNA&PBNA-8])

"Building 21's relocation is judged to have no significant impact because it preserves the visual relationship between it and surrounding buildings 2 and 15 and will result in the building being in the same orientation as it is currently. This seems to privilege the visual relationship of historic buildings—from different historic eras of development—over the generally accepted preference in treatment of historic fabric that relocation is a measure of "last resort." The relocation always means the buildings south facade—traditionally its rear facade, will front the new public park. It is unclear whether fronting this park was a design goal or a coincidence. What is also not clear is why the relocation is needed. We understand and acknowledge that the building must be raised in order to accommodate the raised grade for sea level. One justification given in the CWAG meeting is that once you raise a building, it is relatively trivial matter to relocate it. From a construction point of view, this is simply not true." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-16])*

"Building 2: Surrounding grade is being raised in anticipation of sea level rise, and three approaches are given. Only one actually raised the building so its sits on its new grade with the same elevation as it currently has. All three approaches are nevertheless judged as having no significant impact. As an architect, I cannot accept that lopping four feet of the bottom of a building—even a large one—does not have a detrimental visual effect." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-17])*

RESPONSE CR-3: REHABILITATION AND REUSE OF CONTRIBUTING BUILDINGS

A comment expresses concern about the effectiveness of Mitigation Measure M-CR-5: Preparation of Historic Resource Evaluation Reports, Review, and Performance Criteria, on EIR pp. 4.D.93-4.D.94. In particular, the comment asserts that *Secretary of the Interior's Standards for Rehabilitation*, conformity with which is required under the mitigation measure, includes non-mandatory language. Contrary to this assertion, the language of Secretary Standard 9 is mandatory, using "shall" rather than "should."

> 9. New additions, exterior alterations, or related new construction *shall not* destroy historic materials that characterize the property. The new work *shall* be differentiated from the old and *shall* be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment (*emphasis added*).

A comment expresses concern for, and disagreement with, the EIR's conclusion regarding the relocation of Building 21, and questions the necessity of relocation. As stated in the EIR, Building 21 is proposed for relocation to accommodate the proposed extension and rationalization of new streets, to provide sufficient room for new infill construction in the immediate vicinity, to

front the new public park, and to accommodate the proposed increase in the elevation grade. Building 21 would also be raised approximately 4 feet, equivalent to the rest of the site, to accommodate the potential for sea level rise. (EIR p. 4.D.94). The EIR, under Impact CR-6 on pp. 4.D.94-4.D.95, presents a reasoned analysis of the impacts of relocating Building 21 on the Building 21 individual resource and on the District, applying National Park Service guidance for evaluating the integrity of relocated buildings. The Proposed Project would preserve the building's historic orientation, and the building would continue to be viewed in relation to Buildings 2 and 12 along the proposed Slipways Common Open Space. The analysis presents substantial evidence that support a conclusion that the proposed relocation of the building would not materially alter those physical characteristics of the Building 21 individual resource or the District resource that justify their eligibility for inclusion in the CRHR. As such, the proposed relocation of Building 21 would have a less-than-significant impact on the individual Building 21 resource and the District resource. The comment does not present substantial evidence, in light of the record, contrary to this conclusion.

A comment expresses concern for, and disagreement with, the EIR's conclusion regarding the impacts on Building 12 under Grading Option 1 and Grading Option 2. The EIR, under Impact CR-8 on EIR pp. 4.D.96-4.D.98, presents reasoned analyses of impacts on the District for each grading option and presents substantial evidence that supports the conclusions that Grading Option 1 and Grading Option 2 would not materially impair those features of the District that justify its eligibility for inclusion in the CRHR. The comment does not present substantial evidence, in light of the record, contrary to this conclusion.

COMMENT CR-4: CIRCULATION AND STREETS

"The one comment that resonates with me is Mr -- Commissioner Pearlman's request to dig a little bit deeper into the history of the settlement patterns of the area, including a clearer justification of why we are moving toward a traditional street grid, which he considers to be uncharacteristic and disrespectful of the historic district.

"That is not a dealbreaker, but illuminating that discussion for public decision makers would, I think, work with -- be help -- in any -- larger than just a specific-area illustration of those principles, when juxtaposed against the design decisions you are making, I think makes it easier for people to understand, and you have an easier buy-in." *(Commissioner Kathrin Moore, San Francisco Planning Commission, DEIR Hearing Transcript, February 9, 2017 [A-CPC-Moore-2])*

"Lastly, Commissioner Pearlman stated that the design of the proposed buildings and the introduction of a traditional street grid are uncharacteristic and disrespectful to the historic district." *(Andrew Wolfram, President, Historic Preservation Commission, Letter, February 1, 2017 [A-HPC-3])*

"The HPC reviewed the DEIR and had the following comments:…

"• The HPC also requested more information about the site's development, circulation, and movement patterns and more renderings from various different view corridors."
(Andrew Wolfram, President, Historic Preservation Commission, Letter, February 1, 2017 [A-HPC-5])

"It is hard not to think that this building is being removed in order to align 22nd street with the city street grid. We'd suggest that the City grid and the complex street grid have little to nothing to do with one another historically, and that lack of alignment is an important pattern. One could imagine that 22nd street could "bend" around Building 15 in a similar manner that 20th Street jogs around Building 103." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-15])*

RESPONSE CR-4: CIRCULATION AND STREETS

Comments express concern for the impact of the proposed network of streets on the historic character and significance of the UIW Historic District. Comments disagree with the EIR's conclusion that the proposed street system would have a less-than-significant impact on the UIW Historic District. A comment requests additional information about historic circulation patterns within the UIW Historic District.

As discussed above on RTC p. 4.F.9, the significance of a historic architectural resource is considered to be "materially impaired" and could therefore have a potentially significant impact related to historic architectural resources if the project "demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion, or eligibility for, inclusion in the California Register of Historical Resources," as determined by the lead agency (Section 15064.5(b)(2)). The EIR concludes that although the proposed introduction of new and extended streets would reduce the integrity of setting of the UIW Historic District, it would not demolish in an adverse manner those physical characteristics that justify the District's inclusion in the California Register and that therefore the impact would be less than significant.

A comment requests additional renderings of the Historic District. The photo simulations presented in EIR Section 4.D, Cultural Resources, were selected by the Planning Department to represent a reasonable range of viewpoints showing District contributors in the context of massing diagrams of proposed infill construction. The base photography for these photo simulations is limited to viewpoint locations that are currently accessible, not currently occupied by an existing building or structure, currently possessing an unobstructed view of contributors to the UIW Historic District, and views that are not largely redundant to other views presented. No additional photo simulations are provided for EIR Section 4.D. However, see EIR Chapter 2,

Project Description, pp. 2.36-2.38, which presents renderings depicting representative infill construction as seen together with District contributors.

In response to the request for additional information about historic circulation patterns within the UIW Historic District, the following text and additional figures have been added to the end of the discussion of "Historic Context" (EIR pp. 4.D.36-4.D.41), beginning on EIR p. 4.D.41, to provide the public with additional informational context by which to understand the impact of the proposed street pattern on the UIW Historic District (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR. New Figures 4.D.2a through 4.D.2e are shown on RTC pp. 4.F.21-4.F.25.

> Ship repair was the main contribution of UIW to the World War II effort. During this period, the yard built over 70 ships and repaired 2,500 ships. The repair yard, which contained structures and even equipment that dated back to the origins of steel shipbuilding in this country, was one of the best and the largest commercial repair yards in the country. Provided below is a summary of the historical significance of the UIW Historic District under NRHP Criteria A and C.
>
> **Historic Street Grid and Building Pattern**
>
> The building pattern and street network present today within the UIW Historic District have changed in some ways since the District's period of significance (1884-1945). Pier 70 streets were mapped as a part of the early settlement and filling of the Bay. The site was initially laid out according to several "state" streets (specifically Michigan, Georgia, Louisiana and Maryland streets) that extended from 20th Street to 22nd Street east of Illinois Street, with the Pacific Rolling Mills facility located east of Maryland Street. Most of the mapped streets were never built. Some were condemned by the US government to support the shipbuilding efforts for war. Others were vacated by the City and comprise part of the former Bethlehem Steel shipbuilding site. Except for portions of 20th (Illinois to east side of Building 113), 22nd (Illinois Street to approximately 500 feet east), and Michigan (20th to 22nd Streets) Streets, none of the streets are currently dedicated public streets.
>
> See Figure 4.D.2a: 1900 Sanborn Fire Insurance Company Map, in which multiple 1900 Sanborn maps are stitched together. These streets, which extended the block pattern established west of Illinois Street, appear to have in fact been interrupted by the steep banks of Irish Hill, with development to the north and south of the incline. The east end of 21st Street terminated at Michigan Street and was not extended into the site. At the time, Irish Hill hosted a small neighborhood. A mix of lodging houses, dining rooms, and saloons were located near 20th Street in the northern half of the block between Illinois and Michigan streets, while small single-family dwellings were clustered near 22nd Street in the two blocks bound by Illinois, Michigan, and Georgia streets.
>
> The 1914 Sanborn of the same area, Figure 4.D.2b: 1914 Sanborn Fire Insurance Company Map, shows the partial erosion of this street network, with Maryland Street hosting two railroad lines serving the U.S. Steel operation and the north end of Louisiana Street right-of-way occupied by two new buildings. In addition, roughly half of the Irish Hill residential buildings near 22nd Street had been removed by this time. In the subsequent war-time build-up of the site, the remaining buildings, along with the lodging

houses and related buildings to the north, were cleared and much of Irish Hill was excavated, reducing it to its current size.

The 1938 aerial of the site, Figure 4.D.2c: 1938 Aerial Photograph of Site, shows the District immediately prior to its World War II-era build-up.[17A] By this time, little reference remained to the "state" streets east of Illinois Street. The northern portions of Michigan and Georgia streets had been reduced to small segments immediately east and west of the Buildings 113-116 complex, while Louisiana and Maryland streets were used for site circulation and largely given over to railroad tracks.

The National Register nomination prepared for the UIW Historic District includes the site plan from the 1944 Bethlehem Steel Co. architectural drawings for the site.[17B] In the nomination, the site plan has been color-coded, with buildings since demolished shaded a darker color than extant buildings. See Figure 4.D.2d: Color-Coded 1944 Site Plan. By World War II, only the portions of Michigan and Georgia streets south of Irish Hill remain, with no sign left of Louisiana or Maryland streets' prior use for site circulation.

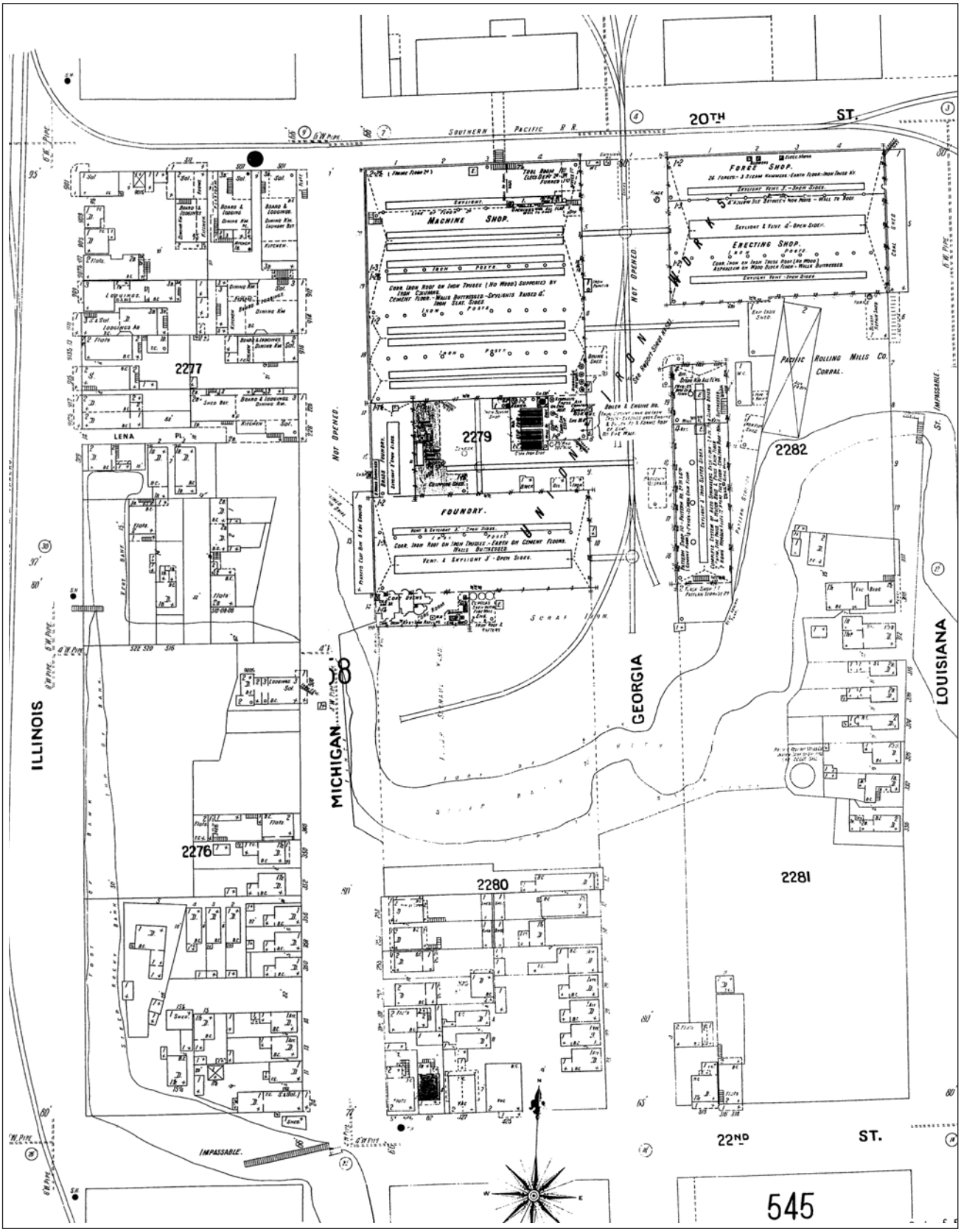
As shown in this 1944 site plan, at the time of its World War II build-up, the site had considerably more buildings and less open space than are present today. In particular, the generally open area of the project site that today extends from Building 6 southwesterly to Building 2 formerly housed a dozen buildings, with little space between them. See Figure 4.D.2e: WWII-Era Aerial View of Site, a World War II-era aerial photograph of the site that was included in the National Register Nomination as Figure 15.[17C]

New footnotes have been added to p. 4.D.41 as part of this text change, as shown below (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR. The new footnotes will be assigned their proper sequential numbers in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly.

[17A] Harrison Ryker, San Francisco Aerial Views, 1938 (David Rumsey Map Collection, http://www.davidrumsey.com/, accessed February 24, 2017). Illinois Street runs along the left side of this cropped photograph.

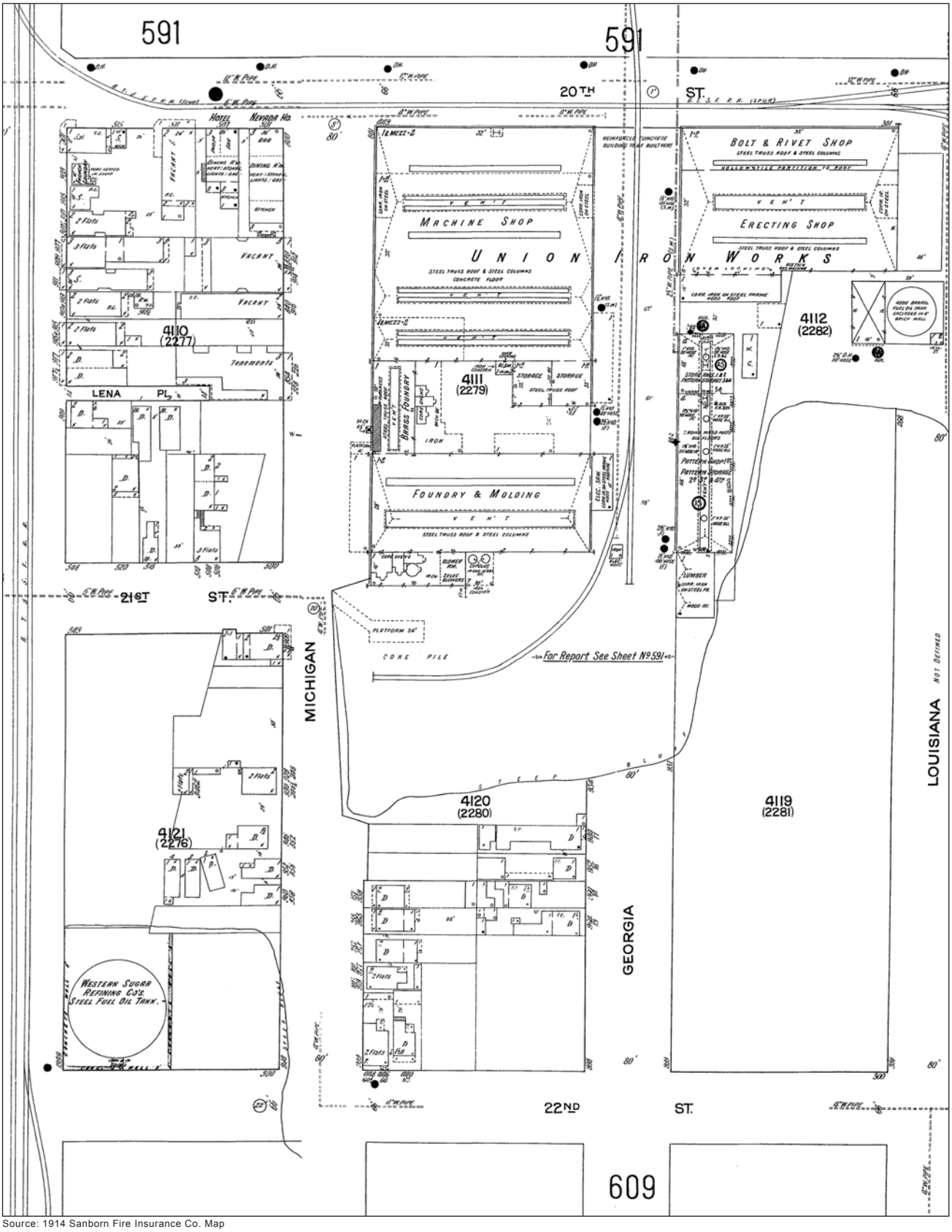
[17B] United States Department of the Interior, National Park Service, National Register of Historic Places Registration Form, *Union Iron Works Historic District*, April 17, 2014, Figure 16.

[17C] United States Department of the Interior, National Park Service, National Register of Historic Places Registration Form, *Union Iron Works Historic District*, April 17, 2014, Figure 15, notated by author. Taken from Bethlehem Steel Co., *A Century of Progress: 1849-1949*. San Francisco: Bethlehem Steel, 1949.



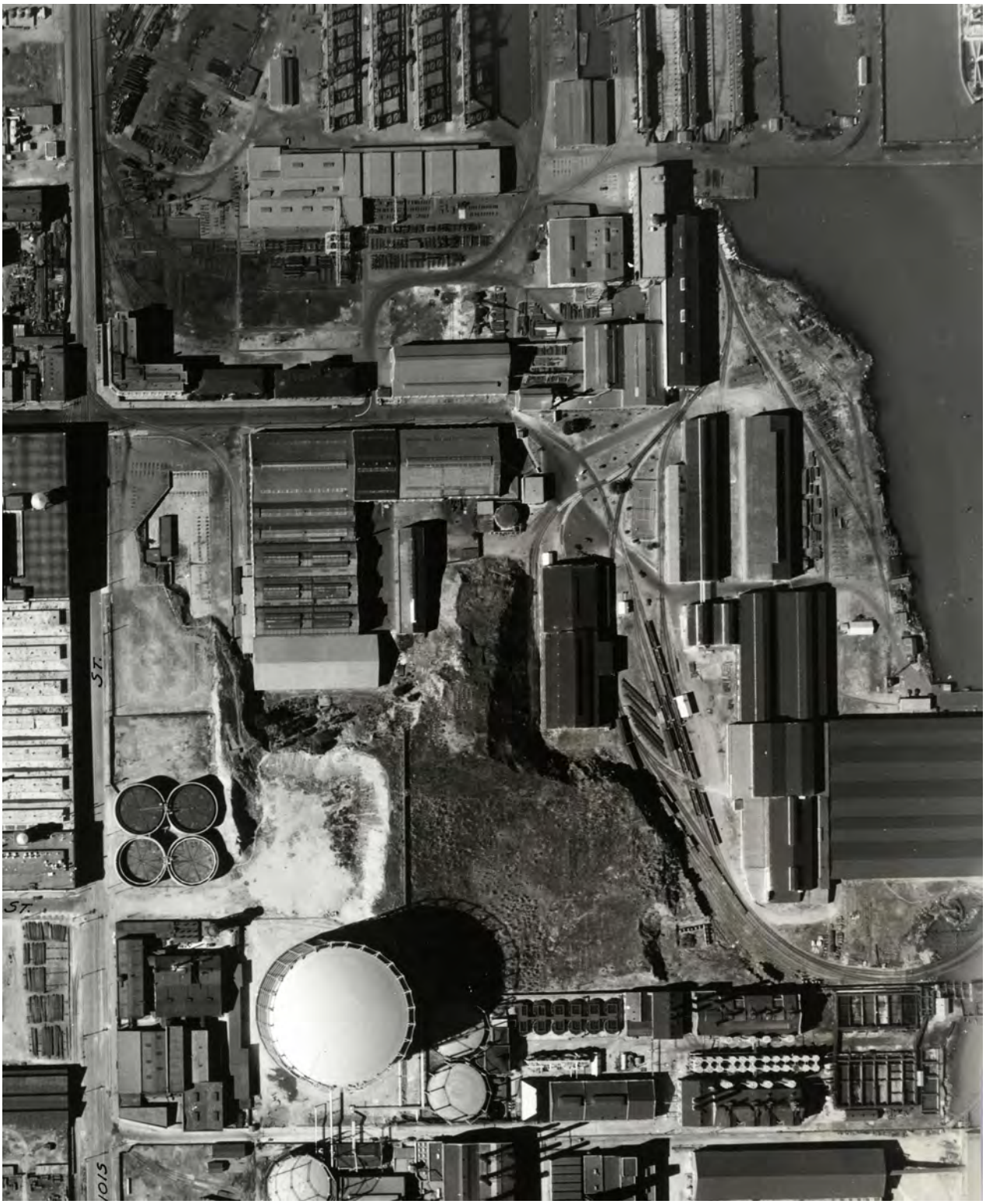
Source: 1900 Sanborn Fire Insurance Co. Map

(NEW) FIGURE 4.D.2A: 1900 SANBORN FIRE INSURANCE CO. MAP



Source: 1914 Sanborn Fire Insurance Co. Map

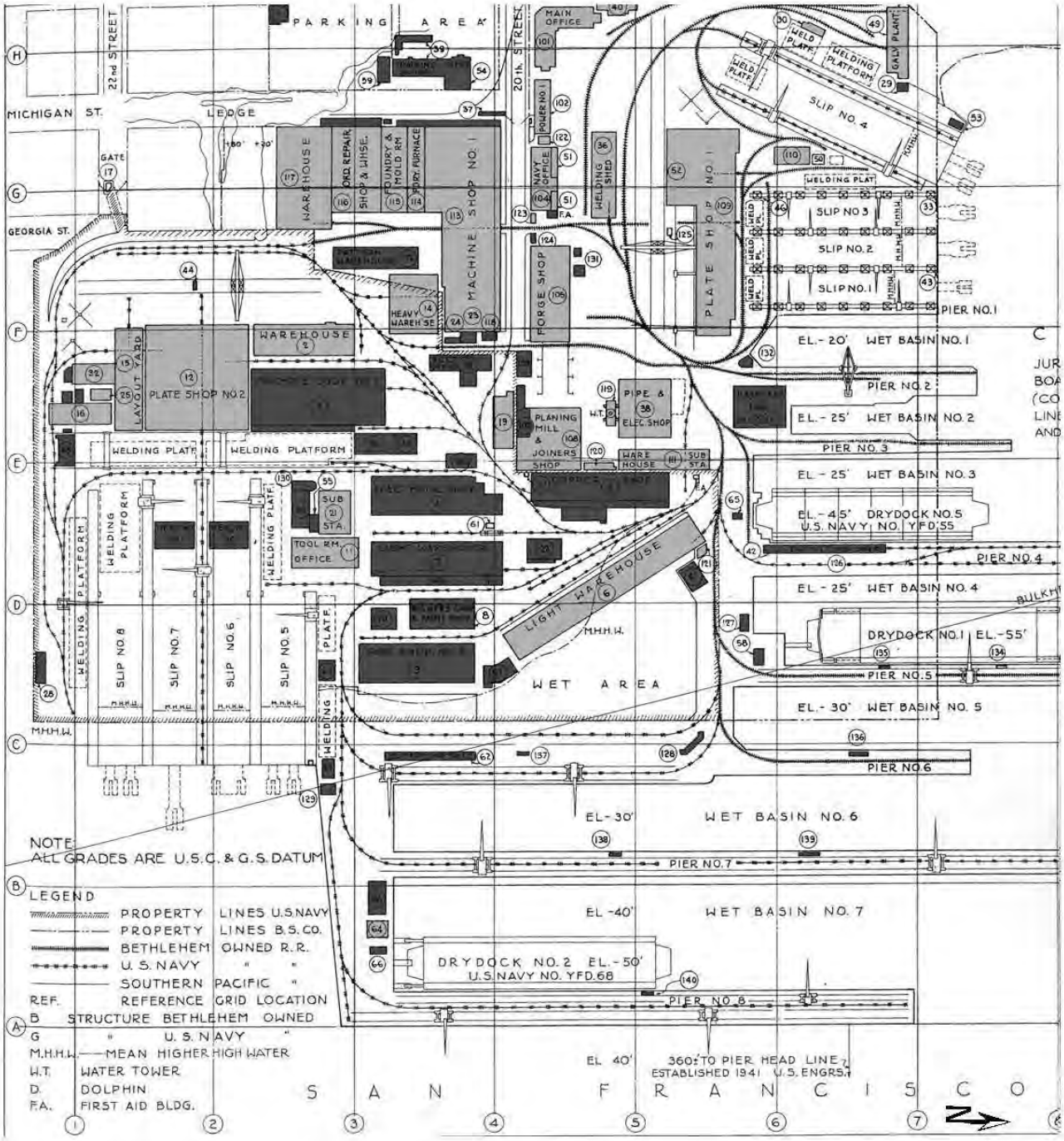
(NEW) FIGURE 4.D.2B: 1914 SANBORN FIRE INSURANCE CO. MAP



Source: 1938 Aerial Photograph of Site

PIER 70 MIXED-USE DISTRICT PROJECT

(NEW) FIGURE 4.D.2C: 1938 AERIAL PHOTOGRAPH OF SITE



Source: Color-coded 1944 Site Plan

(NEW) FIGURE 4.D.2D: COLOR-CODED 1944 SITE PLAN

Figure 15. World War II-era aerial view of the Union Iron Works Historic District.
Bethlehem Steel Co., *A Century of Progress: 1849-1949*. San Francisco: Bethlehem Steel, 1949.

Source: WWII-Era Aerial of Site, Looking North

Additionally, the following text has been added to the EIR's discussion of Impact CR-10, on p. 4.D.99, to provide additional informational context by which to understand the impact of the proposed street pattern on the UIW Historic District (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> The proposed street network would extend the existing east-west streets (20th Street and 22nd Street), establish a new east-west street (21st Street) eastward through the project site to the shoreline of the Bay, and create north-south internal streets. These north-south streets would re-establish Michigan, Louisiana, and Maryland streets in alignments similar to their early twentieth century manifestations during the early portion of the UIW Historic District's period of significance (1888-1945). The Proposed Project would also provide a 9-acre interconnected network of public open spaces through the project site.

These revisions do not change any of the conclusions of the EIR. Comments provide evidence that supports the EIR's conclusion that the proposed street plan would diminish the integrity of the District. However, they do not present substantial evidence, in light of the record, that the Proposed Project would materially alter those physical characteristics of the UIW Historic District that convey its historical significance and that justify its inclusion, or eligibility for inclusion, in the CRHR.

COMMENT CR-5: INFILL CONSTRUCTION

"Detailed design guidelines have been developed to help ensure that new construction is compatible with the historic district in terms of massing, materials, fenestration, etc. Protecting the integrity of district boundaries will also depend on maintaining the functional and visual relationships between contributing resources. Although the Proposed Project would maintain an important visual connection between the waterfront and Building 12, other contributors would be left isolated or obscured by proposed demolitions and new infill construction." *(Mike Buhler, President & CEO of San Francisco Heritage, Letter, February 21, 2017 [O-SFH-2])*

Cultural Resource Impacts

"• The proposed mitigations for CR-11 lack adequately specificity with regards to height. The existing mitigations lack inadequate independent controls for unbiased analysis of height compatibility with historical buildings. The EIR mitigations should be require independent analysis of historical compatibility under the guidance of a well-recognized historical architecture expert." *(Clair and Don Clark, Letter, February 8, 2017 [I-C&DClark1-9])*

"• CR-11 does not factor in ground elevation height increases to 15.4 feet above sea level as part of the overall structure height impacts." *(Clair and Don Clark, Letter, February 8, 2017 [I-C&DClark1-10])*

"• 90 foot tall buildings self-evidently have different massing, size, scale and appearance from similar adjacent historical buildings which have a predominant maximum height of 40-60 feet." *(Clair and Don Clark, Letter, February 8, 2017 [I-C&DClark1-11])*

"• Forest City representatives affirm that the new buildings with the largest footprint will be 50 to 70 feet above ground level and that no more than 4 feet infill will be added to existing ground levels. Given the previous points discussed in the City Effectiveness as a Lead Agency, specific maximum heights of new buildings and ground level should be explicitly noted in mitigation measures and not left in supporting documents which can be modified at sole discretion of the city without ready recourse for impacted local residents." *(Clair and Don Clark, Letter, February 8, 2017 [I-C&DClark1-12])*

"• The mitigations state that new construction shall comply with the Secretary of the Interior's Rehabilitation Standard No. 9. This Standard states that "Designing a new addition so that its size and scale in relation to the historic building are out of proportion, thus diminishing the historic character" is "not recommended." This requirement is reasonably interpreted as: The height of new buildings shall not exceed the line of sight height of existing historical buildings as viewed from all impacted lines of sight.

"Please incorporate these comments into the final EIR." *(Clair and Don Clark, Letter, February 8, 2017 [I-C&DClark1-13])*

"• CR-11 does not factor in ground elevation height increases to 15.4 feet above sea level as part of the overall structure height impacts, i.e. heights above sea level will exceed 100 feet" *(Don Clark, January 17, 2017 [I-DClark4-5])*

"The proposed mitigations for CR-11 lack adequately specificity with regards to height. The existing mitigations lack inadequate independent controls for unbiased analysis of height compatibility with historical buildings.

"• A 90 foot building self evidently has different massing, size, scale and appearance from similar adjacent historical buildings which have a predominant maximum height of 40-60 foot height

"• The mitigation references a document (Pier 70 SUD and Design for Development) which is not publicly available and cannot be verified as an independent analysis of historical compatibility that was prepared under the guidance of a well recognized historical architecture expert.

"• The mitigations state that new construction shall comply with the Secretary of the Interior's Rehabilitation Standard No. 9 which further states that "Designing a new addition so that its size and scale in relation to the historic building are out of proportion, thus diminishing the historic character" is "not recommended." This requirement is reasonably interpreted as: The height of new buildings shall not exceed the height of remaining historical buildings that are

closest in ground floor surface area and buildings closer to Illinois street shall not exceed an above ground-level height of the historical buildings further from Illinois street; i.e. in an east facing line of sight. This explicit mitigation should be incorporated into the EIR."
(Don Clark, Email, January 9, 2017 [I-DClark3-2])

"**II. Procedural Safeguards for Periodic Reassessment of District Eligibility**
"Given the timeline and complexity of Pier 70's district-wide redevelopment, including multiple developers and evolving conditions across four subareas, Heritage urges the Port to establish a clear procedure to periodically reconfirm the district's National Register eligibility. Ideally, this process would involve both the State Office of Historic Preservation (OHP) and the San Francisco Historic Preservation Commission (HPC).

"It is unclear whether OHP has weighed in on the potential impacts of the Pier 70 Mixed Use District Project, but OHP will need to verify district eligibility for rehabilitation projects to receive federal historic tax credits. Although the HPC has agreed with the EIR's finding of no significant adverse impact to the Union Iron Works Historic District, the HPC currently lacks jurisdiction or any formal role to monitor cumulative impacts over time.

"Because OHP has primary responsibility for reviewing future tax credit applications, Heritage recommends that the Port formally request OHP's concurrence with the EIR's finding of no significant adverse impact. Moreover, we feel that the district's eligibility should be continually and prospectively reconfirmed as individual rehabilitation and infill projects undergo design review and approval. The proposed evaluation process would consider cumulative development activities across all four Pier 70 subareas, with the results presented to the HPC and then confirmed by OHP." *(Mike Buhler, President & CEO of San Francisco Heritage, Letter, February 21, 2017 [O-SFH-3])*

"**TABLE S-1**
"CR-11 Review Process
"For infill design review, a wider range of perspectives is helpful. Because the project is within and adjacent to historic districts, consider adding by name: Historic Preservation Commission and San Francisco Heritage, who often review infill projects at the request of Planning."
(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-40])

RESPONSE CR-5: INFILL CONSTRUCTION

Comments express concern that the height of new buildings would not be compatible with the Historic District and suggest that mitigation measures require that building heights not exceed the height of historic buildings. Comments also express concern about the impact of proposed infill construction on the District.

Building Height

Comments express concern for the impact of the height of new infill construction under the Proposed Project within the District and for the proposed ground-level increase and its

contribution to building heights. Comments propose different standards for establishing the appropriate height of infill construction within the UIW Historic District.

The method of measuring and expressing building height for the proposed new buildings is established in the *Design for Development* document. In the *Design for Development*, as in San Francisco Planning Code, which sets building height measurement methods Citywide, building height is measured and expressed in relation to the curb height at a position along the building's street frontage, rather than measured from a fixed datum or mean sea level. The comment presents no evidence that the addition of up to 5 feet of fill in low-lying areas of the project site, and the proposed infill construction atop the raised grade, would result in a significant impact on the UIW Historic District.

As discussed in the EIR on pp. 4.B.13-4.B.14, the westernmost portion of the project site is currently within a 65-X Height and Bulk District. The remainder of the project site is currently within a 40-X Height and Bulk District. On November 4, 2014, the San Francisco electorate approved Proposition F, a ballot measure that authorized a height increase at the 28-Acre Site and conditioned the proposed height increase on completion of an EIR and approval of a development plan for the 28-Acre Site by the Port Commission and the Board of Supervisors. Proposition F did not apply to the Illinois Parcels because the area along Illinois Street had already been rezoned from 40-X to 65-X Height and Bulk District under the *Central Waterfront Plan*. The EIR studies the Proposed Project under the proposed height increase under Proposition F.

As discussed on EIR p. 4.D.71 and shown in EIR Table 4.D.4: Maximum Heights of New Construction by Parcel Name/Number, on p. 4.D.72, new construction within allowable development zones would be restricted to the total height limits by parcel name/number. The overall heights of new construction would range from 50 to 90 feet, responding to the variety of building heights found in the project site, which range from 44 feet (Building 21) to 60 feet (Building 12) and 82 feet (Building 2). See EIR Figure 2.13: Proposed Height Limits Plan, on EIR p. 2.40, which identifies the allowable new construction zones and each developable parcel. No height increase or substantial new exterior additions would be permitted at historic Buildings 2, 12, and 21.

The EIR also studies Alternative C, Code Compliant Alternative, under which the project site would remain within the existing height and bulk districts (EIR pp. 7.21-7.23). The EIR concludes that new infill construction within the UIW Historic District under this alternative would be reduced when compared to the Proposed Project, as there would be about 45 percent less development under this alternative. The height of new infill development would be reduced from a maximum of 90 feet in many project site areas under the Proposed Project to 40 feet under this alternative, which would allow for new buildings to be approximately the same in height, or shorter than, the historic buildings to be retained. This would allow historic buildings to maintain

greater integrity of setting. Similar to the Proposed Project, the EIR concludes that new infill development under this alternative would have a less-than-significant impact on the UIW Historic District, with implementation of Mitigation Measure M-CR-11: Performance Criteria and Review Process for New Construction, EIR pp. 4.D.103-4.D.106, which would also apply to this alternative.

The EIR identifies the Code Compliant Alternative as the "Environmentally Superior Alternative." As shown in Table 7.16: Ability of Alternatives to Meet Project Objectives, on EIR pp. 7.92-7.95, the Code Compliant Alternative would partially meet the project sponsor's objectives. It would provide substantially less public open space, market-rate and affordable residential units, and commercial and retail space than the Proposed Project. It would not include financing strategies to address sea level rise fund infrastructure and ongoing maintenance.

Comments expressing a preference for lower heights for infill construction in the UIW Historic District do not raise issues concerning the adequacy or accuracy of the EIR's analysis of environmental impacts under CEQA that were not already studied in the EIR. To the extent that such comments express opposition to the height limits for new construction under the Proposed Project, a response to such comments is found in Response ME-1: Comments on the Merits of the Proposed Project, RTC pp. 4.T.9-4.T.10. Such comments may be considered and weighed by the decision-makers as part of their decision to approve, modify, or disapprove the Proposed Project. This consideration is carried out independent of the environmental review process. See Response CR-4: Circulation and Streets, on RTC pp. 4.F.17-4.F.25, for a discussion of renderings showing infill construction.

Design for Development

As stated on EIR p. 1.7, "All documents referenced in this Draft EIR, and the distribution list for the Draft EIR, are available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103, as part of Case File No. 2014-001272ENV." This includes the *Design for Development* document. The EIR (under Impact CR-11 on EIR pp. 4.D.101-4.D.107) presents a reasoned analysis of the impacts of the proposed infill construction on the integrity of the UIW Historic District.

The proposed *Design for Development* (as updated March 2017) was prepared under the review and direction of Planning Department's and Port's historic preservation experts. It includes standards and guidelines that implement the Secretary of the Interior's Standard No. 9, which requires that new work be both differentiated from, and compatible with, the UIW Historic District. In particular, with respect to the height of infill buildings under the Proposed Project, the *Design for Development* requires that the height and scale of new infill construction within the UIW Historic District respond to adjacent historical resources in the UIW Historic District by

establishing a range of strategies: (1) buffer zones (minimum distances between proposed new buildings and contributing buildings to maintain views of contributing buildings); (2) façades and materiality (a selection of architectural strategies to draw on the UIW Historic District's existing forms and historic materials, prohibit false historicism, and encourage building variety, façade articulation, and depth; and (3) adjacency to historical resources (site-specific height references standards that require setback, dimensional height datum, and reference of horizontal and vertical rhythms of historic buildings in new construction buildings in order to relate to contributing buildings).

The EIR concludes that new infill construction under the Proposed Project, which includes *Design for Development* standards and guidelines, could materially impair the significance of the UIW Historic District and result in a significant impact. The EIR identifies Mitigation Measure M-CR-11: Performance Criteria and Review Process for New Construction, EIR pp. 4.D.103-4.D.106, which provides that new construction and site development within the Pier 70 SUD shall be compatible with the character of the UIW Historic District and shall maintain and support the UIW Historic District's character-defining features through performance criteria, and calls for a review process for future building designs, requiring an analysis of future specific building designs for conformity with the *Design for Development* and the additional design criteria imposed under this mitigation measure. The EIR concludes that, with implementation of this mitigation measure, the impact of the Proposed Project would be reduced to a less-than-significant level. The EIR analysis presents substantial evidence that supports the conclusion that, although the infill construction under the Proposed Project would diminish the integrity of the District, with implementation of Mitigation Measure M-CR-11, it would not materially alter those physical characteristics that justify the UIW Historic District's inclusion in the CRHR. Comments expressing concern for the impact of new construction do not present substantial evidence to the contrary.

Review Procedures for Infill Construction

Comments express concern with the sufficiency of review procedures included in Mitigation Measure M-CR-11. Comments suggest that future review of designs for infill projects should be subject to further review and concurrence from the California Office of Historic Preservation and the San Francisco Historic Preservation Commission.

Mitigation Measure M-CR-11 calls for review of building plans for conformity with the *Design for Development* and the additional performance criteria specified in the measure by the Planning Department preservation staff in consultation with Port preservation staff. Future infill buildings to be reviewed under Mitigation Measure M-CR-11 would not be considered rehabilitation projects eligible for Federal tax credits under the Federal Historic Preservation Tax Incentives Program. As such, designs for new infill buildings would not be subject to review by the

California Office of Historic Preservation. However, any rehabilitation project in the UIW Historic District under the Proposed Project would be required to comply with Mitigation Measure M-CR-5 which requires compliance with Secretary of the Interior's Standards for Rehabilitation, and if any such rehabilitation project within the UIW Historic District seeks federal tax credits, the California Office of Historic Preservation would be required to reaffirm the District's eligibility. The UIW Historic District is not designated under San Francisco Planning Code Article 10 nor Article 11. As such, no Historic Preservation Commission review of new infill construction within the UIW Historic District is required. However, Planning Department preservation staff may elect to provide informational presentations to keep the Historic Preservation Commission informed and seek their input.

Designated Preservation staff of the Planning Department and Port are experts in the field of historic preservation, meeting the Secretary of the Interior's qualifications and standards, and, as such, are presumed to be capable of adequately reviewing future plans for infill buildings within the UIW Historic District to ensure that new construction and site development within the Pier 70 SUD will be compatible with the character of the UIW Historic District and will maintain and support the District's character-defining features in accordance with Mitigation Measure M-CR-11. Comments present no substantial evidence to the contrary.

Additional Information Regarding the Proposed Infill Construction within the District

In response to concerns expressed in the comments about the impact of the proposed new infill construction on the UIW Historic District, presented below are revisions and additional information to supplement the impact analysis under Impact CR-11 on EIR p. 4.D.103. These revisions and additional information are presented for informational purposes to provide the public with additional informational context by which to understand the impact of the proposed infill construction under the Proposed Project on the UIW Historic District. These revisions do not change any of the conclusions of the EIR.

The following new text has been added before the first paragraph under Impact CR-11 on EIR p. 4.D.101 (new text is <u>underlined</u>). These revisions do not change any of the analyses or conclusions of the EIR:

> **Impact CR-11: The proposed infill construction would materially alter, in an adverse manner, the physical characteristics of the UIW National Register Historic District that justify its inclusion in the California Register of Historical Resources.** ***(Less than Significant with Mitigation)***
>
> <u>The project site was more densely developed at the end of the UIW Historic District's period of significance (1945) than it is today. In particular, the project site included</u>

several buildings east and northeast of Building 2. The locations of proposed buildings A, B and D were historically occupied by buildings. Many of the other proposed buildings, including E1, E2, E3, E4, F, G, H1 and H2, occupy sites that no longer include buildings or other structures that were present during the historic period. In this sense, the proposed infill construction would return the site to a building density that is more in keeping with its historic density.

The following new text is added before the first full paragraph on EIR p. 4.D.103 (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR:

The proposed new construction would not result in the need to adjust the boundary of the UIW Historic District, because the boundary is based on the boundary of the shipyard at the end of World War II, according to the Bethlehem Shipbuilding Division's 1944 Master Plan, rather than the presence of a concentration of surviving contributors. The District boundary, therefore, captures the entire shipyard's development from 1884 through 1945 including large areas of non-contributing features and now vacant land. The boundary for the UIW Historic District, as with most historic districts, includes areas with non-contributing features. But given the District's national significance as a historic shipbuilding facility, maintaining a District boundary that extends eastward to the waters of San Francisco Bay is essential. In addition, Building 12 would continue to mark the south end of the District, new construction would be far removed from the District's northern boundary, and Illinois Street would continue to separate the District from the street grid to the west. Because the current boundaries of the UIW Historic District do not bear a close relationship to the current presence of concentrations of contributors, the proposed infill construction within the District boundaries would not change reasoning on which the boundary of the UIW Historic District is premised.

COMMENT CR-6: IRISH HILL

"*Irish Hill*
"Irish Hill, a contributing landscape to the Union Iron Works Historic District, will be "mostly retained." (DEIR pg. S.4, S.22.) Approximately 1.4 acres remain from the original 20.6 acres of Irish Hill. (Ibid.) According to historian Peter Linenthal, Irish Hill represents the one remaining fragment that tells the story of the original 'Potrero', as the neighborhood was known. Irish Hill is a prominent landscape feature, which tells several stories central to Pier 70's history. The Project proposes to isolate the remnant of Irish Hill in a courtyard cutting it off from its context. (See also Mr. Linenthal's excellent and informative comment letter on the Project.) The maps included in the Draft EIR show that proposed buildings along Illinois, 22nd street and the new 21st street would surround and obscure Irish Hill from the main access to Pier 70, at Illinois street. Although plans preserve Irish Hill itself, its relationship to the larger neighborhood would be lost. The landscapes of the Potrero Hill and Dogpatch neighborhoods were perhaps the most dramatically shaped lands in San Francisco; no other neighborhood of workers was as closely connected to Pier 70 industries as Irish Hill. Mr. Linenthal stated relocating proposed buildings on Illinois street or a substantial reduction in the height of the buildings surrounding Irish Hill would retain Irish Hill's visibility." *(J. R. Eppler, President, Potrero Boosters Neighborhood Association, and Rachel Mansfield Howlett, Provencher & Flatt LLP, on behalf of Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association, Email, February 21, 2017 [O-DNA&PBNA-9])*

"**Historic Resources**
"The preliminary drawings of the Preferred Project show Irish Hill almost entirely blocked from view. As a contributing resource to the landscape, it is imperative that vistas and view corridors of Irish Hill should remain open. Overall, the Project will result in a very dense urban environment that will totally alter the physical character of the area. As Historic Preservation Commissioner Perlman noted at the Feb 1, 2017 hearing, the effect will be to "eviscerate" a significant historic resource. Context matters and the design needs to be modified accordingly."
(Alison Heath, Grow Potrero Responsibly, Email, February 22, 2017 [O-GPR2-25])

"I'm here to comment on the cultural resources section of the Draft EIR.

"It's very easy to take the landscape that we encounter every day for granted and to assume that it's always been that way. But that's really not the case.

"When you walk down Illinois Street today, this is what you see of Irish Hill, rising to the east. But what -- what you wouldn't know, looking at that, is that the white section here is what remains of Irish Hill.

"Originally, it was a huge hill, eight or ten blocks inside -- size, with 90 steps going up to the top, housing a vibrant community that -- which Steven Herraiz will tell you about shortly.

"This is Figure 2.7, the maximum-use residential scenario.

"This is -- this is Illinois Street, and Irish Hill is in this area.

"The plans so far – there's a variety of plans, but they -- they hide what remains of Irish Hill behind either residential or commercial buildings along Illinois so that you would only -- you would only see them through these narrow openings along 21st or 22nd.

"I -- I think it would be much better if the developers came up with a plan that didn't hide -- hide Irish Hill. Potrero Hill and Dogpatch are a part of the City that have undergone some of the most dramatic geological changes. Mission Bay was filled in. When you drive by the 280 Freeway, there's a huge landscaped wall.

"People don't realize that the hill originally gradually went down to the bay. Also, earth from Irish Hill was used to build out more industrial land along Pier 70, so that history shouldn't be lost, and I hope Irish Hill can remain visible … So people can learn that history."
(Peter Linenthal, Potrero Hills Archives Project, DEIR Hearing Transcript, February 9, 2017 [O-PHAP1-1])

"I have lived on Potrero Hill for 40 years and have been a member of the Potrero Hill Archives Project for 30 years which I now direct. I and Abigail Johnston are writing in response to the Draft E.I.R. for Pier 70. Ms. Johnston and I have written two books on neighborhood history for Arcadia press: San Francisco's Potrero Hill and Potrero Hill: Then & Now. We are at work on another book for Arcadia on Dogpatch featuring Pier 70 history. While there is a great deal of important historic preservation in the plans for Pier 70, we strongly object to the treatment of Irish Hill. Site maps in the E.I.R. show proposed buildings along Illinois, 22nd, and the new 21st Street, surrounding Irish Hill. The placement and heights of these buildings would make Irish

Hill invisible from the main access to Pier 70, Illinois Street. Irish Hill is a landscape feature which tells several stories central to Pier 70's history. Although plans preserve the hill itself, the hill's relationship to the larger neighborhood would be lost. Hiding Irish Hill in a courtyard would make this fundamental history much less available to residents and visitors.

"Here are photos of a model I made on a map from the EIR showing Irish Hill from 4 sides and from above with and without the proposed buildings surrounding it. The buildings to the east are actually proposed to be higher (90 feet) than the 60 foot ones here. A professionally made 3D model of the Pier 70 project is absolutely necessary and should be made. Why is there none? Why is Irish Hill Playground not shown in photos made from digital models?

[Note: The email attachment includes photos of the model showing the following perspectives: from Illinois Street; from 21st Street; from 22nd Street; from Louisiana Street; and from above Illinois Street. Refer to the bracketed copy of this email attachment in RTC Attachment B: Comment Letters on the Draft EIR, to see the photos referenced in the comment.]

"The landscapes of the Potrero Hill and Dogpatch neighborhoods were perhaps the most dramatically shaped San Francisco lands. Huge sections of Potrero Hill east of Pennsylvania Street were successively cut away beginning in 1867 to make pathways for trains. The steep wall with tiered planting above 280 Freeway is not a natural wall but was carved from the serpentine rock of Potrero Hill. Mission Bay was filled in bit by bit over many years using this rock and city garbage. Most of Mission Creek and Islais Creek have been filled in.

"Irish Hill was once an eight or nine city block neighborhood. A ninety step stairway gave access to a lively neighborhood of immigrants who contributed to the growth of industry which made San Francisco a competitor in world markets. No other neighborhood of workers was as closely connected to Pier 70's industries as Irish Hill. Irish Hill was also successively cut away to create space for industrial expansion. The spoil from this carving away was used to fill water-lots to the east, a dramatic land reclamation process which expanded the shipyards in land used after 1941. Irish Hill today is the one remaining landscape feature which tells this story." *(Peter Linenthal, Director, and Abigail Johnston, Secretary, Potrero Hill Archives Project, email, February 21, 2017 [O-PHAP2-1])*

"It's worth mentioning that in our experience the stories of how Potrero Hill and Dogpatch landscapes were shaped are unknown to many residents and to almost all visitors. Irish Hill today is the one remaining fragment of the original 'Potrero', as the neighborhood was known, which tells this story. Isolating Irish Hill in a courtyard would cut it off from its context, making those stories obscure or invisible.

"We thank Steven Herraiz for his research on Irish Hill. Although we've been researching neighborhood history for many years, his presentation of Irish Hill history at our 2014 Potrero Hill History Night completely changed how we saw Irish Hill. We strongly recommend his presentation to anyone who wants a better understanding of Irish Hill. You can see his presentation at : https://www.youtube.com/watch?v=eUZ6qhcl7fg.

"In summary, I feel a relocation of proposed buildings on Illinois Street would be the best way to include Irish Hill in the exciting plans for Pier 70. A substantial reduction in height would allow Irish Hill to remain visible but would be less effective in maintaining its connection to the neighborhood. Criterion 3 in the Draft E.I.R. calls attention to elements associated with a distinctive period. Criterion 4 calls attention to landscape features which help us understand the

landscape. Criterion 4 also notes refuse features which tell us about the consumer behavior of socioeconomic groups, and of significant land reclamation features. These criteria make it clear that hiding Irish Hill behind buildings would be a terrible loss. The creative teams working on plans for Pier 70 will be able to revise their current plans to make the neighborhood's history and Irish Hill visible.

"Photos make Irish Hill history vivid. These 1918 views shows densely settled blocks on Irish Hill and how the hill was w oven into the fabric of the neighborhood, the workers neighborhood most closely connected to Pier 70 industries. *[Note: Refer to the bracketed copy of the attachment to this email in RTC Attachment B: Comment Letters on the Draft EIR, to see the photos and map referenced in the comment.]*

"By 1930 many Irish Hill buildings had been torn down but the Irish Hill still loomed over neighboring industrial buildings. Seen from Pennsylvania Street on Potrero Hill, Irish Hill was prominent.

"This map shows the original outline of Irish Hill in black. The white area within it is Irish Hill today, a small hill connecting us to crucial chapters in Potrero Hill, Dogpatch, and San Francisco history." *(Peter Linenthal, Director, and Abigail Johnston, Secretary, Potrero Hill Archives Project, email, February 21, 2017 [O-PHAP2-3])*

"I am writing to you and the San Francisco Planning Department to complain about an aspect of the EIR that has been short changed by the proposed development. It concerns the treatment of an important historic resource in the project, the portion known as "Irish Hill".

"This hillock is more than the remainder of a natural feature, it is a remnant of an important chapter in the history of San Francisco, its people and its industries. The Hill is part of an entire vanished neighborhood of many blocks in size that identified a strong but vanished community.

"The developer's current plan calls for this hill to be entirely surrounded by tall buildings, which not only blocks views to it, but in fact cut it off from surrounding streetscapes and housing. The new plans will bury the Hill and cut it off from light and air. There is supposed to be a playground next to the Hill, but I must say it is confusingly indicated. Where is the play area? Will the children have light to play in? Will the grasses and plantings have enough light to survive? Is the Hill being treated according to the rules and EIR's own recommendations for historic structures and places? I feel there is something very wrong here both as a long term resident and as an architect of over 35 years experience.

"Architecturally, Irish Hill, the fragment of a vanished cultural landscape, could be part of a square that is a feature to the neighborhood, a place that is like other squares and parks in the City. Each neighborhood should have such parks and spaces. I would recommend removing some of the vast open areas along the waterfront should that be necessary to create some breathing room around the Hill, removing buildings that block and wall off the Hill. A new plan could include an outdoor café like the one in Union Square.

"Surely this Pier 70 project has some wonderfully talented professionals to tackle the challenge of redesign of this part of the project. This reconsideration seems so much needed."
(*Philip Anasovich, Email, February 21, 2017 [I-Anasovich2-1])*

"I have lived on Potrero Hill not far from Pier 70 for decades. My first encounter with Pier 70 was in 1980 when I set up my artist studio on the third floor of the American Can Building directly across the street. I got to look out at the beautiful old warehouses and Irish Hill, an outcropping of serpentine rock covered by tall grass and trees. I loved taking a break to walk on the hill and down among the warehouses and got much inspiration for my artwork in the process.

"I understand the need for redevelopment but something is always lost when old buildings with character are replaced with big box buildings. I urge you to keep the Pier 70 Mixed-Use District Project from growing even bigger and turning into another gulag of modern buildings blocking sunlight and views. Also at issue is increased traffic. It has spiked in years to the point of daily gridlock and I seriously dread more cars coming and going and parking in the neighborhood.

"Please please please keep Pier 70 development in check and Irish Hill still visible to the neighborhood. I and my neighbors will be grateful!" *(Tricia Atlas, Email, February 21, 2017 [I-Atlas-1]*

"With all this, a fragment of Irish Hill still exists and can be viewed by anyone who goes by the site along Illinois Street. Irish Hill is a physical reminder of the history of the residential /worker presence on the Pier 70 site and is a visible illustration of the changes that have occurred on the site. The Hill straddles the past and present and can be a powerful visual vehicle for celebrating the past while educating current and future residents, workers and visitors of the colorful and significant history of the Pier 70 proposed development and community. This opportunity should not be missed.

"If Irish Hill is fully surrounded by and virtually buried by 60+ foot tall buildings that are proposed, there will be a significant and virtually irreversible loss of cultural and historic resource. The plan does not offer an alternative that would leave Irish Hill viewable from the west or south as it is now and has historically been seen. Why has this alternative not been studied?" (*Original bold emphasis has been removed.*) *(Janet Carpinelli, Email, February 20, 2017 [I-Carpinelli-2])*

"…I am an independent research historian, and I have been studying Irish Hill for the last three years. "I brought a picture of Irish Hill as it was at the end of the 1800s.

"This is what Irish Hill -- this is what Irish Hill used to look like. It was a thriving neighborhood that housed 1,100 people.

"I've been a historian for many years, and I have never studied an area that literally is like a ghost town that has no physical reminders of its existence.

"All that's left of Irish Hill is the small piece of land that Peter showed you. I have been working very hard to be sure that people understand Irish Hill and learn about it.

"There are many hills in San Francisco. All of the hills in San Francisco have their own histories. They have reminders of what was there. They have new buildings, old structures. Irish Hill has none of that. Irish Hill literally was a neighborhood that disappeared.

"I've read the EIR, and I'm very pleased that Irish Hill will not be razed -- that that last chunk of Irish Hill will stay. However, as Peter mentioned, the visibility of it will be completely impaired.

"As you can see, from this view, which is from Illinois Street, you would be able to see Irish Hill. Now, if you go to Illinois Street today, you can still see the clump of Irish Hill that is there. However, with the -- the buildings that are going to be put there, the view of Irish Hill will be completely obscured, and it would really affect the public's access to this place." *(Steven Fidel Herraiz, DEIR Hearing Transcript, February 9, 2017 [I-Herraiz1-1])*

"I am an independent research historian and have been studying the neighborhood of Irish Hill for three years. I have also done extensive research on the Dogpatch neighborhood and am the co-author of a book about these dynamic neighborhoods for Arcadia Press, to be released this fall. I am a San Francisco City Guide and lead monthly walking tours of these neighborhoods once a month. I also submitted oral comments at the February 9, 2017 meeting.

"I am writing to request that the Planning Commission not accept Forest City's Environmental Impact Report Draft in its current form. It is deficient in its research and treatment of Irish Hill. Also, the EIR does not provide a Cultural Resource Analysis of Irish Hill and thus does not recognize the cultural and historic impact the neighborhood had on Potrero Point (today's Pier 70). Irish Hill deserves the same treatment and recognition of its importance in the area as any of the buildings in the Historic Core.

"IRISH HILL HISTORY
"The neighborhood of Irish Hill was first inhabited in the late 1850's, by workers who settled there because of its proximity to the heavy industries that operated on Potrero Point. Settlement increased with the completion of the Long Bridge to the Potrero in 1867. At its peak, 1,100 people lived there. The neighborhood was bounded by 20th Street on the north, 22nd Street on the south, Illinois Street on the west and the Bay on the east. Its residents were working-class first and second-generation immigrants (many of them Irish) that worked in shipbuilding and other heavy industries adjacent to Irish Hill. This ten square block neighborhood was home to many saloons and boarding houses, which served the men that actually built the submarines and battleships our country used to win both the Spanish-American War and WWI. Before I began this research, very little was known about this dynamic, rowdy neighborhood, possibly due to the facts that it was a low-status neighborhood and that its residents, their homes and businesses, even the physical hill itself, disappeared almost 100 years ago. Ironically, the industries that brought the workers to settle Irish Hill were also responsible for its demise and destruction, systematically working together to buy up the properties and level the hill to create flat land for their expansion. My work is akin to researching a ghost town of which no physical remains exist, but for a lonely bluff of serpentine rock visible in from Illinois Street at the edge of a parking lot.

"Irish Hill's history is an integral part of the history of Pier 70, but this importance is not recognized in Forest City's EIR.

"IRISH HILL'S POTENTIAL FOR LISTING ON STATE AND NATIONAL REGISTERS

"The Irish Hill (remnant) is listed as 'contributing' to the Union Iron Works Historic Features (noted above as 'yes') but not 'individually significant (noted above as 'no'). This false belief guides Forest City's treatment in its plan.

"From page 4.D.36 of the EIR:

> "As a property listed on the National Register, the UIW Historic District, including its contributing features, is automatically listed in the California Register of Historic Resources (CRHR)."

"Irish Hill is included in the Historic District and actually satisfies all 4 criteria for being on the CRHR:

> "1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
>
> "2. Is associated with the lives of persons important in our past
>
> "3. Embodies the distinctive characteristics of a type, period, region or method of construction; represents the work of an important creative individual/ or possesses high artistic values.
>
> "4. Has yielded or may be likely to yield information important in prehistory or history.

"However,

> "1. Irish Hill is associated with the UIW shipyard becoming the largest ship builder on the West Coast
>
> "2. Irish Hill is associated with Frank McManus, also known as 'King of the Potrero.' McManus was known city-wide. He was a member of the Republic Committee, owner of the Union Hotel (across the street from the UIW Machine Shop). His political and economic influence shaped Irish Hill's history. (see pp. 7-9)
>
> "3. Irish Hill embodies the characteristics of a region. Throughout its history, the Potrero underwent multiple 'cuts, for railways and streets. Third Street, Illinois Street, Tennessee Street and Minnesota Streets were all products of these cuts. Today, Irish Hill is the most visible record of these cuts. (see p. 10)"

(Steven Fidel Herraiz, Letter, February 20, 2017 [I-Herraiz2-1])

"Contrary to the information in the EIR, Irish Hill is a feature of the District that maybe individually eligible for listing in the CRHR.

"Because the UIW Historic District, including its contributing features like Irish Hill, is listed on the National Register of Historic Places, it is automatically listed in the CRHR (page 4.D.36 of the EIR). It is possible that Irish hill is eligible for listing on the National Register of Historic Places, whose criteria are the same for eligibility on the CRHR.

"It is also possible that Irish Hill qualifies as a California Point of Historical Interest (CPHI):

> "'To be eligible for designation as a Point of Historical Interest, a resource must meet at least one of the following criteria:
>
> "'• The first, last, only, or most significant of its type within the local geographic region (City or County).
>
> "'• Associated with an individual or group having a profound influence on the history of the local area.

"'• A prototype of, or an outstanding example of, a period, style, architectural movement or construction or is one of the more notable works or the best surviving work in the local region of a pioneer architect, designer or master builder.

"The hill itself is the last remnant of its type in San Francisco. Irish Hill's residents were a group that had a 'profound influence on the history of the local area.'

"Again, the EIR doesn't contain a Cultural Resource Analysis of Irish Hill, which could lead to its listing on the CRHR (California Register of Historic Places), the NRHP (National Register of Historic Places, and the CPHI (California Point of Historic Interest)." *(Steven Fidel Herraiz, Letter, February 20, 2017 [I-Herraiz2-3]*

"BUILDING PLACEMENT
"The EIR does not provide enough information regarding the placement of new buildings around Irish Hill. The placement of the new buildings would essentially 'bury' it by surrounding it. (see p. 13) Today's view of the hill from Illinois Street is the view that San Franciscans know of Irish Hill, the view they've seen for decades. It shows the shorn face of the hill with its exposed serpentine rock. More importantly, this western view from Illinois Street shows the original elevation of the remaining portion, which is missing from both northern and eastern views.

"Under the EIR, the proposed northern view of the hill would only be accessible from the width of the new Michigan Street. This view only shows a slight upward slope covered in plant life and no shorn rock. The proposed southern view (from today's parking lot of Building 12) does not give an accurate rendering of the original elevation of the hill, which was shorn off with the construction of 1941, nor does the view from the proposed Irish Hill Playground. Neither of these views show the detail of the hill and provide as much meaning as does the present view from Illinois Street. These views are unknown to people that have seen the view from Illinois Street. Those who know and have seen Irish Hill recognize the view from Illinois Street.

"I applaud Forest City's decision not to raze the last physical reminder of this lost San Francisco neighborhood. However, the heights of the four proposed buildings that would surround it on every side (on parcels PKS, C1, C2, HDY1, and HDY2) do not allow for more than one or two hours of direct sunshine for this open space. Locating the playground in front of Irish Hill on parcel PKS would allow full sun for the majority of the day.

"The renderings in the EIR show that the majority of the physical hill will be preserved (less 3% of the hill at the foot of the new Michigan Street), which shows Forest City's commitment to honoring the history of this area. However, the placement of these buildings will completely obscure public view of recognizable Irish Hill, which would not represent the historic period for which it was designated. I believe that more research needs to be included in the EIR regarding the placement of these two buildings, particularly those on the Illinois Street parcels PKS and HDY2." *(Steven Fidel Herraiz, Letter, February 20, 2017 [I-Herraiz2-5])*

"CONCLUSION
"The current draft of the EIR shows Irish Hill has not been adequately studied and maybe eligible for placement on the CRHR (the California Register of Historic Resources) and the NRHP (the National Register of Historic Places), just as the Union Iron Works Historic District is. Irish Hill is, literally, a neighborhood that disappeared. Its story is unknown to most San Franciscans, yet

represents an important chapter in San Francisco history that is being preserved in the rehabilitation of the culturally, historically, and architecturally significant buildings at Pier 70. Irish Hill shares that significance, yet has not been afforded the same research and treatment as those buildings around it. Had it not been for the settlement of Irish hill, it is unclear what the Historic Core would look like today." *(Steven Fidel Herraiz, Letter, February 20, 2017 [I-Herraiz2-6])*

"The developers have repeatedly promised to honor the history of the site, but this proposal makes a mockery of one of the most significant features of the area with its ridiculous fencing in of the "Irish Hill Playground" area by means of massive shadow-casting structures. It is very hard to believe that this is a serious proposal unless it is meant as an ironic embodiment of an actual "theater of the absurd." Who would "play" in this depressing, shadowy, steeply graded enclosure? A first-year architecture / design student would know better than to propose such a thing. This area would best be honored by creative landscape architecture and open space that would accentuate the historical site and preserve much needed open space." *(Ruth Miller, Email, February 21, 2017 [I-Miller-4])*

"As a resident of Potrero Hill, I am writing to express my concern about the proposed plans for Pier 70. Site maps in the E.I.R. show proposed buildings along Illinois, 22nd, and the new 21st Street, surrounding Irish Hill. The placement and heights of these buildings would make Irish Hill invisible from the main access to Pier 70, Illinois Street. Irish Hill is a landscape feature which tells several stories central to Pier 70's history. Although plans preserve the hill itself, the hill's relationship to the larger neighborhood would be lost. Hiding Irish Hill in a courtyard would make this fundamental history much less available to residents and visitors.

"I strongly urge you to hold off on moving forward until this concern is adequately addressed, and I ask you to reconsider so that Irish Hill remains clearly visible to the community." *(Matt Shiraki, Email, February 20, 2017 [I-Shiraki-1])*

RESPONSE CR-6: IRISH HILL

Comments assert that Irish Hill is an important historic and scenic resource. Comments express concern for the infill development under the Proposed Project that would obstruct existing views of the feature and disagree with its treatment under the Proposed Project.

To the extent that such comments express general opposition to the treatment of the Irish Hill remnant under the Proposed Project, a response to such comments is found in Response ME-1: Comments on the Merits of the Proposed Project, RTC pp. 4.T.9-4.T.10. Such comments may be considered and weighed by the decision-makers as part of their decision to approve, modify, or disapprove the proposed project. This consideration is carried out independent of the environmental review process.

Significance of Irish Hill

Comments assert that Irish Hill is individually eligible for inclusion in the California Register of Historical Resources (CRHR) and National Register of Historic Places (NRHP). The EIR, on pp. 4.D.60-4.D.62, presents a reasoned evaluation of the individual significance of each contributing feature within the project site (including the Irish Hill contributing landscape feature) under CRHR/NRHP criteria, based on a study undertaken by RHAA Landscape Architects.[1] The evaluation for Irish Hill includes a physical description of the feature, a summary of its history, an analysis of its integrity, and an evaluation of the feature's individual significance based on the foregoing descriptions. The EIR analysis presents substantial evidence that supports a conclusion that, although the feature continues to retain sufficient integrity as a contributor the UIW Historic Resource, Irish Hill does not individually meet CRHR/NRHP criteria for significance. The evaluation concludes on EIR p. 4.D.61 that:

> Although the Irish Hill Remnant is associated with the UIW Historic District, of which it is a contributing feature, the remnant no longer includes any buildings, street infrastructure, or other features that are connected to the Irish Hill neighborhood, which was home to many workers at the former Union Iron Works and Pacific Rolling Mills. Moreover, the Irish Hill Remnant, while it maintains integrity of location and setting, no longer possesses integrity of material, workmanship, or feeling, nor does it have integrity of design. Accordingly, the Irish Hill Remnant is not individually eligible for the National Register of Historic Places or the California Register of Historical Resources, and is thus not an individual historical resource under CEQA.

No additional evaluation of Irish Hill is therefore necessary.

The comments discuss the history of Irish Hill. The history of Irish Hill is distinguishable from the existing integrity of Irish Hill (i.e., its ability to convey its individual historic significance in its current state), which is the basis for determining whether the existing Irish Hill remnant is individually eligible for listing. Despite the former prominence of Irish Hill, the EIR, on p 4.D.61, concludes that Irish Hill, in its current condition, lacks sufficient integrity to convey its individual significance to be individually eligible for inclusion in the California Register. The comments do not present substantial evidence, in light of the record, contrary to the EIR's conclusion.

See Response CR-1: Archeological Resources, on RTC. p. 4.F.8, regarding the potential for encountering archeological resources associated with the community that once occupied Irish Hill that could yield important historical information.

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[1] RHAA Landscape Architects, *Irish Hill Remnant: Determination of Individual Eligibility for the National Register of Historic Places and the California Register of Historic Resources*, December 8, 2016.

Views of Irish Hill

Several comments assert that the proposed infill construction that would surround the Irish Hill contributing landscape feature would obstruct views of Irish Hill from the surrounding neighborhood.

Based on public comments, the project sponsors have initiated revisions to the Proposed Project to add a new project variant, the Irish Hill Passageway Variant. This variant to the proposed project is intended to enhance views of the Irish Hill remnant from Illinois Street. See RTC pp. 2.18-2.31. This new variant would shift the pedestrian passageway between Illinois Street and the Irish Hill Playground northward by approximately 165 feet to align with the Irish Hill remnant, creating a view and pedestrian corridor to the landscape feature from Illinois Street.

As noted on EIR pp. 4.A.3-4.A.4, the Proposed Project is subject to Public Resources Code Section 21099(d). That provision applies to certain projects, such as the Proposed Project, that meet the defined criteria for an infill site within a transit priority area. It eliminates the environmental topic of Aesthetics (including the subtopics of scenic views and scenic resources) from impacts that can be considered in determining the significance of physical environmental effects of such projects under CEQA. Accordingly, this EIR does not include a discussion and analysis of environmental issues under the topic of Aesthetics and no discussion of public views is required under the topic of Aesthetics.

However, as noted on EIR p. 4.A.4, Public Resources Code Section 21099(d) specifies that the code section does not exempt analysis of visual impacts on historical resources. Although the EIR concludes that the Irish Hill remnant is not individually eligible for inclusion in the CRHR/NRHP, the Planning Department may consider visual impacts on the integrity of historical resources as a separate issue from that of Aesthetics.

Impact on Views of Irish Hill from Outside the UIW Historic District

To the extent that some comments may be construed to pertain to visual relationships between offsite historical resources (like the American Can Company Building at 2301 Third Street) and Irish Hill, they are addressed as follows: The significance and integrity of surrounding historical resources outside of the UIW Historic District are not premised on their having a cohesive visual relationship with the UIW Historic District or any of its contributors (including the Irish Hill remnant) (see Impact CR-12 on EIR p. 4.D.106). Although the Proposed Project would obscure existing views of Irish Hill from surrounding historical resources, the Proposed Project would not materially alter those physical characteristics of surrounding historical resources that characterize those resources and that justify their inclusion, or eligibility for inclusion in, the California Register. As such, this impact would not be considered significant under CEQA.

Impact on Visual Relationships Between Irish Hill and Other UIW Historic District Contributors

To the extent that comments about views of Irish Hill can be construed to concern the impact of the proposed infill construction on the visual relationships between Irish Hill and other contributors of the UIW Historic District, and hence the integrity of the District as a whole, the comment is addressed as follows: Presented below is additional information to supplement the EIR's analysis of impacts on Irish Hill's contribution to the District. These revisions and additional information are presented to provide the public with additional informational context by which to understand the impact of the proposed infill construction under the Proposed Project on the UIW Historic District. The following revisions have been made to the discussion of Impact CR-9 on EIR p. 4.D.98-4.D.99 (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

Impact CR-9: The proposed alteration of Irish Hill, a contributing landscape feature, and the proposed infill construction surrounding Irish Hill, would not materially alter, in an adverse manner, the physical characteristics of the UIW National Register Historic District that justify its inclusion in the California Register of Historical Resources. ***(Less than Significant)***

Physical Alterations to Irish Hill

The 35-foot-tall remnant of Irish Hill is a contributing landscape feature of the UIW Historic District. All but a small portion of the remnant of Irish Hill would be retained, and the adjacent areas to the south and east would be improved as a public open space (Irish Hill Playground). It would become a central landscape feature surrounded by proposed new streets and infill construction (see Figure 2.15: Proposed Open Space Plan, in Chapter 2, Project Description, p. 2.46). A minimum buffer zone of 45 feet would be established between the peak of Irish Hill and new development to the west (Parcel PKS). New benches and plantings and a playground area would be installed south of the hill's edges with a minimum buffer of 10 feet from the foot of the remnant, but no changes would occur to the side slopes or top of the hill. Approximately 0.04 acre, or 1,900 square feet, out of the hill's total 1.4 acres, or 60,984 square feet (representing 3 percent of the total area), would be removed to accommodate the proposed extension of 21st Street. Further, the area proposed for removal is of relatively low elevation (as compared to other areas of the hill) and therefore would not significantly alter perception of the remnant of Irish Hill's height and mass. Irish Hill retained, this portion of the Proposed Project would not materially impair the integrity of the resource as a contributing landscape feature of the UIW Historic District. The construction of new public streets and new development adjacent to Irish Hill, as well as new benches and plantings and a playground south of the hill, would alter the feeling and association of the resource, but would not reduce its overall integrity to the extent that the Irish Hill remnant would no longer remain a contributor to the UIW Historic District.

Infill Construction around Irish Hill

Construction of infill buildings surrounding Irish Hill under the Proposed Project would interfere with existing visual relationships and visual reciprocity between Irish Hill and

the other contributors within the UIW Historic District. However, no views of the Irish Hill remnant, either from within or outside of the Historic District, are cited as character-defining features of the District in the National Register nomination.

In addition, as discussed on EIR pp. 4.D.101-4.D.106, under Impact CR-11, [*as presented in this RTC document on pp. 4.F.31-4.F.32]* the project site was more densely developed during the UIW Historic District's period of significance than it is today, and was not characterized by the largely open character that currently characterizes much of the project site. The locations of the new infill construction in the vicinity of the Irish Hill remnant were each previously developed by buildings during a portion of the District's period of significance, although some of those buildings have since been demolished.

With build-out of the Proposed Project, the Irish Hill remnant would continue to remain visible along the proposed Michigan Street looking south from 20th Street, and would continue to be viewed together with, and in the context of, contributing Buildings 113, 114, 115, and 116 within the District's historic core. The Proposed Project would also maintain Irish Hill's visual reciprocity with these buildings as well as with Building 102 (on the north side of 20th Street) that would terminate northward views from Irish Hill along Michigan Street. Likewise, the Proposed Project would maintain visual reciprocity between Irish Hill and contributing Buildings 2 and 12 to the south, along the proposed pedestrian passage from Louisiana Street to Irish Hill.

The Proposed Project could reduce the District's integrity of setting by enabling construction of buildings immediately north, south, east and west of the Irish Hill remnant. Several factors, however, prevent these changes from materially impairing the ability of the District to convey its significance. First, no views of the Irish Hill remnant, either from within or outside of the Historic District, are cited as themselves character-defining features in the National Register nomination. Second, the locations of the proposed new construction in the vicinity of the Irish Hill remnant were each occupied by buildings during at least a portion of the District's period of significance, although some of those buildings were previously demolished. Third, the Irish Hill remnant would remain visible from within the District from the north along Michigan Street. Fourth, most of the Irish Hill remnant would be retained and would continue to function as open space. For these reasons, the Irish Hill remnant would remain a contributor to the District and the District would retain sufficient integrity of setting to convey its significance.

For these reasons, although the proposed infill construction under the Proposed Project would diminish the integrity of the UIW Historic District somewhat, it would not materially alter, in an adverse manner, those physical characteristics of the UIW National Register Historic District that justify its inclusion in the California Register of Historical Resources.

Conclusion

For the reasons discussed above, ~~Therefore,~~ the removal of a portion of Irish Hill and the construction of adjacent new development would have a less-than-significant impact to the integrity of Irish Hill, and to the UIW Historic District as a whole. No mitigation measures are necessary.

Comments on the Resulting Quality of the Proposed Irish Hill Open Space

Comments also assert that the shadow from surrounding buildings under the Proposed Project would create a shaded and uncomfortable playground space at Irish Hill and assert that additional detail, such as a 3D model, must be presented.

Although proposed publicly accessible open spaces are not considered part of the existing environment (EIR p. 4.I.78), for informational purposes, the EIR describes the impact of shadow from infill construction surrounding the proposed Irish Hill open space on p. 4.I.107:

> The space would remain mostly sunny around the summer solstice in the midday. As a playground, the space may receive its highest volume of use outside of the representative times of peak midday use, for example, after school in the late afternoon. Around the equinoxes, much of the playground area would be shaded by new buildings in the midday. Around the winter solstice, the new buildings surrounding the playground area would shade most of the space in the midday. Shadow from buildings that would enclose the space to the west, south, and east under the Proposed Project would decrease the comfort of the space for use as a playground for much of the day throughout the year for those users who prefer sunlight to shade.

The *Design for Development* (as updated March 2017) presents the vision for the programming, features and design of the Irish Hill Playground (pp. 74-78). Comments about the shadow conditions and design or the proposed Irish Hill Playground do not raise any environmental issues that would change any of the conclusions of the EIR. No additional design detail about the Proposed Irish Hill open space is required in the EIR. Note, however, that the Disposition and Development Agreement will require a design review process for the Irish Hill Playground open space.

COMMENT CR-7: REQUESTED DEIR TEXT REVISIONS

"The HPC reviewed the DEIR and had the following comments:…

"• The HPC requested an amendment to the improvement measure (I-CR-4b) for public interpretation. Specifically, the public interpretation and/or wayfinding program should focus and include more information and documentation of the site's three eras of history and activity." *(Andrew Wolfram, President, Historic Preservation Commission, Letter, February 1, 2017 [A-HPC-4])*

"Note, in the discussion of Cultural Resources, page 4.D.62, the DEIR erroneously states that the American Can Company (now AIC) was originally built in 1920. The original buildings comprising the American Can Company (north of 22nd Street) were built in phases between 1914 and 1929. The AIC building south of 22nd Street was constructed in 1955." *(Charles J. Higley, Farella Braun + Martel LLP, on Behalf of American Industrial Center, Email, February 21, 2017 [O-AIC-2])*

"• **Public Interpretation:** Finally, Heritage joins the HPC in requesting that the public interpretation and/or wayfinding program (I-CR-4b) should focus and include more information and documentation of the site's three eras of history and activity." *(Mike Buhler, President & CEO of San Francisco Heritage, Letter, February 21, 2017 [O-SFH-5])*

"Congratulations to the San Francisco Planning Department in preparing the Draft EIR for the Pier 70 Mixed-Use District Project (Case ##2014-001272ENV), a vital step in completing this important project in San Francisco's eastern neighborhood. Having spent over two years preparing the Historic Architectural Resources subsection of the Cultural Resources section of the DEIR in association with SWCA/Turnstone and Planning/Port staff when I was the Senior Architectural Historian with ESA, I have a few suggested edits that would help improve the accuracy of the subsection. *Overall, I find the environmental analysis of the section to be adequate for CEQA purposes.* My suggested edits [to] the Cultural Resources Section of the DEIR, which would not change the substance of the environmental analysis, are as follows:

"1) Chapter 4.D Cultural Resources. Page 4.D.35 footnote 15, page 4.D.69 footnote 39, page 4.D.70 footnote 40, and page 4.D.57 footnote 110: please change date of the report reference from May 16, 2017 to December 6, 2017." *(Brad Brewster, Principal, Brewster Historic Preservation Consulting, Email, February 16, 2017 [I-Brewster-1])*

RESPONSE CR-7: REQUESTED DEIR TEXT REVISIONS

Comments request that Improvement Measure I-CR-4b: Public Interpretation, on EIR p. 4.D.92, be revised to specify that the interpretive program include more information and documentation of the site's three eras of history and activity. Improvement Measure I-CR-4b has therefore been revised, as shown below (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

Improvement Measure I-CR-4b: Public Interpretation

Following any demolition, rehabilitation, or relocation activities within the project site, the project sponsors should provide within publicly accessible areas of the project site a permanent display(s) of interpretive materials concerning the history and architectural features of the ~~District within publicly accessible areas of the project site.~~ District's three historical eras (Nineteenth Century, Early Twentieth Century, and World War II), including World War II-era Slipways 5 through 8 and associated craneways. The display(s) should also document the history of the Irish Hill remnant, including, for example, the original 70- to 100-foot-tall Irish Hill landform and neighborhood of lodging, houses, restaurants, and saloons that occupied the once much larger hill until the early twentieth century. The content of the interpretive display(s) should be coordinated and consistent with the sitewide interpretive plan prepared for the 28-Acre Site in coordination with the Port. The specific location, media, and other characteristics of such interpretive display(s) should be presented to ~~Planning Department preservation planning staff for review and comment and to~~ Port preservation staff for approval prior to any demolition or removal activities.

One comment notes a correction to the date of the Port of San Francisco report cited in four footnotes. In accordance with this correction, the date of the Port of San Francisco report cited in Footnote 15, EIR p. 4.D.35; Footnote 39, EIR p. 4.D.69; Footnote 40, EIR p. 4.D.70; and Footnote 56, EIR p. 4.D.110, has been revised, as follows:

> Port of San Francisco, *Union Iron Works Historic District Profiles of Contributing and Non-Contributing Resources Proposed for Demolition by Project Area, ~~May 16, 2016~~ December 6, 2017*.

One comment points out a correction to the date of construction of the American Can Company Building (now the American Industrial Center) shown on EIR p. 4.D.62. In accordance with the correction noted in the comment, the second sentence of the paragraph under "2301 Third Street" on EIR p. 4.D.62 has been revised as follows:

> Opposite Illinois Street to the west of the project site is the former American Can Company Building (the American Industrial Center) at 2301 Third Street. Built originally ~~in 1920~~ between 1914 and 1929, with the last building constructed in 1955, and occupying the two city blocks bound by Third Street on the west, Illinois Street on the east, 20th Street on the north, and 22nd Street on the south, the building was determined eligible for the NRHP for its historical and architectural significance (NRHP status code "2S2"). This building is a contributor to the Central Waterfront Historic District (see discussion below).

G. TRANSPORTATION AND CIRCULATION

The comments and corresponding responses in this section relate to the topic of Transportation and Circulation, evaluated in EIR Section 4.E. The comments are further grouped according to the following issues:

- TR-1: General Availability of Transportation Infrastructure
- TR-2: Traffic Congestion
- TR-3: VMT Metric for Transportation Impacts
- TR-4: Availability of Transit Service
- TR-5: Proposed Parking and Mode Split
- TR-6: Bicycling
- TR-7: Loading
- TR-8: Emergency Access
- TR-9: Safety
- TR-10: Special Events
- TR-11: Parking
- TR-12: Cumulative Conditions
- TR-13: Alternative Mitigation Measures

A corresponding response follows each group of comments.

COMMENT TR-1: GENERAL AVAILABILITY OF TRANSPORTATION INFRASTRUCTURE

"I am president of the Potrero Boosters Neighborhood Association, and I'm here to give a little bit of context to the comments that you are receiving from the neighborhood and remind you of the situation we are facing in that area.

"We are certainly working along with our neighbors in Dogpatch, going to be providing robust written comments to the Draft EIR, but we want to make sure that the issues of the Draft E- -- EIR get a full hearing because only through addressing them will Pier 70 be a success.

"And we want Pier 70 to be a success because from our perspective, the project had been a positive role model for neighborhood cooperation. They spent considerable time engaging with the neighborhood, both formal and informal, and when Prop. F, which sent the height limits for the project, passed with over 72 percent of the City's vote, it did so with the support of both the Boosters and the Dogpatch Neighborhood Association.

"And that Design for Development document that they are going to be coming to you with has drawn rave reviews from the neighborhood people that have engaged with them in developing that document.

"But with all the good things that are going to go on within the boundaries of Pier 70, it doesn't alleviate the extraordinary stresses the project will place on our insufficient public infrastructure outside of the project's borders.

"Now, I have gone on at length here about how transit and transportation infrastructure in Dogpatch, Mission Bay and Potrero Hill is inadequate to withstand the impact of the eastern neighborhood's plan alone.

"For context, Dogpatch is doubling its population this year, and within the next five, will double it again. That's under the Eastern Neighborhoods Plan. That doesn't count the other mega projects in the area other than Pier 70, which include Mission Rock, the Chase Center, the redevelopment of the -- the Potrero Power Plant, and the rebuild of Potrero Hill's Public Housing.

"That's all just within the study area for transit and transportation before the Pier 70 Project. And that's in addition to UCSF's expansion into the Dogpatch neighborhood, with impacts for which the University is exempt from mitigating with their usual tools and taxes and fees.

"So my neighbors have gone on in detail about recreation and historic resources, and we'll hear more about transit and transportation, and we'll submit our written comments. But I felt it was important to remind the Commission that there are significant issues that need to be addressed as a result of this process.

"I believe they can be addressed. Forest City is working with us to address them, and that will help, but at the end of the day it's -- a lot of it is just not Forest City's issue to address. They are the issues of the City and County of San Francisco.

"No fleet of private shuttles is going to alleviate the impact of over a hundred thousand person trips per weekday from Pier 70 alone, particularly in light of the other large projects going on in the area.

"So I ask the planning commission to look forward to our written comments and to help us in probing the City into providing those resources necessary to mitigate the impacts of this project and provide for a successful asset on our waterfront." *(J.R. Eppler, President, Potrero Boosters Neighborhood Association, DEIR Hearing Transcript, February 9, 2017 [O-PBNA1-1])*

RESPONSE TR-1: GENERAL AVAILABILITY OF TRANSPORTATION INFRASTRUCTURE

The EIR, specifically the "Travel Demand Analysis" section (EIR pp. 4.E.58-4.E.75), includes a detailed analysis of the level of transportation activity likely to be generated by the Proposed Project as well as other reasonably foreseeable development projects and planned transportation improvements in the study area. The cumulative conditions analysis includes forecasted growth in jobs and employment in San Francisco by the year 2040. These forecasts include all of the other projects in the area listed in the comment, including those specifically listed on EIR pp. 4.E.74-4.E.75 (i.e., Eastern Neighborhoods Plan, Mission Bay Redevelopment Plans/UCSF, Mission Rock, Chase Center, and Potrero Hope SF Master Plan/Potrero Hill Public Housing) and others not specifically called out in the EIR but inherent in the 2040 forecasts (e.g., the Potrero Power Plant).

Thus, the EIR also includes a discussion of potential project-specific and cumulative impacts to the existing and planned transportation systems associated with the Proposed Project's travel demand individually and in combination with other reasonably foreseeable traffic. As part of that analysis, the EIR identifies several significant impacts due to the Proposed Project:

- Impact TR-5 concludes that the Proposed Project would cause Muni's 48 Quintara bus route to operate above its capacity utilization threshold. The analysis on which this conclusion is based includes the operation of shuttles between the project site and regional transit connections. The EIR concludes that even with this shuttle service, significant transit impacts would occur, as noted in the comment. Consequently, the EIR includes Mitigation Measure M-TR-5: Monitor and increase capacity on the 48 Quintara/24th Street bus routes as needed. This measure was identified to improve capacity on the route, but because its implementation is uncertain, the EIR concludes that Impact TR-5 is significant and unavoidable with implementation of the Proposed Project. (See EIR pp. 4.E.90-4.E.93.)
- Impact TR-10 concludes that the Proposed Project would substantially increase pedestrian usage of intersections along Illinois Street adjacent to the Proposed Project that are not currently adequate due to missing sidewalks, Americans with Disabilities Act curb ramps, etc. Mitigation Measure M-TR-10: Improve pedestrian facilities on Illinois Street adjacent to and leading to the project site, requires the Proposed Project to construct improvements along this section of Illinois Street to achieve adequate pedestrian facilities. With implementation of Mitigation Measure M-TR-10, the impact would be reduced to less-than-significant levels. (See EIR pp. 4.E. 99-4.E.100.)
- Impact TR-12 concludes that loading capacity within the project site may not be adequate to meet forecasted demand. Mitigation Measure M-TR-12B: Monitor loading activity and convert general purpose on-street parking spaces to commercial loading spaces, as needed, requires the project sponsors to monitor loading conditions and convert on-street parking into on-street loading spaces, and to discourage loading activities during peak periods. However, it is uncertain as to whether this measure would be adequate to provide sufficient on-site loading, and the impact would remain significant and unavoidable with implementation of the Proposed Project. (See EIR pp. 4.E.101-4.E.106.)
- Impact C-TR-4 concludes that the Proposed Project in combination with other reasonably foreseeable development would cause the 48 Quintara and the 22 Fillmore bus routes to exceed their capacity utilization threshold, and that the Proposed Project's contribution to this condition would be considerable. Similar to Impact TR-5, this conclusion is also based on analysis that assumes operation of the project-sponsored shuttle system; however, the EIR concludes that even with the shuttles, significant cumulative impacts would still occur, as suggested in the comment. Mitigation Measures M-C-TR-4A: Increase capacity on the 48 Quintara/24th Street bus route under the Maximum Residential Scenario, and M-C-TR-4B: Increase capacity on the 22 Fillmore bus route under the Maximum Commercial Scenario, call for additional capacity on the 48 Quintara (beyond that identified in Mitigation Measure M-TR-5) and on the 22 Fillmore, respectively. However, as with Mitigation Measure M-TR-5, there is no guarantee that Mitigation Measure M-C-TR-4 would be feasible, and therefore cumulative Impact

C-TR-4 is considered to remain significant and unavoidable with implementation of the Proposed Project. (See EIR pp. 4.E.113 and 4.E.118.)

The EIR adequately discloses the extent to which the Proposed Project, both individually and cumulatively, would contribute to significant transportation impacts. The comment does not provide any evidence to suggest the analysis is inadequate or to challenge the findings within the analysis. Therefore, no further discussion is necessary.

COMMENT TR-2: TRAFFIC CONGESTION

"Regarding -- I mean, the numbers that some of the public -- Ms. Heath brought up regarding the number of car trips a day. I mean, these sound like scary, big numbers in and out of a very congested place already.

"I guess, when we had this kind of issue come up with 5M which is by no means as remarkably large or farther away, a simulation was done on exactly what this would look like. And, you know, these numbers get bandied about, but I have a hard time really trying to understand what it actually is going to look like if I were standing there.

"When we did 5M, there were simulations done, and it actually made me feel a lot more comfortable around spacing and timing of the cars, how they gathered up at intersections, et cetera. And so that -- that would help me out a lot." *(Vice President Dennis Richards, San Francisco Planning Commission, DEIR Hearing Transcript, February 9, 2017 [A-CPC-Richards-2])*

"There's quite a bit to discuss, but I will limit my comments today to the problem of putting too many people in an area with inadequate public transit options…

"Throw into the mix 2.2 million square feet of commercial space and close to 10,000 workers on-site everyday, shoppers and diners, and it should be no surprise that the development would generate 131- to 141,000 person trips a day.

"With nearly 3,400 parking places on-site and unlimited -- limited transit options, the danger is that this will be a 20th century, car-centric enclave/exclave, with projections that half of people coming and going will rely on cars.

"What concerns me and should concern you is that the Draft EIR finds no significant impacts from traffic, ignoring the level of service studies that already were done by the developer last year.

"Under that LOS analysis, this single development would bring 30 intersections to Level F, which is pretty much a constant traffic jam." *(Alison Heath, Grow Potrero Responsibly, DEIR Hearing Transcript, February 9, 2017 [O-GPR1-1])*

"Despite the Proposed Project's documented reliance on automobiles for transportation, the DEIR claims that the Proposed Project would not substantially induce automobile travel and finds no significant impacts from traffic. The sole reliance on VMT fails to tell the whole story. LOS studies were done by the developer in 2016, but this analysis has been buried in an appendix and

is mostly ignored in the body of the DEIR. Under the LOS analysis, the Proposed Project will directly impact 30 or more intersections, bringing them to Level F. It is absolutely critical that a discussion of these impacts be included in the DEIR so that policy and decision-makers will have a full understanding of the "on the ground" impacts and what they mean for pedestrian safety, air quality, bicycle safety and access by emergency vehicles. The level of traffic described in the LOS analysis will have a profound effect on the quality of life within the entire area and must be considered as an undeniably real environmental impact.

"Ironically, VMT was intended to encourage people to use alternative modes of transit. In this case it does the opposite by ignoring the reality of massive traffic jams in a neighborhood where the City has failed to provide dependable public transportation. By projecting only 21% will use transit, it also skews the analysis of transit impacts. If 50% of trips are being made by cars, then the need for transit is minimized." *(Alison Heath, Grow Potrero Responsibly, Email, February 22, 2017 [O-GPR2-17])*

"I would ask that any of the development at Pier 70 be good all stakeholders - including the people how live in the local neighborhood. I understand that the report includes a traffic study showing that this project will bring 30 area intersections to Level F and that will effectively result in total gridlock. It is already extremely difficult to get off the Hill during a giants ball game. With all the new housing in Dog Patch/Potrero Hill, UCSF, the Warrior's stadium and now Pier 70, the traffic is only getting worse.

"I realize people will say that folks will take public transport, but again, during Giant ball games, there is so much traffic even though there is plenty of public transport available.

"We need SMART growth - not just "more" growth." (*Marg Tobias, Email, February 21, 2017 [I-Tobias-1]*)

"I'm writing to share comments on the draft Environmental Impact Report (EIR) prepared for the proposed Pier 70 project, Case No. 2015052024.

"The draft EIR as currently written remains inadequate, incomplete, and inaccurate for the following reasons:

"– **Transportation and Transit**. The draft EIR does not adequately address and mitigate the significant impacts of more than 100,000 daily person trips (residential and commercial). Running shuttle buses as a mitigation will not adequately lessen the impacts of the project on the already existing high levels of vehicle traffic and inferior public transit. Moreover, the draft EIR fails to adequately disclose impacts on numerous surrounding traffic intersections under Level of Service (LOS). The draft EIR should go beyond Vehicle Miles Traveled (VMT) analysis and address LOS in the body of the main report." *(Rodney Minott, Email, February 20, 2017 [I-Minott-1])*

"I'm writing to you to express my concern about the impact on traffic that the proposed Pier 70 plan will have. I'm a resident of the Mission District, and I commute to San Mateo via MUNI and Caltrain. The proposed plan adds parking, and thus, traffic. However, I see no proposed

improvements to SFMTA service to the area. Additional traffic will delay the already fairly unreliable and quite limited crosstown MUNI service in the Dogpatch area." *(Shirlee Smith, Email, February 21, 2017 [I-Smith-1])*

RESPONSE TR-2: TRAFFIC CONGESTION

As noted in the EIR on pp. 4.E.48-4.E.57, the City and County of San Francisco has determined that vehicular congestion is not, by itself, to be used to determine whether a project would have a significant effect on the environment. The EIR notes that secondary effects of congestion, in terms of safety, delays to transit, air pollutant emissions, noise, and other environmental topic areas, are still considered. To the extent the Proposed Project would generate automobile trips, the effects of that automobile traffic are described and evaluated in the discussion of vehicle miles traveled as part of Impact TR-2 (pp. 4.E.78-4.E.84) and Cumulative Impact C-TR-2 (pp. 4.E.110-4.E.111), which were found to be less than significant. The basis and support for the City's adoption of new metrics for traffic analysis is summarized in the EIR on pp. 4.E.48-4.E.55 and presented in the Planning Department staff memorandum to the Planning Commission on March 3, 2016, cited in Footnote 20 on EIR p. 4.E.50. See also the Office of Planning and Research revised draft CEQA Guidelines, cited in Footnote 25 on p. 4.E.53 and summarized in the text on that page. Additional discussion of vehicle miles traveled is also provided as part of Response TR-3: VMT Metric for Transportation Impacts.

Comments relating specifically to the amount of vehicular traffic generated by the Proposed Project, and the associated effects on quality of life and convenience, are, in fact, comments on the merits of the Proposed Project and not related to the environmental impacts. Although no simulations of traffic operations were performed for this analysis, detailed information regarding the operation of the roadway system is provided for informational purposes in the *Pier 70 Mixed-Use District Project Transportation Impact Study* (TIS) in Section 7, Intersection and Freeway Operations Analysis (for informational discussion only), in Appendix B to the EIR. This information is provided for members of the public and decision-makers to inform discussion of the merits of the Proposed Project, but it is not used for purposes of evaluating traffic impacts. Insofar as vehicular traffic volumes and delay are needed to provide technical analyses of air quality, noise, and safety effects, the data from the TIS were used and are accounted for in the results presented in these sections of the EIR.

The environmental effects of traffic and traffic congestion on other travel modes are discussed in the EIR as well. Specifically, the last paragraph on p. 4.E.86, as part of the discussion of transit impacts, notes that the transit routes adjacent to the project site are generally expected to operate in exclusive right-of-way or on minor roadways that are not likely to be affected by project traffic. Therefore, the effects of traffic congestion on transit operations near the project site are likely to be minor.

The effects of additional traffic and traffic congestion on pedestrian circulation are discussed on EIR pp. 4.E.96-4.E.100, as part of Impacts TR-8 through TR-10. Generally, the pedestrian network within and near the project site was found to be adequate to accommodate pedestrian circulation in the setting of increased traffic volumes; however, the pedestrian network immediately adjacent to the project site was determined to be insufficient with the expected increases in traffic. Specifically, the EIR identifies Mitigation Measure M-TR-10: Improve pedestrian facilities on Illinois Street adjacent to and leading to the project site, which would improve the design of intersections adjacent to the project site along Illinois Street to better accommodate safe pedestrian flows with the addition of project-generated traffic.

The Proposed Project's impacts on bicycles are discussed on EIR pp. 4.E.100-4.E.101, as part of Impact TR-11. The discussion describes new bicycle facilities throughout the Pier 70 site and along the waterfront that would be included in the Proposed Project. The Proposed Project would also include an alternate route for cyclists who do not wish to travel in the existing Class II bicycle lanes along Illinois Street.

The effects of project traffic on noise are discussed in Impact NO-5, EIR pp. 4.F.51-4.F.58, which uses traffic volumes from the TIS. This impact analysis identifies a significant and unavoidable impact along 20th, 22nd, and Illinois streets near the project site. Impact C-NO-2 identifies a significant and unavoidable impact for the 2040 cumulative conditions where a substantial increase in traffic volumes would contribute considerably to cumulative noise impacts on eight roadway segments (EIR pp. 4.F.76-4.F.83). The effects of project traffic on air quality are discussed in EIR Section 4.F, Air Quality. Calculations of operational emissions from the Proposed Project account for mobile sources based on vehicle trip information in the TIS, as explained on p. 4.G.34, citing the TIS in Footnote 53. Impact AQ-2 identifies significant and unavoidable air quality impacts, with mitigation measures accounted for, with mobile sources contributing the majority of emissions of most criteria pollutants under both the Maximum Residential Scenario and Maximum Commercial Scenario (pp. 4.G.58-4.G.62). Vehicle traffic information was also used in the calculations of emissions of toxic air contaminants during operation of either development scenario in Impact AQ-3 on pp. 4.G.62-4.G.69; the analysis concludes that impacts would be less than significant for off-site receptors (see particularly Table 4.G.14: Lifetime Cancer Risk and $PM_{2.5}$ Concentration Contributions of the Maximum Residential Scenario at Off-Site Receptors, and Table 4.G.15: Lifetime Cancer Risk and $PM_{2.5}$ Concentration Contributions of the Maximum Commercial Scenario at Off-Site Receptors, on pp. 4.G.66-4.G.67) but would require implementation of Mitigation Measure M-AQ-1a: Construction Emissions Minimization, to be reduced to less-than-significant levels for on-site receptors (see Table 4.G.16: Lifetime Cancer Risk and $PM_{2.5}$ Concentration Contributions at the Maximally Impacted On-Site Receptors, p. 4.G.68). Emergency generators would contribute substantially more toxic air contaminants than would vehicular traffic during operation of the

Proposed Project. Mitigation Measure M-AQ-1f: Transportation Demand Management, would reduce the estimated one-way vehicle trips by 20 percent compared to the total number of one-way trips identified in the TIS. While this reduction would not necessarily reduce the associated air quality impacts to less-than-significant levels, it would reduce the amount of vehicular traffic generated by the Proposed Project. However as stated previously, comments relating specifically to the amount of vehicle traffic generated by the Proposed Project, and the associated effects on quality life and convenience, are, in fact, comments on the merits of the Proposed Project and not related to the environmental impacts.

COMMENT TR-3: VMT METRIC FOR TRANSPORTATION IMPACTS

"I, too, will be submitting my comments in writing. I -- I haven't been here the last couple weeks, and I haven't been through the entire document. However, the beauty of public comment, public testimony is that we actually get perspectives from -- on items from many different lenses. I recall our discussion on One Oak and vehicle miles traveled in terms of how that site sits, where it sits, what the VMT was in relationship to the regional averages, et cetera, and then what actually goes into defining the analysis, the assumptions of how current are they? Are they dated 1990, 2000, those kind of things, so I would like to recall that conversation with One Oak and make sure that we are all on the same page with what goes into the analysis in terms of the assumptions and the numbers." *(Vice President Dennis Richards, San Francisco Planning Commission, DEIR Hearing Transcript, February 9, 2017 [A-CPC-Richards-1])*

"VMT analysis
"The Draft EIR utilizes a VMT metric to assess the Projects impacts to transportation and circulation. It compares the VMT for Pier 70's region to other region's in San Francisco and concludes that the VMT for Pier 70 is less than the rest of San Francisco. This is not a relevant or meaningful comparison. Transportation and Circulation impacts reviewed under the VMT metric must use the appropriate significance threshold, then compare the Project's contribution to VMT for the area studied to the existing levels without the Project. The Draft EIR's per capita analysis suffers from the same flaw, side stepping the review and acknowledgement of the Project's impacts to transportation and circulation impacts.

"In assessing some cumulative impacts, the Draft EIR utilized traffic congestion stemming from other projects in the pipeline, then compared that with the Project's contribution under the VMT metric. This is an apples and oranges analysis. If traffic congestion is assessed for other projects under a traffic congestion model for cumulative impacts, this triggers the need to review the Project's cumulative traffic congestion potential in a like analysis.

"As acknowledged by the Draft EIR, LOS traffic congestion studies were conducted for the Project in 2016. Under the LOS metric, the Project will directly impact 30 or more intersections, exacerbating area traffic conditions to a LOS F. Having opened this door, the Draft EIR should discuss and analyze this information within the body of the EIR in order to divulge these impacts within the public environmental review setting. The level of traffic revealed from the 2016 data will have a profound effect on the community's quality of life and must be considered so that appropriate mitigation measures and alternatives to the Project may be fairly reviewed and proposed for implementation within the context of the Draft EIR.

"CEQA achieves its purpose of long-term protection of the environment by functioning as "an environmental full disclosure statute, and the EIR is the method … [of] disclosure …" (Rural Landowners Association v. City Council (1983) 143 Cal.App.3d 1013, 1020.) An EIR should not just generate paper, but should act as "an environmental 'alarm bell' whose purpose is to alert the public and its responsible officials to environmental changes before they have reached the ecological points of no return." (County of lnyo v. Yorty (1973) 32 Cal.App.3d 795, 810.) The EIR should provide analysis to allow decision makers to make intelligent judgments. (CEQA Guidelines §§ 1515, 211511; No Oil, Inc. v. City of Los Angeles (1974) 13 Cal.3d 68, 82 ["… preparation of an EIR is the key to environmental protection under CEQA …"].)

"The Draft EIR fails to perform an adequate analysis of transportation and circulation impacts under either the VMT or LOS metrics. The Draft EIR should be updated with this analysis and re-circulated for public comment on these issues before it is certified, when, as here, significant new information is added relating to a new environmental impact or a substantial impact in the severity of an environmental impact, or if a feasible project mitigation measure or alternative considerably different from others previously analyzed would clearly lessen environmental impacts and is not acceptable to the project proponents, or if the Draft EIR was so fundamentally inadequate that meaningful public review and comment were precluded. (Laurel Heights Improvement Association v. UC Regents (Laurel Heights II) (1993) 6 Cal.4th 1112; CEQA Guidelines § 15088.5.)" *(J. R. Eppler, President, Potrero Boosters Neighborhood Association, and Rachel Mansfield Howlett, Provencher & Flatt LLP, on behalf of Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association, Email, February 21, 2017 [O-DNA&PBNA-4])*

RESPONSE TR-3: VMT METRIC FOR TRANSPORTATION IMPACTS

As noted in the EIR, the Planning Commission has adopted a metric for identifying significant transportation impacts based on vehicle miles traveled (VMT), an efficiency metric (e.g., per capita, per employee), and has eliminated the use of automobile congestion or delay – commonly measured in terms of vehicular level of service, or LOS – as an evaluation metric (Planning Commission Resolution No. 19579). The Planning Commission's staff report identifies a VMT threshold based upon an efficiency metric (e.g., per capita, per employee). The EIR includes a robust discussion about the rationale for making this switch, much of which is based on recent State legislation (SB 743), and associated guidance from the Governor's Office of Planning and Research (OPR)[1] related to implementation and appropriate thresholds (EIR pp. 4.E.48-4.E.57). As noted in the EIR, the mapping approach for VMT screening was acknowledged in the Caltrans Local Development Intergovernmental Review Program, Interim Guidance, approved September 2, 2016, and revised November 9, 2016, which provides further support for use of a map-based screening approach.[2] Additional discussion of the rationale is also included in the

[1] Governor's Office of Planning and Research, *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA*, pp. III:22-24. Available at https://www.opr.ca.gov/s_sb743.php,

[2] Available online at http://www.dot.ca.gov/hq/tpp/documents/RevisedInterimGuidance11092016.pdf (last accessed 5/5/17)

Planning Commission's staff report accompanying the Resolution[3], which is also referenced in the EIR at multiple locations.

The OPR guidance and the Planning Commission's staff report both suggest use of a VMT efficiency metric (i.e., a rate) as opposed to an absolute increase in VMT as an appropriate threshold. They both cite a recent California State Supreme Court CEQA case supporting this conclusion.[4] The "Newhall Ranch" decision noted that in considering projects designed to accommodate long-term growth in the State, "a certain amount of greenhouse gas emissions is as inevitable as population growth. Under this view, a significance criterion framed in terms of efficiency is superior to a simple numerical threshold because CEQA is not intended as a population control measure." According to OPR staff and the Planning Commission staff report, the same logic applies to increases in VMT associated with new development. Use of an efficiency metric (or, a rate) encourages more of the State's long-term planned growth to occur in those more travel efficient areas. As a result of this finding, the Planning Commission's staff report identifies a VMT threshold based on VMT per capita. As noted in the EIR, the Planning Commission's Resolution No. 19579 is consistent with the direction of CEQA Section 21099(b)(2), and OPR's proposed transportation impact guidelines. It is consistent with the discretion CEQA provides to local agencies to develop their own thresholds to determine the significance of environmental impacts.[5]

The comment accurately notes that an analysis of intersection level of service was prepared and the results are presented in Section 7 of the *Transportation Impact Study* (Appendix B to the EIR). However, as explained in Response TR-1, automobile delay is no longer to be used to identify a significant environmental impact. In stating that automobile delay shall not be considered a significant environmental impact, SB 743 and Planning Commission Resolution No.19579 recognizes that delay by itself does not result in direct physical changes, although it results in inconvenience to drivers. Therefore, the information about vehicular level of service and automobile delay appropriately remains in the EIR's Appendix and may be considered and weighed by the decision-makers as part of their decision to approve, modify, or disapprove the Proposed Project.

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[3] San Francisco Planning Department, *Executive Summary: Resolution Modifying Transportation Impact Analysis, Hearing Date: March 3, 2016,* Attachment E: *Screening Criteria for Circulation Analysis and Methodology for Travel Demand*, and Attachment F: *Methodologies, Significance Criteria, Thresholds of Significance, and Screening Criteria for Vehicle Miles Traveled and Induced Automobile Travel Impacts*, which includes an appendix from the San Francisco County Transportation Authority.

[4] *Center for Biological Diversity v. California Department of Fish and Wildlife* (also known as "Newhall Ranch"), S217763, November 30, 2015.

[5] Cal. Pub. Res. Code Section 21099; CEQA Guidelines Sections 15064, 15064.7.

The evaluation of VMT impacts was conducted consistent with the recommendations from OPR and Planning Commission Resolution No. 19579; specifically, the EIR relied on screening criteria to conclude that the Proposed Project would not have a significant impact under the VMT metric. The EIR concludes that (a) the Proposed Project sits within ½ mile of an existing major transit stop or a stop along an existing high-quality transit corridor, in which case the Proposed Project may be presumed to have a less-than-significant impact,[6] and (b) the Proposed Project would be located in an area where land uses currently generate VMT per capita more than 15 percent below regional averages; therefore, the Proposed Project would also be expected to generate VMT per capita more than 15 percent below regional averages and impacts would be less than significant[7].

The VMT per capita metric and threshold have been designed to evaluate the Proposed Project itself, in the context of the land use and transportation surroundings, to determine whether it would generate an acceptable amount of VMT per capita (defined as 15 percent or more below the regional average). As noted above, the VMT per capita metric is a rate of vehicle travel, as explained on EIR pp. 4.E.9-4.E.10, not a measurement of total vehicle miles traveled generated by a proposed project. A direct comparison between VMT per capita under baseline conditions without the Proposed Project and conditions with the Proposed Project is not appropriate for this type of analysis, given the existing low VMT rate for the site and surrounding area in comparison to the region, unless the Proposed Project would be expected to substantially increase the VMT per capita of the existing uses. In most cases, including that of the Proposed Project, a proposed project is not expected to increase VMT per capita for the surrounding land uses. The addition of higher density development at the Pier 70 site, in combination with the improvements to non-motorized transportation and the addition of shuttles connecting the area to regional transit stops, would be expected to decrease the VMT per capita of the existing land uses in the area compared to conditions without the Proposed Project.[8]

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[6] Governor's Office of Planning and Research, *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA*, p. II:7.

[7] San Francisco Planning Department, *Executive Summary, Resolution Modifying Transportation Impact Analysis*, Attachment F: Methodologies, Significance Criteria, Thresholds of Significance, and Screening Criteria for Vehicle Miles Traveled and Induced Automobile Travel Impacts, which Includes an Appendix from the San Francisco County Transportation Authority (SFCTA), Appendix A: SFCTA Memo, Attachments 1-6, March 3, 2016

[8] Walters, J., Bochner, B, and Ewing, R. *Getting Trip Generation Right: Eliminating the Bias Against Mixed Use Development.* Planning Advisory Service Memo, May 2013, American Planning Association.

The evaluation of cumulative impacts associated with the Proposed Project was conducted in a similar fashion. The analysis evaluated the VMT per capita expected to be generated by uses at and in the vicinity of the Pier 70 site in year 2040 using the County's SF-CHAMP travel demand forecasting model and compared that rate to the VMT per capita expected to be generated within the nine-county Bay Area. The EIR found that the Proposed Project would generate VMT per capita at a rate more than 15 percent below the regional VMT per capita in year 2040 as well, and therefore it concludes that the Proposed Project's cumulative VMT impacts would be less than significant. The analysis of cumulative conditions does not evaluate automobile delay or vehicular intersection level of service either from the Proposed Project or from reasonably foreseeable future development, although this information is provided in the Proposed Project's TIS for informational purposes.

The comment does not present any evidence that the transportation analysis in the EIR is inadequate. No new information has been presented either in the comment or in this response; therefore recirculation of the EIR or a section of the EIR is not required.

COMMENT TR-4: AVAILABILITY OF TRANSIT SERVICE

"When it comes to talking about the City and County sometimes, mitigations will reference laws or other regulations or rules that the project sponsor can put in place that may mitigate certain impacts, but I think it's going to be chal- -- EIRs typically won't do things like require the MTA to create a new bus line as a mitigation to a potential transit or traffic issue.

"And I think that that is a little bit of a shortcoming of just the way that this process is designed, but I just want to say that a lot of those points are well taken, and I hope that our sister agencies are able to take those comments and -- especially the MTA, and really think about the circulation of -- of the -- some of the newer or improved -- especially bus lines in that area.

"When I look at this, I'm reminded of some of the conversations we had about Hunter's Point Shipyard when originally the 49ers stadium was supposed to be in the shipyard, there was this idea of a hub where all the buses would come, and it was problematic for a number of reasons.

"And now obviously, the 49ers have moved to Santa Clara, and so that idea no longer -- no longer made any sense. And I think for Pier 70, it's worth having that same conversation about what does the circulation pattern look like and make sure that those overlap with the Transit Effectiveness Project and with other plans that MTA and other transit agencies may have." *(Commissioner Christine D. Johnson, San Francisco Planning Commission, DEIR Hearing Transcript, February 9, 2017 [A-CPC-Johnson-8])*

"I think Mr. Hall's comment about metering, not having the infrastructure come a decade later after the development in terms of being able to get in and out, getting ridership up to higher than hopefully the average on public transportation, we have something to think about.

"You know, we already have -- we got eastern neighborhoods, you know, severely -- the infrastructure hasn't kept pace with the demand for infrastructure, and here we are adding more load to an already-burdened situation.

"So I think -- in terms of mitigations, the exact number of T cars needed to get these people in and out are really good things to try to understand." *(Vice President Dennis Richards, San Francisco Planning Commission, DEIR Hearing Transcript, February 9, 2017 [A-CPC-Richards-3])*

"Ironically, VMT analysis was supposed to encourage alternative modes of transit, but here we have an environmental report that is using VMT to cloud the reality of so few options that in the future, only 21 percent of people will travel by public transit.

"Frankly, this is a city problem. Reliance on promises of a patchwork of unregulated private shuttles, bikes and walkways still has 50 percent of people in automobiles.

"Before moving forward with this project and with a nearly 14-acre India Basin and the 21-acre power plant developments, the City must develop a comprehensive network of public options so that we can stop pretending and finally put transit first." *(Alison Heath, Grow Potrero Responsibly, DEIR Hearing Transcript, February 9, 2017 [O-GPR1-4])*

"You know, I -- instead of seeing in -- in mitigations, things like: SFMTA will continue with this program, DSP, or this other program, let's get some specifics in there.

"In order for this project to be built, they will have -- SFMTA is required to, as a mitigation, to put 'X' numbers of trains, yeah with, whatever -- 15-minute intervals onto the T line.

"Let's get specific with both timing and pacing and stop accepting, basically, mitigations that are platitudes -- that aren't mitigations.

"If they are not specific and they don't have timing, and they don't have money, they are not mitigations. They are platitudes." *(Rick Hall, DEIR Hearing Transcript, February 9, 2017 [I-Hall-2])*

"Transit Impacts
The project covers 35 acres with between 1645 and 3025 residential units, and 479,980 to 486,950 gsf of commercial space. It will generate as many as 131,000 to 141,000 person trips a day in an area substantially under-served by public transportation." *(Clair and Don Clark, Letter, February 8, 2017 [I-C&DClark1-1])*

"On behalf of Dogpatch Neighborhood Association (DNA) thank you for the opportunity to comment on the Draft EIR prepared for the Pier 70 Draft EIR review. A few areas focused on by others merit a spot light by those in the neighborhood today.

"**Transportation and Circulation**
"Person trips and automobile use
"The project covers approximately 28 acres and entails construction of 1,645 to 3,025 residential units and 479,980 to 486,950 gsf of commercial space. It is acknowledged to generate as many as **131,000 to 141,000** new "person trips" a day in an area substantially underserved by public transportation. Of these trips, 107,059 to 127,266 trips would be external, and **50.5% of the total trips would be by automobile. Only 21% would use transit**, well below a citywide average of 33%. The Preferred Project allows for the addition of **3,655** parking places on site, which exceeds the neighborhood parking ratio and is in conflict with TDM measures and other policies that discourage automobile use." (*Bruce Kin Huie, President, Dogpatch Neighborhood Association, Email, February 21, 2017* [O-DNA-1])

"Mitigation Measures
"It is critical that mitigation measures focus on investment in public transit instead of private modes of transit, like private shuttles. The promotion of private shuttle use, proposed as mitigation, fails to recognize that increased use of private and tech shuttle services may result in further impacts to transportation and circulation, in and of themselves. With multiple large projects on the horizon, a patchwork of unregulated private shuttles will exacerbate traffic and related problems. Car-sharing and ride-sharing discourages people from using public transportation while increasing traffic impacts. Reliance on shuttles, car-sharing and ride-sharing as a mode of transit is neither efficient nor sustainable over the long term. Moreover, the extent of the use of shuttle service has not been determined therefore it is impossible to gauge its effectiveness in supplementing public transit. While bike and pedestrian uses should certainly be encouraged, they are not adequate options for a diverse population." *(J. R. Eppler, President, Potrero Boosters Neighborhood Association, and Rachel Mansfield Howlett, Provencher & Flatt LLP, on behalf of Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association, Email, February 21, 2017 [O-DNA&PBNA-6])*

"Central Waterfront Plan
"The Eastern Neighborhoods Plan promised, "A full array of public benefits". Unfortunately the City has failed to provide most of the necessary infrastructure to support actual development, particularly in the context of unanticipated growth in an area already underserved by public transit.

"The Proposed Project conflicts specifically with the following objectives and policies and the DEIR fails to address glaring public transit issues:

"OBJECTIVE 4.1 *Improve Public Transit to better serve existing and new development in Central Waterfront*

"POLICY 4.1.6 *Improve public transit in the Central Waterfront including crosstown routes and connections to the 22nd Street Caltrain Station and Third Street Light Rail.*

"OBJECTIVE 4.10 *Develop a comprehensive funding plan for transportation improvements. (Alison Heath, Grow Potrero Responsibly, Email, February 22, 2017 [O-GPR2-9])*

"Transportation
"Adding thousands of residents and workers with little investment in transit will be a disaster for the neighborhood, resulting in further dependence on cars while traffic continues to get worse. A Transit First policy should put transit first and ensure that viable options be in place before we experience significant population growth.

"The Proposed Project would bring as many as 6868 residents, and up to 9768 workers, along with visitors. This will result in 131,359 to 141,365 person trips daily according to the Transportation Impact Study. Of these trips, 107,059 to 127,266 trips would be external, and 50.5% of the total trips would be by automobile. Only 21% would use transit, well below a citywide average of 33%. The Preferred Project allows for 3655 parking places onsite, which exceeds the neighborhood parking ratio and is in conflict with TDM measures and other polic[i]es that discourage automobile use.

"The Project's reliance on automobiles is the direct result of the City's failure to provide adequate transit options to the neighborhood and follow General Plan and Central Waterfront Plan objectives that prioritize public transit and are meant to coordinate development with infrastructure improvements. *(Alison Heath, Grow Potrero Responsibly, Email, February 22, 2017 [O-GPR2-15])*

"Several of the identified significant and unavoidable impacts of the Proposed Project are related to Transportation:

"• Cause one individual Muni route (48 Quintara/24th Street bus routes) to exceed 85 percent capacity utilization in the a.m. and p.m. peak hours in both the inbound and outbound directions; . . .

"• Contribute considerably to significant cumulative transit impacts on the 48 Quintara/24th Street and 22 Fillmore bus routes.

"Unfortunately no changes to the MUNI system are approved or funded, and the 22 Fillmore will be rerouted away from Dogpatch to serve Mission Bay as part of the TEP (AKA Muni Forward). Adding an additional bus or car or two to existing lines will not correct the lack of east-west options. The network must be expanded to reduce dependence on automobiles and comply with the General and Area Plans.

"It is critical that mitigations focus on investment in public, not private, transit as mandated in multiple Area plans. The Pier 70 Transportation Plan takes a bandaid approach with reliance on private shuttle service, bike use, ride-sharing and car-sharing." *(Alison Heath, Grow Potrero Responsibly, Email, February 22, 2017 [O-GPR2-18])*

"The DEIR fails to fully consider the impacts of the Pier 70 Transportation Plan itself. With multiple large projects on the horizon, a patchwork of unregulated private shuttles, rather than investment in public transit, will exacerbate traffic and related problems. Car-sharing and ride-sharing discourages people from using public transportation while disincentivizing the use of public transit and increasing traffic impacts. This is neither efficient nor sustainable over the long term. Furthermore the details and extent of the shuttle service have not been determined so it is impossible to gauge its effectiveness in supplementing public transit. While bike and pedestrian

uses should certainly be encouraged, they are not adequate options for a diverse population. The Transportation Plan should be revised to be more inclusive of families, seniors and disabilities. *(Alison Heath, Grow Potrero Responsibly, Email, February 22, 2017 [O-GPR2-20])*

"B. It would be wonderful if commuter shuttle bus stops can be placed close by and or thru out. Because this too can be sort of a major traffic HUB. This project is adjacent to Cal Train, Mission Bay, BART Stations, MTA's/Muni's T-Line, 22 Filmore, 10, 48 and several other lines. I believe MTA just finished another great Commuter Shuttle Bus Plan for the City." *(Dennis Hong, Email, February 23, 2017 [I-Hong-4])*

"Transportation to Pier 70 is currently very limited. The Waterfront Transportation Assessment (WTA) looks at a number of resolutions, and the City's Transit First Plan is noted. More and better transit options must be provided if Pier 70 is going to be successful. This project will attract people if good public transit is provided and so that walking there is pleasurable." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-22])*

"**Transit Improvements**
"The proposed free shuttle service has greater opportunities. Free Shuttle Bus Loops are the rage in transit, implemented in Baltimore, Dallas, Raleigh, Denver, Minneapolis, Houston, Bethesda, Aspen, Long Beach, Oakland, Emeryville, Walnut Creek, Palo Alto, East Palo Alto, South San Francisco, and Mountain View. A free bus loop could connect neighborhoods to markets, shopping areas, schools, libraries, parks and transit hubs. Like in Mountain View, additional funds could come from tech companies---merging mutual needs." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-23])*

"The projected office employment on the site (10,000) far exceeds the proposed housing (3,700). The whole Bay Area has a housing shortage. From the proposed shuttles to Caltrain and BART from the project, it appears that you expect many of the workers to come from outside the city limits. I urge you to put public transportation first in this plan to give people who live in other parts of San Francisco a practical way to get to work at this site, other than driving their cars.

"I urge you to ask the developers to address traffic impact before you proceed with any project." *(Shirlee Smith, Email, February 21, 2017 [I-Smith-2])*

RESPONSE TR-4: AVAILABILITY OF TRANSIT SERVICE

The EIR takes into account a number of expected improvements to transit in the vicinity of the project site. Many of those improvements have been planned in response to the general regional growth, both within the Central Waterfront area and Citywide, expected to occur over the next 25 years or so. Specifically, the following transit improvements are expected to be in place within the next few years, and were therefore assumed in the Baseline Conditions analysis (as described in the EIR on pp. 4.E.29-4.E.30):

- **Central Subway:** This project is currently under construction and expected to be completed by 2019. This will re-route the T-Third route such that it continues from Fourth and King streets directly north along Fourth Street and Stockton Street to Chinatown, primarily in a new underground subway. Trains would increase to two-car trains and frequencies would be every 4 minutes north of the 18th Street Station, and 8 minutes south of the Mariposa Street station, with every other car turning around at the Mission Bay Loop.
- **Mission Bay Loop:** This loop is a component of the T Third Street line and the Central Subway Project, located on a loop including 18th Street, Illinois Street, 19th Street, and Third Street. The loop will allow some trains on the T Third Street to turn around in the Central Waterfront area instead of traveling to the end of the line in Hunters Point.
- **16th Street Transit-Only Lanes/22 Fillmore Extension:** This project will convert one existing travel lane in each direction on 16th Street into a transit-only lane between Mission and Third streets. Additionally, the 22 Fillmore trolley bus line will be modified to continue along 16th Street to Third Street, and then travel on Third Street to terminate at Mission Bay Boulevard. When these improvements are implemented, the 55 16th Street route, which was established as a temporary solution to provide improved service between Mission Bay and the 16th Street BART Station, will be eliminated.
- **33 Stanyan Improvements:** As a part of the 22 Fillmore Extension, the 33 Stanyan bus route will be re-routed from Potrero Avenue to provide service on 18th Street currently provided by the 22 Fillmore.
- **Mariposa Street / I-280 Interchange Improvements:** This project, which is currently under construction, will widen Mariposa Street near the interchange with I-280 and improve the intersections at the interchange for increased capacity and improved safety. Additionally, Owens Street will be extended southward to form the northern leg of the intersection of Mariposa Street with the I-280 northbound off-ramp, allowing a direct route for traffic exiting the freeway to travel north into Mission Bay. As a part of these improvements, sidewalk facilities and streetscape amenities along Mariposa Street will be improved.

Furthermore, a wide variety of Citywide transportation improvements, such as implementation of the *San Francisco Bicycle Plan*, Muni Forward, as well as other specific projects, such as the Geary Boulevard BRT and Van Ness Avenue BRT, in other parts of the City were assumed to be implemented between year 2020 and year 2040. As part of these improvements near the Proposed Project site, the following specific improvements were also assumed in the cumulative analysis, as described in the EIR (pp. 4.E.74 –4.E.75):

- **T Third Capacity Enhancements:** Between the initial implementation of the Central Subway in 2019 and the cumulative conditions by year 2040, capacity on the T Third would increase such that the line operates with two-minute frequencies during peak periods, north of the Mission Bay Loop.
- **Reroute of the 10 Townsend:** The 10 Townsend would be re-routed to extend south of Townsend through Mission Bay and generally travel along Mission Bay Boulevard instead of Townsend Street, west of Fourth Street, and then return to its existing route south of the intersection of 17th Street and Connecticut Street. Service would be

improved from 20-minute frequency to 6-minute frequency during peak periods, and the route would be renamed the 10 Sansome.

- **Reroute of the 48 Quintara/24th Street:** The 48 Quintara/24th Street would operate all day from 48th Avenue to the Hunters Point Naval Shipyard. At 25th and Connecticut streets, this route would no longer follow the existing alignment and would change to follow the existing 19 Polk route to Hunters Point via Evans and Innes avenues. This would provide a new connection from the Mission District, Noe Valley, and the Sunset to Third Street and Hunters Point. The existing portion of the 48 Quintara/24th Street route east of Connecticut Street would be re-branded as the 58 24th Street as part of Muni Forward improvements.

In addition to these transit improvements, the EIR evaluated impacts on transit service, both in terms of delays to transit caused by traffic congestion and in terms of overcrowding. The EIR describes on p. 4.E.86 that the traffic congestion created by the Proposed Project is not likely to contribute to additional delay to transit since most transit near the project site does or will operate in exclusive transit-only lanes.

However, the EIR did identify significant impacts on transit related to crowding. Specifically, the EIR identified in Impact TR-5 that the Proposed Project would cause the 48 Quintara/24th Street to exceed its capacity utilization threshold during peak periods. In response, the EIR calls for the implementation of Mitigation Measure M-TR-5: Monitor and increase capacity on the 48 Quintara/24th Street bus routes as needed (EIR pp. 4.E.91-4.E.93), which involves either increasing the frequency of buses along the route, increasing the capacity of existing buses along the route (i.e., switching from 40-foot coaches to 60-foot articulated coaches), improving the travel time of buses along the route, or creating a new route altogether with similar service to the 48 Quintara/24th Street. The Project Sponsor cannot guarantee that this mitigation measure would be implemented because it relies on actions from another City Agency, the San Francisco Municipal Transportation Agency (SFMTA) Board. While SFMTA staff has reviewed this mitigation measure and agrees in concept with its content, the SFMTA cannot at this point commit that these additional buses would be operated along the specified routes in the long-term. Because SFMTA Board approval is required for operations budgets, it would be inappropriate to presume the action of this decision-making body. Therefore, there is uncertainty regarding the implementation of this mitigation measure and its effectiveness, and the impact is considered significant and unavoidable with mitigation.

The EIR also identified Cumulative Impact C-TR-4, which notes that the Proposed Project, in combination with other reasonably foreseeable development by year 2040, would contribute considerably to additional significant impacts on the 48 Quintara/24th Street and the 22 Fillmore. Mitigation Measures M-C-TR-4A: Increase capacity on the 48 Quintara/24th Street bus route under the Maximum Residential Scenario, and M-C-TR-4B: Increase capacity on the 22 Fillmore bus route under the Maximum Commercial Scenario, EIR p. 4.E.118, call for additional capacity

along those two routes in the long term, and would require the project sponsor to pay a fair share toward implementing those long-term improvements. As with Impact TR-5, the City cannot guarantee that Mitigation Measures M-C-TR-4A and B would be implemented since SFMTA cannot guarantee that these additional buses would be operated along the specified routes in the long-term; therefore, the cumulative impact is considered significant and unavoidable with mitigation.

Thus, as described above and in the EIR, there are a number of specific transit service improvements planned and programmed in the foreseeable future to better accommodate the transit service needs of existing residents, employees, and visitors in the study area, as well as to accommodate expected growth in the area – including the additional residents and employees expected to occupy the Proposed Project. The EIR describes the extent to which the Proposed Project would contribute to additional service demand in both the near term and long term, as well as the extent to which the Proposed Project would be responsible for mitigating its impacts.

As noted in the EIR and in several comments, the Proposed Project would also include a free shuttle system designed to supplement Muni service, providing direct connections between the Proposed Project site and regional transit service, such as Caltrain and BART. The shuttles would be open to the general public. The EIR analysis forecasted that most project-related transit trips traveling between Caltrain or BART and the project site would use the shuttle service, because it would be free and generally more direct than Muni; conversely, the forecasts conclude that local trips within San Francisco would not likely be accommodated by the shuttles since they are not expected to make multiple stops along their routes. Thus, the EIR did evaluate the effectiveness of the shuttles.

As noted on EIR p. 4.E.86, shuttles would be required to enroll in the San Francisco Commuter Shuttle Program and follow all of the program's policies. The Commuter Shuttle Program pilot was studied under CEQA in October 2015, and the program was approved for permanent implementation in February 2017. As part of the February 2017 approvals, the City and County of San Francisco determined that no additional environmental analysis was required. No additional shuttle service has been proposed as mitigation for project-related impacts. Overall, the shuttles were not found to create any new significant impacts; however, the merits of that component of the Proposed Project can be considered by decision-makers as part of their deliberations.

As noted in the EIR (pp. 2.49-2.51), the Proposed Project includes a TDM Program. The shuttles discussed above are part of the Proposed Project's TDM Program, and are a mandatory component of the Proposed Project. Additionally, the Proposed Project is subject to Air Quality Mitigation Measure M-AQ-1f: Transportation Demand Management, which requires a reduction of the overall traffic generation of the Proposed Project by 20 percent compared to the forecasts

in the EIR. While Mitigation Measure M-AQ-1f requires the 20 percent reduction, the specific TDM measures implemented to meet this reduction are at the discretion of the Project Sponsor, which allows for some flexibility as to which specific measures are implemented.

A new "transit hub" is not specifically proposed as part of the project, as noted in the comments. However, three Muni lines do converge approximately one block from the project site, at the intersection of Third Street and 20th Street, where the KT Third Ingleside light rail line, 22 Fillmore bus line, and 48 Quintara/24th Street bus line all stop. The convergence of these three lines may be considered to operate somewhat like a "hub" facilitating transfers and connectivity between three very different portions of the City served by the three lines.

The degree to which the Proposed Project would supply parking exceeding the neighborhood parking ratios is discussed in the EIR, as part of Impact TR-2 (see pp. 4.E.80-4.E.83). As noted in the EIR, the Proposed Project's maximum residential parking ratio is 0.75 space per dwelling unit, which is quite similar to the neighborhood parking ratio of 0.72. The EIR also notes that the Proposed Project's maximum non-residential parking ratio would be substantially higher than the neighborhood parking ratio for non-residential uses in the surrounding area. However, the EIR states that in this case, the non-residential uses currently existing in the neighborhood are large warehouses, which tend to have large amounts of square footage dedicated to storage of goods and equipment, and not oriented to many occupants; therefore, they require substantially fewer parking spaces per square foot than the types of non-residential uses contemplated by the Proposed Project. Therefore, the EIR concludes that the higher parking ratio for uses with the Proposed Project does not necessarily indicate that the Proposed Project would generate VMT at a rate higher than that forecasted by the City's forecasting model. The comment is consistent with the EIR in noting that the Proposed Project's non-residential parking ratio would be higher than the neighborhood average for non-residential uses. However, the comment does not include any evidence to suggest the discussion in the EIR is incorrect; therefore, no additional analysis is required and the conclusions in the EIR remain valid. Additional discussion of parking is provided in Response TR-11: Parking.

Comments that suggest the Proposed Project may be inconsistent with City policies are directed to Response PL-1: Consistency with Plans and Policies, in RTC Section 4.C, Plans and Policies, which states that an EIR must identify any inconsistencies with plans and policies. However, determinations of overall consistency with a plan or policy are made independent of the environmental review process.

COMMENT TR-5: PROPOSED PARKING AND MODE SPLIT

"Transportation:
"San Francisco has a serious transportation problem. With more and more residents and employers and more and more private vehicle commuters, it is already the third most congested in the nation in terms of time and fuel wasted per commuter (Texas A&M Urban Mobility Scorecard, 2015). This project proposes to alleviate congestion by nothing more than encouraging residents to use bicycles and MUNI for local commutes, and by the close location of Caltrain for commutes to the South Bay. Caltrain is at capacity already, and does not easily reach everywhere in the South Bay. Essentially, as long as private cars are more practical than public transportation, their use will increase, not diminish.

"The current plan calls for 3,370–3,496 new off-street residential parking spaces, in very close proximity to highway 280 access ramps. This very convenience actively advocates for the use of private vehicle commuting far more than the proximity to Caltrain discourages it. Commuters know this, and the developers who would build the proposed units will use these parking spots as a selling point. This marginal convenience to the residents of the Pier 70 project will come at a cost of delays, pollution, and carbon emissions for everyone.

"Easy availability of cars will encourage local commuting as well, despite the proposed tweaks to MUNI. Traffic along the 16th St. corridor between the Mission and Mission Bay has been increasing, is causing congestion, and is spilling into 17th St. and Mariposa St. on Potrero Hill and the NE Mission. The proposed project will inevitably cause further congestion along these routes. These ill effects have not been and cannot be mitigated.

"As the plan stands, it does the opposite of the sponsors' claimed objectives of "reducing vehicle usage, emissions, and vehicle miles traveled to reduce the carbon footprint impacts of new development, consistent with the Port's Climate Action Plan." San Francisco and the Port have committed to a shift away from private cars to public transportation. This will not happen while they explicitly invite thousands of new private cars to be used for work and other commuting. If public transportation is to have a future in San Francisco, the Pier 70 project must lead the way by eliminating private residential car parking." (*Yoram Meroz, Email, February 20, 2017 [I-Meroz-2])*

RESPONSE TR-5: PROPOSED PARKING AND MODE SPLIT

The Proposed Project's maximum parking supply rate for residential uses is 0.75 spaces per residential unit, which is close to the neighborhood average rate, as explained on EIR p. 4.E.82. The maximum amount of parking proposed is forecast to be substantially less than forecasted demand. The travel demand calculations in the TIS and summarized in the EIR are based on land uses, not on the amount of parking proposed, as shown in the discussion of Travel Demand analysis on EIR pp. 4.E.58-4.E.70.

The Proposed Project's auto mode share is forecasted to be between 50 and 52 percent of all project-generated trips. This means that between 48 and 50 percent of all trips would be made by non-private auto by year 2018. This is generally consistent with the City's overall goal of having

50 percent of all trips within the City made by non-private auto.[9] Furthermore, the EIR calls for implementation of Air Quality Mitigation Measure M-AQ-1f: Transportation Demand Management, which would require the project sponsor to reduce the number of auto trips forecasted in the EIR by 20 percent. The EIR also includes a detailed analysis and discussion of the extent to which the Proposed Project's travel demands on each travel mode would cause significant impacts.

COMMENT TR-6: BICYCLING

"F. What are the differences between the Class 1, 2 and 3 Bike lanes." *(Dennis Hong, Email, February 23, 2017 [I-Hong-8])*

RESPONSE TR-6: BICYCLING

The different bikeway classifications are described in the EIR on p. 4.E.25 and summarized below:

- **Class I** facilities (bicycle paths) provide a completely separated right-of-way for the shared use of cyclists and pedestrians. These facilities are off-street and minimize cross-flow traffic, but they can be adjacent to an existing roadway.
- **Class II** facilities (bicycle lanes) provide a striped, marked, and signed bicycle lane separated from vehicle traffic. These facilities are located on roadways and reserve a minimum of 4-5 feet of space for exclusive bicycle traffic. Class II lanes can sometimes include a buffer between the auto travel lane and the bicycle lane.
- **Class III** facilities (bicycle routes) provide a shared travel lane marked and signed for shared use with motor vehicle traffic. These facilities may or may not be marked with "sharrows," a stencil painted on the surface of a travel lane showing a bicycle on several arrows pointing in the direction of travel, to emphasize that the roadway space is shared.

An additional classification, Class IV facilities, or separated bicycle lanes/cycletracks, was designated by the California State legislature in 2014. Class IV facilities include bicycle lanes physically separated from adjacent travel lanes via grade separation, flexible posts, inflexible physical barriers, or on-street parking.[10] However, no Class IV facilities exist or are currently planned in the vicinity of the project site, and thus the EIR does not discuss these facilities.

The EIR includes a discussion of the Proposed Project's bicycle facilities on p. 4.E.44. Specifically, the Proposed Project would include a separated bicycle and pedestrian facility along 20th Street at the water's edge to extend the Bay Trail/Blue Greenway continuously along the shore of the site. At the northern end, the Bay Trail would extend via 20th Street to Georgia Street

[9] Information from www.sfgov.org/scorecards/transportation. Accessed March 23, 2017.
[10] California Department of Transportation, *Design Information Bulletin Number 89: Class IV Bikeway Guidance (Separated Bikeways / Cycle Tracks)*, December 30, 2015.

and 19th Street. At the southern end, the trail would temporarily access Illinois Street via 22nd Street, but would be designed to connect to any future extension of the Bay Trail south of the project site (see also Figure 2.18, Proposed Bicycle Network on EIR p. 2-54). Class II bicycle lanes and Class III shared lanes are also proposed throughout the Proposed Project site.

COMMENT TR-7: LOADING

"The DEIR does not accurately describe the extent of AIC existing loading activities along Illinois Street. An accurate accounting of these loading activities is necessary to ensure that the DEIR adequately analyzes the potential for conflicts between increased vehicular traffic volumes caused by the Project and AIC's loading activities. The DEIR, page 4.E.27, states that AIC contains approximately 25 loading docks along Illinois Street. In fact, there are over 50 loading areas, including loading docks and more casual parking/loading combination areas (i.e., not loading docks, per se) that have historically been used to facilitate shipping and receiving. The DEIR indicates that AIC's loading operations were observed in January 2016. Note, because many of the PDR businesses housed at AIC experience a holiday season rush followed by a slower period after the holidays, January is the slowest month of the year for shipping and receiving to and from AIC. As such, the observed loading activities described in the DEIR do not present an accurate baseline of AIC's loading activities." *(Charles J. Higley, Farella Braun + Martel LLP, on Behalf of American Industrial Center, Email, February 21, 2017 [O-AIC-3])*

"In light of the loading activities described above, AIC is concerned about the potential for transportation conflicts and safety hazards associated with the proposed Class II bike lane being located along Illinois Street (Figure 2.18), a designated truck route. More generally, AIC is concerned that additional pedestrian, bicycle, and vehicular traffic volumes caused by the Project will create conflicts with AIC's loading operations along Illinois Street. The Project will dramatically change the character of the existing neighborhood and traffic patterns on Illinois, which has always been industrial in nature. The DEIR does not adequately address this change in character and does not, therefore, adequately address land use compatibility or potential conflicts stemming from the addition of a residential project immediately across Illinois Street from AIC." *(Charles J. Higley, Farella Braun + Martel LLP, on Behalf of American Industrial Center, Email, February 21, 2017 [O-AIC-4])*

"Several of the identified significant and unavoidable impacts of the Proposed Project are related to Transportation:

"• Cause loading demand during the peak loading hour to not be adequately accommodated by proposed on-site/off-street loading supply or in proposed onstreet loading zones, which may create hazardous conditions or significant delays for transit, bicycles, or pedestrians;
(Alison Heath, Grow Potrero Responsibly, Email, February 22, 2017 [O-GPR2-19])

"With a retail economy that relies increasingly on delivery vehicles along with the need to serve commercial uses, it is unacceptable to not provide adequate loading zones to prevent hazardous

conditions or significant delays. As many deliveries cannot be limited to specific hours is doubtful that coordinating delivery times would be an effective mitigation. *(Alison Heath, Grow Potrero Responsibly, Email, February 22, 2017 [O-GPR2-21])*

"**Loading Supply**
"Consider time management by restricting heavy deliveries to early morning---like in other cities." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-24])*

RESPONSE TR-7: LOADING

In response to comments suggesting observations of loading activity near the American Industrial Center (AIC) were conducted at a time of unusually low activity, Fehr & Peers conducted additional site observations in March 2017 during the late morning (10:00 – 11:30 AM) and late afternoon (4:00 – 5:30 PM), consistent with the time periods of the original observations described in the EIR, and at a time of year when operations would be considered more normal, based on the comment. In general, there was slightly more activity at the site during the morning observation period. In the January 2016 observations, six trucks were observed entering the site; in March 2017, seven trucks entered. In January 2016, three trucks did not pull into loading docks, and instead illegally used the sidewalk or existing bicycle lane; in March 2017, four trucks were observed doing this. In the afternoon period, activity levels were similar in March 2017 to what was observed in January 2016, with the exception that several additional cars were observed parked on the sidewalk in front of the loading docks in March 2017.

The level of bicycle activity along Illinois Street was higher in March 2017 than during the January 2016 observations, and thus the slight increase in activity at the AIC and the increased bicycling created more frequent conflicts between the two activities in March 2017.[11]

Overall, the levels of activity at the AIC did not appear to be substantially different in March 2017 than what was described in the EIR. The EIR concluded that with improvements to Illinois Street along the Proposed Project's frontage, namely improved sidewalk connectivity on the east side of Illinois Street and new signal and intersection upgrades at the intersections of Illinois Street with 20th, 21st, and 22nd streets, the Proposed Project would have a less-than-significant impact on pedestrian and bicycle circulation in the area. Although observations taken in two different periods in the calendar year (January 2016 and March 2017) revealed similar operations, it is possible that there are periods during the year when operations increase substantially; however, given the multiple observations with similar operations at the AIC, if periods exist with substantially higher levels activity occur, they likely occur for shorter periods of time and

[11] Generally, conflicts between loading vehicles and bicycles consisted of trucks crossing over the bicycle lanes to enter the loading docks, or in the case where trucks did not use the loading docks, conflicts occurred when trucks simply parked in the bike lane.

intermittently, which would not result in impacts substantially different from those identified in the EIR. The slightly higher levels of activity at the AIC during the March 2017 observations do not suggest a different conclusion, and therefore no changes to the EIR are warranted.

Internal to the site, the EIR includes forecasts of loading activity compared to the proposed loading supply. The EIR discusses the extent to which loading supply would be adequate in Impact TR-12, on pp. 4.E.101-4.E.106, where the text states that during peak periods, the Proposed Project's loading supply would not be adequate to meet expected demand (see p. 4.E.104). Mitigation Measure M-TR-12A: Coordinate Deliveries, EIR p. 4.E.105, would require the Proposed Project's Transportation Coordinator to coordinate with building tenants to better spread out delivery times throughout the course of a day to avoid extreme peaks and create a better utilization of proposed loading spaces. However, the EIR notes that this may have only limited effectiveness because many deliveries cannot be limited to certain hours.

The EIR also identifies Mitigation Measure M-TR-12B: Monitor loading activity and convert general purpose on-street parking spaces to commercial loading spaces, as needed, on EIR p. 4.E.105. This mitigation measure would require the conversion of proposed on-street parking spaces into commercial loading spaces if monitoring indicates that off-street loading supply is, in fact, inadequate. However, as with Mitigation Measure M-TR-12A, it is uncertain as to whether enough on-street spaces can be converted to meet forecasted demand, and therefore the Proposed Project is forecasted to have a significant and unavoidable impact from loading. This does not suggest the mitigation measure would not be effective at reducing the intensity of the impact; rather, it notes that the measure may not fully reduce the level of impact to less than significant.

Beyond claiming that the observations of loading activity underestimate the potential for conflicts, which is addressed above, comments otherwise suggesting that the mitigation measures do not adequately address the loading impact do not provide additional substantial evidence supporting the assertion. CEQA does not require analysis of every conceivable mitigation measure or alternative to address significant impacts. Rather, EIRs are required to focus on mitigation measures that are feasible, practical, and effective. The mitigation measures identified in the EIR meet this standard, and, while they are expected to be somewhat effective, the extent to which there is uncertainty as to whether the impacts would be fully mitigated to less-than-significant levels is disclosed in the EIR.

COMMENT TR-8: EMERGENCY ACCESS

"Thank you for the opportunity to review and comment on the Draft Environmental Impact Report ("Draft EIR") for the proposed Pier 70 Mixed-Use District Project. UCSF appreciates the City's commitment to creating a project that will be an asset for the Central Waterfront area and City of San Francisco at large.

"The University of California, San Francisco (UCSF) has a major campus site at Mission Bay, several blocks northwest of the Pier 70 area, where we have made considerable investment in the development of a biomedical campus that furthers UCSF's mission to advance health worldwide through innovative health sciences education, research, and patient care. Besides the burgeoning research facilities at Mission Bay, the campus includes the Medical Center at Mission Bay, a hospital complex comprised of three specialty hospitals, outpatient facilities, and parking.

"The campus population is comprised of faculty, staff, students, patients, and visitors. It is highly important to UCSF that proposed new facilities in the vicinity of the UCSF Mission Bay campus site be developed in a way that our patients and emergency responders have unimpeded access to the Medical Center and other clinics. It is with the priority in mind that we offer the following comments on the Draft EIR:

"Chapter 4E Transportation and Circulation

"1. Page 4.E.107, Emergency Access: the discussion in this section is in regards to emergency access impacts of the project during events at AT&T Park, but there is no discussion of events at the Warriors' Event Center, which is much closer to the Pier 70 site than AT&T Park. Please discuss the potential for Pier 70 events to overlap with events at the Warriors' Event Center, and analyze the resulting impacts on emergency access to the UCSF Medical Center at Mission Bay." *(Lori Yamauchi, Associate Vice Chancellor, UCSF Campus Planning, Email (Submitted by Diane Wong, Principal Planner/Environmental Coordinator – Campus Planning), February 21, 2017 [A-UCSF-1])*

"3. Page 4.E.108, Improvement Measure I-TR-C: Strategies to Enhance Transportation Conditions During Events: This improvement measure discusses Pier 70 events overlapping with AT&T Park events, but should also include a discussion of overlapping Warriors' Event Center events." *(Lori Yamauchi, Associate Vice Chancellor, UCSF Campus Planning, Email (Submitted by Diane Wong, Principal Planner/Environmental Coordinator – Campus Planning), February 21, 2017 [A-UCSF-3])*

"Traffic will impact access by emergency vehicles. Ignoring the data in the LOS analysis results in [t]he DEIR's failure to consider near total gridlock traffic conditions. 30 intersections operating at F levels will potentially impede emergency access throughout the area as well as to and from Pier 70 itself. To pretend otherwise by limiting analysis to VMT is grossly negligent." *(Alison Heath, Grow Potrero Responsibly, Email, February 22, 2017 [O-GPR2-22])*

RESPONSE TR-8: EMERGENCY ACCESS

The EIR includes a robust discussion of ways in which emergency vehicle access in the vicinity of the Proposed Project and adjacent hospitals would be affected by existing and long-term traffic congestion caused by the Proposed Project as well as other long-term growth.

The discussion of the Proposed Project's impacts on emergency access in Impact TR-13, on EIR pp. 4.E.106–4.E.107, includes an assessment of emergency access in the Baseline Conditions with the Proposed Project. As noted on EIR p. 4.E.29, the proposed Warriors Arena is not

assumed to be in place under Baseline Conditions, as it was not yet approved when the Notice of Preparation of the EIR was issued. The Proposed Project's effects on emergency vehicle access under conditions with the Warriors Arena (as well as other long-term, reasonably foreseeable development) are discussed on pp. 4.E.123–4.E.124, as part of Cumulative Impact C-TR-11.

In general, the evaluation of emergency vehicle circulation does not consider specific intersection LOS analysis results, because the emergency vehicle evaluation is more about the general efficiency with which emergency vehicles can reach their destinations, and not about the specific operations of a single intersection. Furthermore, emergency vehicles do not have to obey traffic signal indications, so depending on the conditions, intersection delay experienced by private autos may not be applicable to emergency vehicles.[12] However, the level of area-wide traffic congestion generally implied by the LOS analysis results was considered in the assessment of both project-level and cumulative impacts as discussed in Impacts TR-13 and C-TR-11, respectively. The discussion associated with these impacts describes a number of roadway improvements in the vicinity of the nearby UCSF hospital that will help to accommodate increased traffic demand. Further, the EIR describes ways that emergency vehicles could maneuver around congested traffic in the vicinity of the hospital in the center median on Mariposa Street in the east-west direction, in the transit-only lanes on Third Street in the north-south direction, and on the transit-only lanes along 16th Street in the east-west direction upon completion of that project. [13] Finally, during special events, when congestion tends to be worse, Parking Control Officers (PCOs) are typically deployed to manage traffic flow and respond to incidents, such as the need for emergency vehicle access.

To ensure that emergency vehicle access is maintained during special events at Pier 70, the EIR includes Improvement Measure I-TR-C: Strategies to Enhance Transportation Conditions During Events, p. 4.E.108, which calls for the Pier 70 Project's Transportation Coordinator to participate in the Mission Bay Ballpark Transportation Coordination Committee (MBBTCC) to discuss scheduling overlaps and to ensure that plans for traffic management during events account for additional traffic associated with events at Pier 70. As noted in the discussion of Impact C-TR-11on p. 4.E.124, the MBBTC would include representatives from the Warriors Arena upon completion of that project, and Improvement Measure I-TR-C would include coordination with events at the Warriors Arena.

Overall, the EIR found that impacts to emergency vehicle access would be less than significant, and for the reasons described above, the comments do not warrant any changes to this conclusion.

[12] California Vehicle Code, VEH § 21055
[13] Ibid.

COMMENT TR-9: SAFETY

"Think about what this means for pedestrian safety, air quality, bicycle safety and access by emergency vehicles." *(Alison Heath, Grow Potrero Responsibly, DEIR Hearing Transcript, February 9, 2017 [O-GPR1-3])*

"2. **TRAFFIC and Vision 0:**
"A. As this project gets both under way and completion, can some of these intersections get a calming approach? As shown in the charts a number of these intersections will need this implemented. From the looks of the project it will generate major changes; street improvements, both vehicle and pedestrian traffic will be quite busy, fast moving transit - only because it will be mix of residential, recreation, office and industrial space/use." *(Dennis Hong, Email, February 23, 2017 [I-Hong-3])*

"D. I was unable to reconcile all of the pedestrian and vehicle traffic safety issues in the DEIR. But trust they have been looked at and have been addressed." *(Dennis Hong, Email, February 23, 2017 [I-Hong-6])*

"**4E: Transportation**
"The transportation and circulation issues for this project are of primary importance because of safety issues. Although Vision Zero is mentioned, it needs to be emphasized more and up front. The introduction to this section needs to be very clear that Vision Zero is a driving force for all modes of transportation – public transit, private and commercial vehicles, bicyclists, pedestrians, etc." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-19])*

"The long blocks and lack of pedestrian facilities are noted. Again, Vision Zero philosophy and guidelines must assure that these dangers are resolved. Pier 70 and its surrounding areas will draw more and more people on foot to enjoy the new facilities. They must be accommodated." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-20])*

RESPONSE TR-9: SAFETY

The EIR includes discussions of vehicular safety on p. 4.E.84 as part of Impact TR-3, pedestrian circulation and safety on pp. 4.E.96-4.E.100 as part of Impacts TR-8 through TR-10, bicycle circulation and safety on pp. 4.E.100-4.E.101 as part of Impact TR-11, emergency access on pp. 4.E.106-108 as part of Impact TR-13, and traffic-related air quality on pp. 4.G.58-4.G.62 as part of Impact AQ-2. As part of these discussions, the EIR includes several mitigation measures designed to reduce the severity of significant impacts, and improvement measures designed to improve aspects of the Proposed Project even where a less-than-significant impact has been

identified. Specifically, the following measures are designed to improve safety (or reduce mobile sources):

- Improvement Measure I-TR-B: Queue Abatement, EIR pp. 4.E.97-4.E.98, which would require that garage operators within the Proposed Project site ensure that queues do not spill out onto adjacent streets, blocking auto circulation or conflicting with bicycle and pedestrian circulation.
- Mitigation Measure M-TR-10: Improve pedestrian facilities on Illinois Street adjacent to and leading to the project site, EIR pp. 4.E.99-4.E.100, which would require upgrades to the intersections of Illinois Street with 20th Street and 22nd Street (improvements to the new intersection at Illinois Street and 21st Street would be made as part of the Proposed Project, rather than as a Mitigation Measure). Upgrades in this measure include new traffic signals to control movements and reduce conflicts, new Americans with Disabilities Act-compliant curb ramps at all intersection corners, and closure of the existing sidewalk gap on the eastern side of Illinois Street, as well as widening the sidewalk to a minimum of 10 feet.
- Improvement Measure I-TR-C: Strategies to Enhance Transportation Conditions During Events, EIR p. 4.E.108, which would require that the Proposed Project's Transportation Coordinator participate in the Mission Bay Ballpark Transportation Coordination Committee to ensure that logistics for managing traffic during special events, including events at Pier 70, are coordinated to ensure emergency vehicle access as well as safety for all roadway users.
- Mitigation Measure M-AQ-1f: Transportation Demand Management, EIR pp. 4.G.47-4.G.51, which would require preparation and implementation of a TDM plan to reduce daily one-way vehicle trips by 20 percent compared to the total one-way trips identified in the Proposed Project's Transportation Impact Study at build-out.
- Mitigation Measure M-AQ-1g: Additional Mobile Source Control Measures, EIR p. 4.G.50, which would add to the TDM plan two of the mobile source control measures from the Bay Area Air Quality Management District's 2010 Clean Air Plan, to provide preferential parking for clean-fuel vehicles and request that a portion of car-share vehicles be electric vehicles.

The Proposed Project includes a number of additional features designed to ensure safety, including calmed streets with narrow travel lanes to encourage slower speeds within the project site, that are described in EIR Chapter 2, Project Description, on pp. 2.49-2.55. The roadway designs internal to the site would be finalized as part of the building permit application process. As part of this, plans would be reviewed by the Department of Public Works, the San Francisco Fire Department, SFMTA, and the Planning Department to ensure that the functional needs of the roadway are met and that Vision Zero principles outlined in the Proposed Project's Transportation Plan (narrow, low-speed streets; shared streets; bulbouts, where possible, etc.) are incorporated into the final designs.

Other than as addressed above, the comments do not provide additional information regarding safety that would warrant a change to the conclusions described in the EIR Transportation section.

Traffic-related air pollutants would be reduced by implementation of the mitigation measures noted above and discussed in detail in the EIR on pp. 4.G.47-4.G.53; however, mobile source emissions would continue to exceed air quality significance thresholds and the impact is identified as significant and unavoidable.

COMMENT TR-10: SPECIAL EVENTS

"2. During discussions with the City of San Francisco regarding the then-proposed Warriors' Event Center, UCSF worked with the City to develop the Local Hospital Access Plan, or LHAP, to ensure that during events at the Event Center, patients who may not be travelling in emergency vehicles with sirens/lights would still have unimpeded access to the UCSF Medical Center at Mission Bay. Please discuss how traffic impacts from events at Pier 70 could impact the LHAP." *(Lori Yamauchi, Associate Vice Chancellor, UCSF Campus Planning, Email (Submitted by Diane Wong, Principal Planner/Environmental Coordinator – Campus Planning), February 21, 2017 [A-UCSF-2])*

"The Potrero Boosters Neighborhood Association (the "Boosters") has several additional comments and questions related to the Draft Environmental Impact Report ("DEIR") for the Pier 70 Mixed Use-District (the "Project").

"Our comments are with respect to the Project's traffic projections in comparison to Pier 70 event traffic plan that has been used to route traffic to and from large events held on the Project site. The traffic routing anticipated by the Project should be compared specifically to the attached event traffic plan for the annual Ghost Ship concert (the "Event Traffic Plan"). The map illustrates, for reference, the Event Traffic Plan. *[Note: See the bracketed copy of this email in RTC Attachment B: Comment Letters on the Draft EIR, for the map shown in the comment.]*

"The Event Traffic Plan's routes traffic around, and not through, the Dogpatch neighborhood, avoiding 22nd Street and preventing gridlock in the neighborhood. The Event Traffic Plan was prepared to mediate the impacts of earlier Pier 70 entertainment events, most notoriously the "DreamForce" event, in which 22nd Street was used unsuccessfully as a main connection to Pier 70.

"22nd Street is composed of a series of short blocks prone to congestion. A greening plan is scheduled to further slow traffic on the street with street-narrowing bulb-outs, additional cross walks, and new signaling.

"**How will the Project's traffic plan impact traffic on 22nd Street in light of these changes?**

"**What alternatives other than routing busses, shuttles, and private vehicles via 22nd Street should be considered?**

"**Has the foreseeable 22nd Street traffic congestions been considered in the Project's air quality analysis?**

"**What is the increased danger to residents from particulates that result from this kind of gridlock?**

"**Shouldn't the traffic and air quality impacts to 22nd Street be considered in the Project's cumulative impacts analysis?**" *(J. R. Eppler, President, Potrero Boosters Neighborhood Association, Email, February 21, 2017 [O-PBNA2-1])*

"I write with concern over the Pier 70 Project's proposed traffic routing to and from the Project site via 22nd Street.

"The vacant Pier 70 site, under management by Forest City, has hosted several events of the past few years. Through trial and error, and responding to community feedback, various traffic plans have been developed.

"When significant event traffic is routed through the Dogpatch residential neighborhood, via 22nd Street, gridlock occurs.

"Conversely, when traffic is routed around the Dogpatch neighborhood via larger arteries (e.g., via Cesar Chavez to 3rd Street) traffic flows with relative normalcy.

"An example of a successful traffic plan is Forest City's Ghost Ship Traffic Plan. The proposed Project's traffic routing should be compared with the attached Ghost Ship Traffic Plan. The map below illustrates the Ghost Ship Traffic Plan. *[Note: See the bracketed copy of this email in RTC Attachment B: Comment Letters on the Draft EIR, for the map referenced in the comment.]*

"Please note, the Ghost Plan's traffic plan routes traffic around the Dogpatch neighborhood, avoids 22nd Street, thus preventing gridlock in the Dogptach neighborhood. This plan stands in contrast to previous Pier 70 entertainment event traffic plans, such as the SalesForce "DreamForce" event wherein 22nd Street was used unsuccessfully as a main connection from points South (Cesar Chavez, HWY 280 N, 101 N) and North (Pennsylvania, HWY 280 S).

"Additionally, 22nd Street is composed of a series of short blocks and prone to congestion under current conditions. The 22nd street Greening Plan (area plan) will reduce pace of VMT throughput by narrowing block intersections with traffic calming bulbouts, and newly installed cross walks.

"What alternatives for rerouting buses, shuttles, and private vehicles via 22nd street should be considered?

"Has the foreseeable 22nd street gridlock been considered in the Project's air quality analysis?

"What is the increased danger to residents from particulates that result from this kind of gridlock?

"Shouldn't this be considered in the Project's cumulative impacts analysis?" (*Heidi Dunkelgod, Email, February 21, 2017 [I-Dunkelgod-1])*

"This section covers baseline conditions and considers the current and future construction projects such as the Warriors Arena and Mission Rock. This area of the City is so dynamic that a sharp eye needs to stay on all of these concurrent projects to assure they can work together without conflict when it comes to transportation and circulation. Detailed pre-planning must occur when simultaneous events are occurring –whether they are at Pier 70, the Warriors Arena,

the future Mission Bay School, UCSF, or any other spot in close proximity." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-21])*

RESPONSE TR-10: SPECIAL EVENTS

As noted in the EIR on p. 4.E.47, although future special events at Pier 70 would be substantially smaller than the larger events currently held at the site, they would still require City permits and event organizers would continue to develop event-specific TDM Plans to ensure that the flow of people into and out of the site would be well managed, similar to current conditions. To the extent past experience with events on the site has shown which strategies have proven successful and which have not, including routing traffic around the Dogpatch instead of through it, those lessons would be expected to be incorporated into future event plans as well. Thus, it is unlikely that events at Pier 70 would cause an increase in congestion on 22nd Street compared to events currently held at the site.

Specifically regarding concerns about traffic on 22nd Street, the EIR does not consider traffic congestion or delay to be a significant impact (except to the extent it interferes with emergency vehicle access, transit, or bicycle or pedestrian safety). However the project's TIS does include a discussion, for informational purposes only, of congestion at 38 intersections near the Proposed Project site, including four intersections along 22nd Street, between Illinois Street and Indiana Street. The Proposed Project is expected to create congestion at the intersections of 22nd Street with Third Street and Illinois Street. However, this congestion is primarily due to heavy project-generated north-south traffic volumes on Third Street and Illinois Street, and not due to heavy increases on 22nd Street itself, which is why the intersections of 22nd Street with Tennessee Street and Indiana Street are forecasted to remain relatively uncongested with the Proposed Project in place.

The 22nd Street Greening Project would incorporate additional landscaping and streetscape amenities to 22nd Street, between Pennsylvania and Third streets. It may also include new corner bulbouts and narrower traffic lanes. However, it is not expected to reduce the number of traffic lanes or to substantially reduce vehicular capacity or VMT. Therefore, it is not likely to increase congestion on 22nd Street in combination with the Proposed Project.

Under cumulative conditions, if events at Pier 70 overlap with events at the Warriors Arena project, the Warriors Arena project included a requirement to develop a Local/Hospital Access Plan (L/HAP), designed to "facilitate movements in and out to residents and employees in the UCSF and Mission Bay Area….for the pre-event period for all large weekday evening events at

the event center."[14] In general, the L/HAP would include special temporary and/or permanent signage directing traffic toward off-street parking and away from streets designated for local or hospital access. Additionally, Parking Control Officers would be stationed at key intersections specifically to facilitate local circulation.

As noted in the EIR (p. 4.E.42), most events at Pier 70 would be relatively small, with attendance expected to be between 500 and 750 people. Occasionally – up to four times per year – larger events of up to 5,000 people may be programmed. The maximum event size expected on the Proposed Project site at project buildout is substantially smaller than the largest event of approximately 40,000 people that currently happens at the site.

On the occasion that one of the larger, up to 5,000-person, events at Pier 70 occurs simultaneously with an event at the Warriors Arena, the event at Pier 70 would likely represent a relatively small increase in traffic compared to the event at the Warriors Arena (which could be up to 18,500 attendees). The Pier 70 Transportation Coordinator would coordinate with the Mission Bay Ballpark Transportation Coordination Committee if Improvement Measure I-TR-C: Strategies to Enhance Transportation Conditions During Events, EIR p. 4.E.108, is adopted as a formal condition of approval to ensure that elements of the L/HAP are implemented appropriately with consideration of the traffic associated with both events and that access to local residents and to UCSF remains adequate.

Regarding issues related to air quality along 22nd Street, the analyses of criteria air pollutants (reactive organic gases [ROG], oxides of nitrogen [NOx], and particulate matter emissions [PM_{10} and $PM_{2.5}$]) take into account traffic volumes predicted to be generated by the Proposed Project, but provide information on an area-wide basis, not on a block-by-block basis, because these emissions are not confined to a specific location but disperse throughout the City and region and are gradually diluted with distance from the emission location. As explained on pp. 4.G.25-4.G.26, criteria air pollutants are a regional issue, and no individual development project is large enough to result in non-attainment of State or Federal air quality standards for these pollutants. Thus, the emissions from vehicular traffic generated by the Proposed Project are calculated based on the total number of new vehicle trips generated, not on the number of vehicles using a particular street. The transportation analysis presents an estimate of approximately 31,016 new vehicle trips per day for the Maximum Residential Scenario and 34,790 for the Maximum Commercial Scenario, a portion of which would use 22nd Street for access and/or egress. This information from the TIS was used in the CalEEMod computer model as one of the refinements

[14] San Francisco Office of Community Investment and Infrastructure and San Francisco Planning Department, *Golden State Warriors Event Center and Mixed-Use Development at Mission Bay Blocks 29-32, Supplemental Environmental Impact Report*, November 3, 2015 (State Clearinghouse No. 2014112045), p. 13.11-82.

entered to provide project-specific analysis results for emissions of criteria pollutants. These results are summarized in EIR Table 4.G.10: Unmitigated Average Daily and Maximum Annual Operational Emissions at Project Build-out for the Maximum Residential Scenario, and Table 4.G.11: Unmitigated Average Daily and Maximum Annual Operational Emissions at Project Build-out for the Maximum Commercial Scenario, on pp. 4.G.59 and 4.G.60, respectively, both of which include a "mobile sources" row presenting ROG, NOx, PM_{10} and $PM_{2.5}$ that would be generated by the Proposed Project. The analysis includes vehicles that would use 22nd Street, but appropriately does not limit the analysis to emissions that either would start with traffic on 22nd Street or would be limited to a 22nd Street location. The results of the analysis show that operational emissions associated with buildout of either scenario, including mobile source emissions, would exceed thresholds of significance (see EIR p. 4.G.58). As stated on EIR p. 4.G.60, implementation of air quality Mitigation Measures M-AQ-1b through M-AQ-1g, including Mitigation Measure M-AQ-1f: Transportation Demand Management that is intended to reduce daily one-way vehicle trips by 20 percent, would reduce, but would not eliminate, the significant impact.

Toxic air contaminants (TACs) are discussed on EIR pp. 4.G.10-4.G.15. TACs are assessed locally and are analyzed using a health risk assessment (HRA). As explained in the EIR, San Francisco has established Air Pollutant Exposure Zones (APEZ) identifying areas of the City with poor air quality, including locations within 500 feet of major freeways. A special analysis was prepared for the Pier 70 site to establish whether that location is in an APEZ; the conclusion of the analysis was that the project site is not within an APEZ (EIR pp. 4.G.11-4.G.12). A HRA was conducted for the Proposed Project to determine whether it, in combination with other existing nearby sources, would result in off-site or on-site receptors meeting the APEZ criteria. The analysis shows that off-site receptors (residences and schools within 1,000 meters of the project site) would not be exposed to excess cancer risk above 100/million persons exposed from a combination of construction and operational emissions from the Proposed Project (including vehicular traffic), and the impact would be less than significant with no mitigation needed (EIR p. 4.G.65). Therefore, off-site receptors on 22nd Street outside of the project site within the air quality study area (residences and schools within 1,000 meters of the project site) would not be exposed to excess cancer risk above significance thresholds from the Proposed Project in combination with background traffic from other projects (Tables 4.G.14 and 4.G.15, EIR pp. 4.G.66-4.G.67). Construction and operation of the Proposed Project, including vehicular traffic and in combination with existing background concentrations, would result in a significant health risk impact for on-site sensitive receptors under both the Maximum Residential Scenario and the Maximum Commercial Scenario; this impact would be mitigated to less-than-significant levels with implementation of Mitigation Measure M-AQ-1a. Health risk impacts from the Proposed Project considered in combination with projections of cumulative development within 1,000 feet of the project site in 2040 would not be significant based on citywide modeling showing

reductions in future background cancer risk compared to existing baseline cancer risk (EIR pp. 4.G.76-4.G.77).

COMMENT TR-11: PARKING

"G. Has any thoughts been given to Scooter/motor cycle parking?" *(Dennis Hong, Email, February 23, 2017 [I-Hong-9])*

"But it wasn't clear to me, from my read of the EIR, whether or not the two parcels that are set aside for parking structures are the only parking that will be allowed on-site. That wasn't clear to me.

"So there is a table that does say, in the different project options, how many on-street -- on-site -- on-street and off-street parking spaces will be allowed, but it's not clear that the off-street parking is 100 percent in those two sites -- parcels that are set aside for parking. And so if they are not, certainly that would be -- that would impact the traffic study -- impact the mode split.

"I think that – I'm sure there's going to be some resurgence, but even from my personal experience, actually growing up in a place -- [Roosevelt] Island, New York City, where they had that exact setup -- where you had an entire project, and the only parking allowed on the entire site was one parking structure at the end of the island, that actually significantly impacted mode split in any way that you don't have when every building has its own set of parking spots.

"So that's something that I think is really important, and it impacts how we would look at the traffic study, and I would hope that that would be clarified in the project description." *(Commissioner Christine D. Johnson, San Francisco Planning Commission, DEIR Hearing Transcript, February 9, 2017 [A-CPC-Johnson-4])*

"• The FEIR should discuss the parking and public transportation options that will be available to those members of the public who will visit the project site primarily to access the shoreline open space areas. Bay Plan Public Access Policy No. 9 discusses the connection between shoreline walkways and nearby parking and public transportation. Appearance, Design, and Scenic Views Policy No. 4 requires that parking areas be located away from the shoreline, but allows "some small parking areas for fishing access and Bay viewing." Public Access Design Guideline Objective No. 2 is to make public access usable, which can be accomplished by, among other actions "providing public parking for convenient access to the Bay." Please indicate the location of parking that would be provided outside of the parking pavilion, if any, and indicate whether any parking will be provided free of charge for users of the shoreline open space areas. For members of the public accessing the site via public transportation, please discuss the connections between the shoreline and stops for buses and trains, including the distances between the two points." (*Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-10])*

RESPONSE TR-11: PARKING

As noted in the EIR and in Section 4.B, Senate Bill 743 in this Comments and Responses document, the Proposed Project meets the criteria identified in SB 743, codified as Public Resources Code Section 20199, for a mixed-use residential project on an infill site located within a transit priority area. Therefore, adequacy of parking is not used to determine significance of project impacts under CEQA. However, the EIR presents a discussion of parking demand and supply for informational purposes and considers the secondary physical impacts associated with constrained supply (see pp. 4.E.48, and 4.E.124-4.E.126).

Figure 2.5: Proposed SUD Land Use Program, on EIR p. 2.22, illustrates various components of the Proposed Project, including the location of proposed parking structures and their proximity to open space within the project and along the shoreline. As described in the EIR (see pp. 2.25-2.27), Parcels C1 and C2 would be designated for structured parking, but could be developed with other uses, depending on future demand for parking on the site. Additionally, all 28-Acre Site parcels (except existing Buildings 2, 12, and 21 and Parcel E4) as well as all Illinois Parcels would allow provision of some accessory parking. In total, a maximum of 3,370 off-street parking spaces would be allowed under the Maximum Residential Scenario, and 3,496 off-street spaces would be allowed under the Maximum Commercial Scenario (see EIR pp. 2.53-2.55). Some of these spaces would be shared parking spaces on Parcels C1 and/or C2 if either or both were developed as parking structures.

In addition, as shown on Table 2.3: Project Summary – Maximum Residential Scenario, on EIR p. 2.29, and Table 2.4: Project Summary – Maximum Commercial Scenario, on EIR pp. 2.31, the Proposed Project would include 253 on-street spaces, located on streets throughout the Proposed Project. As noted in the Proposed Project's TIS (Appendix B to the EIR), on-street parking would be provided on most internal streets, including 20th Street, 21st Street, 22nd Street, Louisiana Street, and Maryland Street. Therefore, visitors who wish to drive to access the Proposed Project's shoreline open space could park on-street or in the project's parking structures. All parking on the Proposed Project site would be priced as a means to encourage transit use, walking, and bicycling to the site, as well as to manage the limited parking supply on the site.

The analysis conducted for the TIS and summarized in the EIR is generally applicable regardless of where parking would be located on the site. Whether parking is provided as accessory to individual uses or in separated, shared parking structures, the forecasts of travel behavior and associated impacts would not be affected. The EIR analysis conservatively assumes that the two structured parking buildings (Parcels C1 and C2) would be constructed as either residential or commercial uses to ensure that the maximum amount of potential development that could occur at the site is evaluated. The maximum amount of parking on the site would be the same whether or not Parcels C1 and C2 were developed as parking structures.

For those visitors who wish to use public transit to access the open space, the vast majority are expected to use one of the three lines that stop at Third Street and 20th Street: the T Third light rail, the 22 Fillmore bus route, or the 48 Quintara/24th Street bus route. From the intersection of Third Street and 20th Street, visitors would likely travel along 20th Street, past Illinois Street, directly into the project site, until they reach the Waterfront Terrace.

Impacts TR-8 through TR-10 in the EIR (see pp. 4.E.96-4.E.100) describe the adequacy of the pedestrian facilities within and around the project site, including the routes between major transit stops and the waterfront. In summary, these impacts found that new pedestrian facilities would generally be adequate to accommodate travel within the site, and while there are some incomplete facilities in the vicinity of the project site, there would not be a substantial hazard to pedestrian traffic generated by the Proposed Project. However, the EIR does conclude that there would be a significant impact on pedestrian facilities along and across Illinois Street at 20th Street, and it identifies Mitigation Measure M-TR-10: Improve pedestrian facilities on Illinois Street adjacent to and leading to the project site, EIR pp. 4.E.99-4.E.100, which, among other things, requires a new traffic signal and curb ramp upgrades at the intersection of Illinois Street and 20th Street.[15] In summary, travel routes between major transit routes and the Proposed Project's waterfront area are expected to be adequate.

There is currently no commitment or requirement that motorcycle or scooter parking be included in the Proposed Project's parking supply. However, it is possible that, as designs progress, some of the proposed parking spaces may be dedicated to those smaller vehicle types.

COMMENT TR-12: CUMULATIVE CONDITIONS

"*Outdated Growth Projections Applied*
"The Draft EIR utilized outdated growth projections for cumulative transit analysis. The TEP Report cited in the analysis was published in March 2014 and based on earlier ABAG data, not project specific data. (DEIR pg. 4.E.12.)" (*Bruce Kin Huie, President, Dogpatch Neighborhood Association, Email, February 21, 2017* [O-DNA-2])

"*Outdated Growth Projections*
"The Draft EIR utilized outdated growth projections for cumulative transit analysis. The TEP Report cited in the analysis was published in March 2014 and based on earlier ABAG data, not project specific data. (DEIR pg. 4.E.12.)" *(J. R. Eppler, President, Potrero Boosters Neighborhood Association, and Rachel Mansfield Howlett, Provencher & Flatt LLP, on behalf of*

[15] Although not as directly related to routes of travel between the project site and nearby transit routes, the mitigation measure also includes improvements to the sidewalk along the site frontage on the eastern side of Illinois Street and new signal and pedestrian upgrades to the intersection of Illinois Street / 22nd Street. The Proposed Project itself would include construction of a new intersection at Illinois Street / 21st Street, which would also include upgraded pedestrian facilities.

Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association, Email, February 21, 2017 [O-DNA&PBNA-5])

"C. What impact will the demolition of the 280 Freeway have to this area?" *(Dennis Hong, Email, February 23, 2017 [I-Hong-5])*

"E. The 22nd Street plan has some great ideas. Can some of these thoughts could be used in this project only because it can sort of be a transition point to the Pier 70 Plan and the Central Water Front Plan especially at 3rd Street and Illinois Street? I think this was mentioned in the DEIR?" *(Dennis Hong, Email, February 23, 2017 [I-Hong-7])*

RESPONSE TR-12: CUMULATIVE CONDITIONS

The text in the EIR on p. 4.E.75 incorrectly identifies the source of the year 2040 transit screenline forecasts as being from the Transit Effectiveness Project (TEP). In fact, the TEP forecasts only extend out as far as year 2035, and, as noted in the comments, do not reflect the latest information available at the time of preparation of this study. In fact, the 2040 transit screenline forecasts were actually derived from an SF-CHAMP model run that was prepared for the Central SoMa study, which were based on the most recent set of land use forecasts available at the time of the analysis: the Association of Bay Area Governments' *Projections 2013*. These forecasts incorporate regional growth projections in households and employment identified in *Plan Bay Area*, the Bay Area's regional growth and transportation plan. To correct the source and a typographical error, the text in the last paragraph on p. 4.E.75 has been revised, as follows (new text is underlined and deleted text is shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> Future year 2040 cumulative transit ridership projections were developed based on transit growth projections developed for the ~~Transit Effectiveness Project~~ Central SoMa Study and provided by the Planning Department. Forecast future hourly ridership demand was then compared to expected hourly capacity, as determined by the likely route and headway changes identified in Muni Forward, including those described above under the "Future ~~2010~~ 2040 Transportation Network Improvements" discussion, p. 4.E.74, to estimate capacity utilization under 2040 cumulative conditions.

Although there has been some discussion and preliminary analysis regarding potential demolition of a portion of the I-280 freeway near Mission Bay, it would be speculative to include that project in the cumulative analysis for several reasons. First, the scope of such a project is still very unclear, and as such, the range of potential effects is uncertain and an attempt to discuss the Proposed Project in the context of such an uncertain background would not be meaningful. Second, funding mechanisms for such a project are unknown, such that even if a final design concept had been identified, it is uncertain as to whether it could be feasibly constructed, and

therefore it may be misleading to include that project as part of cumulative conditions. If it is ultimately defined and the City elects to pursue it, the effects of such a project on the surrounding transportation network would be evaluated as part of that project's environmental review, which would include consideration of growth and changes to the street network proposed by the Pier 70 project.

The analysis of cumulative conditions does incorporate the proposed 22nd Street Greening Project, which would improve streetscape amenities and landscaping along 22nd Street between Pennsylvania Avenue and Third Street. Neither the 22nd Street Greening Project nor the Proposed Project include additional improvements on 22nd Street between Third Street and Illinois Street. The EIR concludes that pedestrian facilities on 22nd Street between Third Street and Illinois Street are adequate to accommodate project-generated demands, and additional treatments are not required as mitigation measures. Therefore, the EIR does not include an assessment of improvements on this section of 22nd Street.

COMMENT TR-13: ALTERNATIVE MITIGATION MEASURES

"2. TRANSPORTATION
"The cumulative impacts of the newly approved Warrior Stadium, UCSF Hospital, ATT Park and the accelerating overdevelopment around Potrero Hill and Dog Patch are already overwhelming the existing public transportation infrastructure along Third Street, which is the only major transportation connection connecting Pier 70 to our city.

"The 280 freeway is now chronic gridlock from 8am to 8pm during weekdays.

"This Pier 70 development will add 131,000 to 141,000 new trips to/from the neighborhood.

"I urge the project sponsor to fund creative solutions such as an aerial cable-propelled transit system —as considered in Brooklyn, Washington, Chicago, San Diego, Seattle, Cleveland, Cincinnati, Buffalo, Baton Rouge, Austin, Tampa Bay, Miami, and as already existing in Mexico, Brazil, Bolivia, Colombia, the Dominican Republic, Ecuador, Peru and Venezuela— that could complement the traditional MUNI ground networks of buses and streetcars.

"An aerial system could be a "temporary" remediation that is removable after sufficient conventional transit improvements are afforded by MUNI.

"To service new Pier 70 residents and workers, I would propose an aerial cable-propelled gondola transit system from Embarcadero BART > ATT Ballpark > Warriors > Pier 70 > Caltrain 22th Street Station. 3 mile over 32 towers traveled in 17 minutes.

"A similar 3 miles aerial cable-propelled system in Mexico City opened in 2016 was constructed for $26 million.

"Highlights of the "Mexicable" aerial system in Mexico City:

"• 3,000 passengers per hour each direction

"• Zero CO2 emissions

"• "Two stations will house daycare centers for children of working parents"

"• A ticket costs eight pesos (43 cents)

"Here are more examples of aerial cable-propelled transit systems:

"10 Urban Gondolas Changing the Way People Move

"http://www.curbed.com/2016/7/25/12248896/urban-gondolas-cable-cars-cities

"https://www.wsj.com/articles/uphill-climb-cities-push-gondolas-on-skeptical-commuters-1465237251

"http://www.chicagotribune.com/news/local/breaking/ct-sky-gondolas-chicago-river-met-0505-20160504-story.html

"https://archpaper.com/2016/05/chicago-skyline-gondola-proposal/#gallery-0-slide-0

"http://www.chicagotribune.com/news/local/breaking/ct-sky-gondolas-chicago-river-met-0505-20160504-story.html" *(Sean Angles, Email, February 21, 2017 [I-Angles-3])*

RESPONSE TR-13: ALTERNATIVE MITIGATION MEASURES

The EIR analysis of cumulative conditions incorporates growth in traffic volumes and transit ridership associated with expected regional growth in population and employment. The EIR also incorporates planned improvements to transportation infrastructure to accommodate that growth, such as Muni Forward (formerly the Transit Effectiveness Project) and the Central Subway. Therefore, the extent to which the Proposed Project, individually and cumulatively, would contribute to transportation capacity or safety concerns is evaluated in the EIR.

As noted in the EIR (pp. 4.E.48-4.E.55), the City of San Francisco no longer considers traffic congestion itself a significant environmental impact pursuant to amendments to the California Environmental Quality Act in SB 743, and therefore no mitigation is required for traffic congestion on I-280 or local facilities. The EIR also evaluates transit operations.

The EIR transit analysis concludes that under conditions with the Proposed Project and transportation projects currently expected to be in place when the Proposed Project is constructed, transit capacity would generally be adequate in the near term, with the exception of the 48 Quintara/24th Street bus route. The EIR identifies Mitigation Measure M-TR-5: Monitor and increase capacity on the 48 Quintara/24th Street bus routes as needed, on pp. 4.E.91-4.E.93. This measure calls for the project sponsor to purchase additional transit vehicles such that the capacity would be adequate. If implemented (along with project-proposed transit improvements, such as shuttles to regional transit service), this measure would ensure adequate transit capacity in the area with construction of the Proposed Project. However, SFMTA cannot guarantee that these additional buses would be operated along the specified routes in the long-term future, and the impact is described as significant and unavoidable.

The EIR also explains that in the long term, the Proposed Project and other anticipated development would create additional transit capacity issues on the 48 Quintara/24th Street and the

22 Fillmore bus route. The EIR identifies Cumulative Mitigation Measures C-M-TR-4A: Increase Capacity on the 48 Quintara/24th Street bus route under the Maximum Residential Scenario, and C-M-TR-4B: Increase capacity on the 22 Fillmore bus route under the Maximum Commercial Scenario, p. 4.E.118, which call for the project sponsor to purchase additional vehicles equal to the Proposed Project's relative contribution to those cumulative impacts (under the appropriate development scenario). Similar to Impact TR-5, Cumulative Impact C-TR-4 is described as significant and unavoidable because SFMTA cannot guarantee that these additional buses would be operated along the specified routes in the long-term future.

Alternative mitigation measures, such as an aerial gondola as proposed in the comment, would require substantial public outreach, financial subsidy, and engineering studies. If such a system were proposed as mitigation, it is unclear whether it would in fact mitigate the significant impacts forecasted on the 48 Quintara/24th Street or the 22 Fillmore bus routes. And, even if it were shown to be effective at mitigating the significant impacts, such a system would come with substantially more uncertainty than the transit mitigation measures identified in the EIR and it would not change the conclusion that because feasibility is uncertain, the impact would remain significant and unavoidable. Thus, such a system is not recommended as mitigation for project impacts.

H. NOISE

The comments and corresponding responses in this section relate to the topic of Noise, evaluated in EIR Section 4.F. The comments are further grouped according to the following issues:

- NO-1: Noise Impacts from Hoedown Yard
- NO-2: Cumulative Noise Impacts
- NO-3: Construction Noise Impacts on Future Workers and Residents

A corresponding response follows each group of comments.

COMMENT NO-1: NOISE IMPACTS FROM HOEDOWN YARD

"8. Table 4.F.11 Maximum Residential Scenario and Impact NO-6 – The impact analysis does not specifically address the impacts of Hoedown Yard noise on future residents in the vicinity, in particular at Parcel PKS, in the event that the Hoedown Yard remains in use by PG&E. The table does not clarify what worst case noise levels would be for sensitive receptors in the vicinity, including Parcels PKS, PKN, and Irish Hill Playground, for the case if the Hoedown Yard is not developed for residential uses." (*Sara Sadler, Pacific Gas and Electric Company, Letter, February 21, 2017 [A-PGE-8])*

RESPONSE NO-1: NOISE IMPACTS FROM HOEDOWN YARD

The EIR's noise impact analysis evaluates noise impacts based on noise measurements collected on the project site, which included noise from PG&E uses on the Hoedown Yard, specifically noise measurement locations LT-6, ST-6, and ST-7 (see Table 4.F.3: Summary of Long-Term (LT) and Short-Term (ST) Noise Monitoring on the Project Site and Vicinity, EIR p. 4.F.11). Therefore, noise currently generated by activities at the Hoedown Yard was already considered under baseline conditions in the EIR's impact analysis. On EIR p. 4.F.59, the impact discussion acknowledges the Hoedown Yard as one of several sources of future noise on the project site:

> As indicated above, the primary sources of future noise on the project site and its vicinity are from BAE Systems Ship Repair facility activities, earthmoving activities in the southwestern corner of the Illinois Parcel (PG&E Hoedown Yard), Existing Plus Project traffic noise on Illinois Street and other local streets, tonal noise from transformers at PG&E Potrero Substation, and loading dock activities along Illinois Street at the AIC Building.

In addition, noise measurements presented in EIR Table 4.F.3 indicate that noise levels within the Hoedown Yard (LT-7) were measured at 68 dBA (L_{dn}), while noise levels approximately 280 feet north of the Hoedown Yard (LT-6) averaged 64 dBA (L_{dn}). These measurements indicate that noise levels, whether on or immediately adjacent to the Hoedown Yard or 280 feet from the Yard, are defined as "Conditionally Acceptable" for residential uses, when compared to

the City's Noise Guidelines in Figure 4.F.3: San Francisco Land Use Compatibility Chart for Community Noise, EIR p. 4.F.23.

Under both the Maximum Residential Scenario and the Maximum Commercial Scenario, the closest parcels where residential uses could be developed would be Parcel PKN, located as close as approximately 150 feet to the north, and Parcel C2, located approximately 100 feet to the east. In Table 4.F.11: Noise Compatibility by Parcel – Maximum Residential Scenario, EIR p. 4.F.61, and Table 4.F.12: Noise Compatibility by Parcel – Maximum Residential Scenario, EIR p. 4.F.65, noise levels are identified as "Conditionally Acceptable" for residential uses, which would be consistent with noise measurement data collected at the Hoedown Yard. Nevertheless, the following clarification has been made to the first bulleted item in Mitigation Measure M-NO-6: Design of Future Noise-Sensitive Uses, on EIR p. 4.F.71, to minimize the potential for future noise conflicts between the existing Hoedown Yard and future residential uses (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR:

- Orient bedrooms away from major noise sources (i.e., major streets, open space/recreation areas where special events would occur, and existing adjacent industrial uses, including but not limited to the AIC, PG&E Hoedown Yard (if it is still operating at that time), Potrero Substation, and the BAE site) and/or provide additional enhanced noise insulation features (higher STC ratings) or mechanical ventilation to minimize the effects of maximum instantaneous noise levels generated by these uses even though there is no code requirement to reduce L_{max} noise levels. Such measures shall be implemented on Parcels D and E1 (both scenarios), Building 2 (Maximum Residential Scenario only), Parcels PKN (both scenarios), PKS (both scenarios), and HDY (Maximum Residential Scenario only);

COMMENT NO-2: CUMULATIVE NOISE IMPACTS

"9. Page 4.F.75, Impact C-NO-1does not address the cumulative noise impacts associated with the remediation construction activities that may potentially occur at the same time as the construction associated with the proposed Redevelopment project. Please consider adding analysis for anticipated ongoing activities to include the ongoing remediation activities described in the RAPs for the Northeast Area Remediation Project for which temporary noise impacts were evaluated in the Initial Study/Mitigated Negative Declaration for the Draft Remedial Action Plan for the Northeast Area of the Potrero Power Plant and a Portion of the Southeast Area (State Clearinghouse no. 2016022030), as well as a qualitative analysis of the future Offshore Sediment Area Remediation Project that may cause temporary noise, in addition to any existing equipment at the Potrero Substation." (*Sara Sadler, Pacific Gas and Electric Company, Letter, February 21, 2017 [A-PGE-9])*

RESPONSE NO-2: CUMULATIVE NOISE IMPACTS

With respect to the status of PG&E's remediation activities associated with the former Potrero Power Plant,[1] there are five areas of remediation located on or adjacent to the Illinois Parcels site or 28-Acre Site: (1) Hoedown Yard; (2) PG&E Switchyard/Construction Yard; (3) Northeast Area; (4) Offshore Sediment Area; and (5) Tank Farm. The status of remediation activities and potential noise impacts on future residents on the project site are outlined by area below:

- **Hoedown Yard.** Remediation activities by PG&E have been completed at the Hoedown Yard (in the vicinity of Parcels PKS and HDY). Since remediation activities are complete in this area, there would be no noise impacts from remediation activities on future proposed development. Noise impacts on future development from continued operation of the Hoedown Yard as a corporation yard are discussed above in Response NO-1.
- **PG&E Switchyard/Construction Yard.** Remediation has been completed in the PG&E Switchyard/Construction Yard, which is located south of the Hoedown Yard. Since remediation activities in this area have been completed, there would be no noise impacts from remediation activities on future proposed development. Noise impacts on future development from various existing and future noise sources, including continued operation of the PG&E Switchyard (referred to as the "PG&E Potrero Substation" in the EIR) are discussed in Impact NO-6, on EIR pp. 4.F.59-4.F.71.
- **Northeast Area (and Port Property).** Remediation in the southeastern corner of the 28-Acre Site (Parcels E3 and H1/H2) is scheduled for completion in 2017, while remediation of the off-site area (referred to as the Northeast Area), which is located south of those parcels, is scheduled for completion in the first quarter of 2020. Remediation in this area will involve limited excavation, solidification of contaminated materials in place using a cement mix, and installation of a durable cover. Parcels E3, H1, and H2 could not be developed until remediation of this area has been completed, and the proposed phasing plan reflects this expectation, as these parcels would not be developed until Phases 4 and 5 (2024 to 2029). Parcel E2, however, is located near this remediation area and it is proposed to be developed with residential uses (under both scenarios) in Phase 2 (2018-2020). However, given that these remediation activities are scheduled for completion by April 2020 and any planned residential development of this parcel is expected to be completed in fall 2020 (late 2020) and occupied in fall 2020 (late 2020) or winter 2021 (early 2021), it is unlikely that future residential development on Parcel E2 would be adversely affected by noise associated with remediation activities in this area.

  It is possible, however, that proposed residences on Parcel PKN (Phase 1) would be completed and occupied by late 2019 and future residents could be subject to noise from off-site remediation activities for a few months in early 2020. The minimum distance between these future residents and off-site activities would be approximately 1,600 feet. At this distance, maximum construction noise levels from off-site remediation activities

[1] PG&E, Potrero Power Plant Cleanup Areas and Recent Activities. Available online at https://www.pge.com/en_US/about-pge/environment/taking-responsibility/manufactured-gas-plants/cleanup.page#Offshore. Accessed March 20, 2017.

(89 dBA (L_{eq}) at 50 feet[2]) would be 59 to 66 dBA (L_{eq}), which would meet and possibly slightly exceed existing ambient noise levels at Parcel PKN. Since ambient noise levels between 60 and 70 dBA (L_{dn}) are considered by the City to be Conditionally Acceptable and residential units on Parcel PKN would be subject to Mitigation Measure M-NO-6 (Design of Future Noise-Sensitive Uses), attenuation measures would be required in these units to achieve acceptable interior noise levels. These measures would also ensure that acceptable interior noise levels would be maintained even with temporary noise increases associated with off-site remediation activities.

With respect to existing off-site residential receptors to the west of Third Street, when temporary noise increases from off-site remediation activities exposure at these receptors (57 to 64 dBA (L_{eq})[3]) are added to temporary noise increases resulting from project construction during Phases 1 and 2 (80 to 82 dBA and 77 to 79 dBA (L_{eq}) at these receptors; EIR p. 4.F.37), project-related construction noise levels would increase by less than 1 dBA, which would be a less-than-significant cumulative noise impact.

- **Offshore Sediment Area.** Although PG&E is in the process of developing a cleanup plan for the Offshore Sediment Area, the approved cleanup method will be dredging and removal of impacted sediment in the Nearshore Area (about 50 to 75 feet from the shoreline) and capping the areas with some sediments treated in place using activated carbon. Impacted sediment in the Transition Area (about 100 to 150 feet into the Bay) will be treated in place with activated carbon and/or monitored. The Draft Remedial Action Plan (RAP) has been prepared and the implementation schedule indicates that remediation activities are expected to commence in late 2019 and the duration is estimated at seven to eight months. Project parcels along the shoreline (Parcels B1/B2, E3, E4, and H2) are proposed to be developed in Phase 4 (2024-2026) or Phase 5 (2027-2029). Since offshore remediation activities are planned to be completed by mid to late 2020 and Phase 4 and Phase 5 buildings would not be occupied until well after 2020, these future residents/occupants would not be affected by offshore remediation activities.
- **Tank Farm Area.** Removal of the aboveground tank farm facilities began in June 2017 and remediation of underlying soils is undergoing evaluation. Once remediation requirements are determined, a Remedial Action Plan will be prepared. PG&E expects remediation to be completed by 2023. The Tank Farm Area is the portion of the Potrero Plant Site that is contiguous to the southern boundary of the 28-Acre Site (adjacent to Parcels F, G, and H1). Under the Maximum Commercial Scenario, no residential uses would be developed on these parcels, which would limit the potential for noise impacts from future remediation activities. Under the Maximum Residential Scenario, residential uses would be developed on Parcels F and G in Phase 3 (2021-2023) and on Parcel H1 in Phase 5 (2027-2029). Proposed development of these parcels in the later phases of project development would help to limit the potential for noise disturbance of future on-site residents from these remediation activities, and occupancy of any these residential buildings would likely not occur until 2023 at the earliest. Since the RAP for the Tank

[2] Haley & Aldrich, Inc., *Draft Remedial Action Plan, Northeast Area of the Potrero Power Plant and a Portion of the Southeast Area of Pier 70, Potrero Power Plant Site, San Francisco, California, Appendix D, CEQA Documents, Mitigated Negative Declaration and Draft Initial Study.* Available online at http://www.waterboards.ca.gov/sanfranciscobay/board_info/agendas/2016/March/potrero/Draft_Remedial_Action_plan.pdf. Accessed April 14, 2017.

[3] Ibid. pp. 84-85 of Initial Study.

Farm Area and the implementation schedule for cleanup have not yet been prepared, it is too speculative to determine the noise impacts of these activities on any future Pier 70 residents/occupants. However, planned completion of remediation by 2023 would minimize the potential for remediation-related noise to adversely affect future project residents.

In addition to the site-specific noise impacts described above, short-term increases in haul truck traffic could be generated by ongoing and future remediation activities on the Potrero Power Plant site. The IS/MND for the Northeast Area remediation activities indicates that up to 6.2 trucks per hour would be generated by remediation activities and would use 20th and 23rd streets to access Illinois Street. After remediation on the 28-Acre Site has been completed in 2017 and construction begins on site, these trucks would use 23rd Street to access the Northeast Area. With access restricted to 23rd Street, truck traffic noise generated by these remediation activities is not expected to adversely affect future residents on Parcel PKN or any other future residents living adjacent to 22nd Street. From 23rd Street, these trucks would use Illinois Street, Third Street, 25th Street, and Cesar Chavez Street to access nearby freeways. These streets already serve as truck routes, have higher ambient noise levels than local residential streets, and have few to no residential or other sensitive receptor land uses located adjacent to or near them. Therefore, this small number of trucks generated by remediation activities on the Potrero Power Plant site is not expected to substantially increase ambient noise levels on these streets or adversely affect nearby sensitive receptors. Cumulative truck traffic noise increases are identified in the EIR as less than significant, and with the addition of 6.2 trucks per hour on these busy, industrial streets, this determination would remain the same: less than significant.

COMMENT NO-3: CONSTRUCTION NOISE IMPACTS ON FUTURE WORKERS AND RESIDENTS

"**4F: Noise**
"Since it will take 11 years to build this part of pier 70 into a new neighborhood, residents and workers are going to be subject to construction noise while they are working or snoozing. Parts of the project will begin after another section is completed. Dealing with noise is going to be a very complex and difficult activity, particularly with the historic buildings nearby, which should be filled with workers by the time the 28 acres are started.

"Noise will have to be tightly monitored throughout the project, including truck movements (45,000 truck trips to just take away and deliver soil). New buildings will have to be built to a high standard in terms of noise attenuation. The problem is that so many troublesome noise sources exist within and without the project. The various mitigations are proposed are fine. Air quality is also a concern because noise (re. trucks, pile drivers, excavators, cement breaking machines) not only causes lots of noise, but also considerable air pollution." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-25])*

RESPONSE NO-3: CONSTRUCTION NOISE IMPACTS ON FUTURE WORKERS AND RESIDENTS

Noise impacts on existing off-site receptors as well as future on-site receptors from construction noise during the 11-year construction duration are described in Impact NO-2, EIR pp. 4.F.36-4.F.41. Although the impact analysis focuses on residential receptors because they are generally considered to be more sensitive to noise, it is acknowledged that daytime construction noise could also adversely affect future workers located in occupied on-site buildings. The EIR specifies two mitigation measures, M-NO-1: Construction Noise Control Plan, EIR p. 4.F.33, and M-NO-2: Noise Control Measures During Pile Driving, EIR p. 4.F.40, that would help reduce construction noise impacts on both future on-site residents and workers. However, the EIR acknowledges that even with these measures, the potential for noise disturbance of future on-site receptors would be reduced but noise could still reach or exceed threshold levels, which are defined as noise levels that are perceived to be a doubling (10 dBA or more) of ambient levels. Therefore, as concluded on EIR p. 4.F.39 (last paragraph), construction noise impacts are conservatively considered to be significant and unavoidable with mitigation.

With respect to the need for noise attenuation measures to be incorporated into future building designs due to noise generated by truck movements, Mitigation Measure M-NO-6 (EIR p. 4.F.75) requires that the interiors of future residences meet the 45-dBA interior noise limit specified in Title 24 and the City's Police Code Article 29, Section 2909(d). This measure also requires that a noise study be conducted prior to issuance of a building permit for future residential development on each parcel. This study will need to account for existing and projected future noise sources, including traffic noise levels.

The comment expresses concern about how construction could affect air quality. This issue is addressed in EIR Section 4.G, Air Quality. Specifically, Impact AQ-3 on EIR p. 4.G.62 discusses the findings of a health risk assessment that was performed to assess the potential impacts of construction activities on sensitive receptors. The analysis identifies a potential significant impact to on-site receptors by the Proposed Project. Unmitigated project emissions would combine with existing background concentrations and would exceed the excess cancer risk criteria of an excess cancer risk of 100 per one million persons exposed. Construction-related emissions account for 94 to 96 percent of the increased cancer risk under the Maximum Residential Scenario and for 94 to 97 percent under the Maximum Commercial Scenario (EIR Table 4.G.6-4.G.16). However, implementation of Mitigation Measure M-AQ-1a: Construction Emissions Minimization, on EIR pp. 4.G.42-4.G.44, is sufficient to reduce this impact to a less-than-significant level. Construction-related cancer risk exposure to all off-site receptors was found to be less than significant even without identified mitigation that would be implemented.

I. AIR QUALITY

The comments and corresponding responses in this section relate to the topic of Air Quality, evaluated in EIR Section 4.G.

COMMENT AQ-1: AIRBORNE SERPENTINE PARTICULATE RELEASE

"The following impact analyses are additional examples of inadequate effectivity as a CEQA Lead Agency:…

"• The Air Quality section does not explicitly consider the potential for airborne serpentine particulate release (NOA) during civil construction." *(Clair and Don Clark, Letter, February 8, 2017 [I-C&DClark1-6])*

"• The Air Quality section does not consider the potential for airborne serpentine particulate release during civil construction. *(Don Clark, January 17, 2017 [I-DClark4-3])*

RESPONSE AQ-1: AIRBORNE SERPENTINE PARTICULATE RELEASE

Airborne serpentine is considered a health hazard and is adequately addressed in EIR Section 4.P, Hazards and Hazardous Materials; specifically, Impact HZ-8, on pp. 4.P.69-4.P.71, discusses the potential hazards posed by exposure to serpentine particulate release. Mitigation Measure M-HZ-8a: Prevent Contact with Serpentine Bedrock and Fill Materials in Irish Hill Playground, and Mitigation Measure M-HZ-8b: Restrictions on the Use of Irish Hill Playground, are identified to reduce impacts related to exposure to serpentine particulate release to a less than significant level.

To clarify the location in the EIR where airborne serpentine impacts are addressed, the following text has been added after the last sentence of the first paragraph on EIR p. 4.G.1 (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> The effects of airborne serpentine health hazards are discussed in Section 4.P, Hazards and Hazardous Materials.

J. WIND AND SHADOW

The comments and corresponding responses in this section relate to the topic of Wind and Shadow, evaluated in EIR Section 4.I. The comments are further grouped according to the following issues:

- Wind
- Shadow

A corresponding response follows each group of comments.

COMMENT WI-1: WIND

"**Wind Impacts**
"The Draft EIR makes the distinction between the Project's wind impacts under WS-1 for the temporary effects regarding public areas, and impacts due to WS-2, public open space built on rooftops, and WS-3, the effect of full build-out ground-level public areas. For WS-1 temporary impacts, the Draft EIR provides mandatory "requirements" for wind mitigation such that "if the proposed building(s) would result in a wind hazard exceedance, and the only way to eliminate the hazard is to redesign a proposed building, then the building *shall* be redesigned." (DEIR pg. 64-70, emphasis added.) WS-2 and WS-3 on the other hand, merely provide implementation of mitigation measures that *may* be imposed where "feasible", "where necessary", and "appropriate". These mitigation measures do not provide the necessary enforcement mechanisms, are vague, and lack performance standards.

"Planning Code section 148 provides that when a project's wind speeds exceed 11 miles per hour more than 10% of the time, an applicant is required to show that the building could not be designed to avoid the 10% exceedence or that redesign would unduly restrict the development potential. In order to show that a project will not result in these exceedances, a developer is required to show that an alternative configuration of the project is infeasible due to restrictions on development potential.

"**How does the Project conform to the requirements of Planning Code section 148?**"
(J. R. Eppler, President, Potrero Boosters Neighborhood Association, and Rachel Mansfield Howlett, Provencher & Flatt LLP, on behalf of Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association, Email, February 21, 2017 [O-DNA&PBNA-21])

RESPONSE WI-1: WIND

The comment asserts that the use of non-mandatory language in the wind mitigation measures is vague and ineffective. The comment also questions the conformity of the Proposed Project with Planning Code Section 148.

Planning Code Section 148 applies to regulate new construction only within Downtown C-3 Districts. Under Section 148, new buildings and additions within C-3 Districts may not cause wind speeds that meet or exceed this hazard criterion, and may not be approved. The project site

is not within any C-3 District and, as such, Section 148 does not apply to regulate new construction under the Proposed Project. However, as discussed on EIR p. 4.I.5, Section 148's wind hazard criterion[1] informs the Planning Department's standard methodology for determining the significance of wind impacts under the City's significance threshold for wind impacts[2] for the purpose of environmental review under CEQA.

Mitigation measures are required to reduce significant or potentially significant impacts to less-than-significant levels. For this reason, the mandatory term "shall" is incorporated into the language of all mitigation measures. When no significant or potentially significant impacts have been identified, improvement measures may be recommended to further reduce less-than-significant impacts. For this reason, the non-mandatory term "should" is appropriate in the language for all improvement measures.

Under Impact WS-1 (EIR pp. 4.I.54-4.I.60), the EIR identifies a significant impact in the potential for the emergence of temporary wind hazards during the phased build-out of the project site. The EIR identifies Mitigation Measure M-WS-1: Identification and Mitigation of Interim Hazardous Wind Impacts, pp. 4.I.56-4.I.60, which would reduce the impact to a less-than-significant level. It requires analysis by a qualified wind consultant of future building designs in the context of the then-current baseline of completed and approved buildings, and requires incorporation of design features and/or redesign of the building to avoid a wind hazard exceedance.

Under Impact WS-2 (EIR p. 4.I.60), the EIR identifies a significant impact in the potential for wind hazards occurring on the proposed rooftop public open spaces. The EIR identifies Mitigation Measure M-WS-2: Wind Reduction for Rooftop Winds, which would reduce the impact to a less-than-significant level. It requires analysis by a qualified wind consultant and requires incorporation of design features to be implemented as necessary and to the satisfaction of the Environmental Review Officer.

Mitigation Measures WS-1 and WS-2 afford some flexibility and discretion in the range of strategies that could be employed to address wind impacts to the satisfaction of the ERO. A flexible approach is warranted. The Proposed Project is not subject to the absolute prohibition on a project's creation of a net new wind hazard as it is not within the C-3 District, nor is it subject to any review and approval process under Section 148. Some flexibility in reducing wind is also warranted by the complex, variable, and site-specific nature of wind impacts, yet unknown future building designs, the sequencing of future construction, and by the range of various design

[1] 26 mph for a single hour of the year, or the equivalent 36 mph on a minute averaged basis (EIR pp 4.I.6-4.I.7)

[2] *i.e.*, whether a project would "alter wind in a manner that substantially affects public areas" (EIR p. 4.I.6)

strategies available to address wind. The imposition of specific mitigation measure requirements on future projects at this time would be speculative, constraining, and ineffective.

Under Impact WS-3 (EIR pp. 4.I.61-4.I.63) the EIR identifies a less-than-significant wind impact at full build-out of the Proposed Project. No mitigation measures for this impact are required under CEQA. The EIR identifies Improvement Measures I-WS-3a – I-WS-3f (EIR pp. 4.I.62-4.I.63) that would further reduce this less-than-significant impact. The decision-makers could choose to impose these improvement measures as conditions of approval. Because no mitigation is required by CEQA, the use of the non-mandatory term "should" in the Improvement Measures is appropriate.

COMMENT WI-2: SHADOW

"As advocates of open space, FoJP applauds the inclusion of 9 acres of open space in the project. However, the shadow study that we've seen shows that the distinctly tall buildings in the project will produce shadows that will throw those open spaces into darkness. Open space should be truly open, not hampered by darkness and shadows." (*Jude Deckenbach, Friends of Jackson Park, Email, February 21, 2017 [O-FoJP2-2])*

"**Shade and Shadow**
"The Draft EIR's shadow studies show deep shadowing of the Waterfront Terrace and the Waterfront Promenade every afternoon except during the summer equinox. The Irish Hill Playground and Market Square are in near constant shade over a significant area for almost the entire year. The Draft EIR notes that the "Proposed Project would cast shadow on open spaces in the vicinity of the project site, existing sidewalks in the vicinity of the project site, and San Francisco Bay." (DEIR pg. 4.I.109.) The Draft EIR impact evaluation under WS-4, incorrectly considers existing open space; analysis of open space that will be developed as part of the Project is not considered. Whether or not these open spaces are currently developed is irrelevant; as undeveloped land, they qualify as open space and should be evaluated. Shadowing of all onsite open space appears to be significant and the City's substantial restrictions on shadowing of public open space confirms that shade and shadow significantly impact the use of parks and open space. The shade/shadowing of the Irish Hill area, both as a contributing historic resource and as a playground, is of significant concern.

"**What is the shade/shadow impact to these undeveloped yet foreseeable open spaces like the Irish Hill Playground?**" *(J. R. Eppler, President, Potrero Boosters Neighborhood Association, and Rachel Mansfield Howlett, Provencher & Flatt LLP, on behalf of Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association, Email, February 21, 2017 [O-DNA&PBNA-22])*

"*General Plan*
"The Proposed Project will conflict with the following General Plan policy by blocking public vistas of the Bay and historic buildings, while shadowing the Bay shoreline and much of the onsite open space. The DEIR doesn't address this.

"PRIORITY POLICY 8 *"That our parks and open space and their access to sunlight and vistas be protected from development.""* *(Alison Heath, Grow Potrero Responsibly, Email, February 22, 2017 [O-GPR2-5])*

"**Shadow**
"The shadow studies show significant shadowing of the San Francisco Bay, the Waterfront Terrace, and Waterfront Promenade every afternoon except during the Summer Solstice, while the Irish Hill Playground and Market Square are in near constant shade over a significant area for almost the entire year. The DEIR notes that the "Proposed Project would cast shadow on open spaces in the vicinity of the project site, existing sidewalks in the vicinity of the project site, and San Francisco Bay." (4.I.109)

"The DEIR impact evaluation incorrectly omits impacts on existing open space that has not yet been developed. Whether or not these open spaces are currently developed is irrelevant for the analysis. Arguably, as undeveloped land, they qualify as defacto open space. Since shadowing of onsite open space appears to be significant it should be considered in the review with mitigations provided such as height reductions and larger breaks between buildings.

"The DEIR suggests that users of open space go elsewhere to find sun without full consideration of how these spaces would be used and without addressing the fact that enjoyment or use of these open spaces will be adversely affected. Of particular concern is the Irish Hill area, both as a contributing historic resource and with active use as a playground. This area will be in near constant shadow, limiting any benefit to the community." *(Alison Heath, Grow Potrero Responsibly, Email, February 22, 2017 [O-GPR2-24])*

"**I. Wind and Shadow**
"**4.I.78 Impact Evaluation**
"Impact WS-4: shadow (rated as less than significant)
"4.I.107 and Table 4.I.8 Shadow Coverage
"Even though the shadows created would not shadow an existing park or open space, **by fully surrounding Irish Hill by 60+ foot tall buildings that are planned, there will be a significant shadow on the proposed childrens playground for much of the morning and afternoon and evening except around noon every da of the year with very significant shadows in the fall, winter and spring. If this situation were proposed for an existing public open space it would not be allowed by San Francisco law. This fact makes the proposed plan unacceptable and is a significant impact on the future use of the already questionable plan to use of the top surface of Irish Hill as a usable public open space/childrens playground.**" *(Janet Carpinelli, Email, February 20, 2017 [I-Carpinelli-3])*

"**I. Wind and Shadow**
"**Cumulative Impacts**
"**Impact C-WS-2: (Less than significant)**
"Though technically the DIER finds the cumulative affect of the shadowing of this proposed park to be "Less than significant," **in reality as we know people use open space with sunshine as a significant contributor to why they choose to use a park/open space, and why the SF law to**

NOT SHADOW AN EXISTING PARK was put into effect—because the shadowing causes people to use the park less, making the park a significantly less useful or valuable space.

"**If one or two of the proposed buildings on the west and/or south sides of the proposed childrens playground/open space were eliminated or made to have a much smaller footprint/impact on the open space/shadow effect, the park might become a source of discovery of nature/history and a delightfully useful and attractive open space and children[']s play area.**

"**The EIR must ask and why has the DEIR not asked, what alternative proposal for height and/or proximity of buildings to this proposed park/open space would make this a truly usable and desirable park/open space?**" *(Janet Carpinelli, Email, February 20, 2017 [I-Carpinelli-4])*

RESPONSE WI-2: SHADOW

Comments express concern for the impact of shadows on the new open spaces that would be created under the Proposed Project. Comments also state that the EIR should cover the impact of shadow on such spaces.

The project site does not currently contain any developed or accessible public open space. Since these open spaces do not yet exist, and, in fact, are part of the Proposed Project itself, project shadow on these open spaces would not interfere with any existing recreational activity that may rely on access to sunlight nor with any existing expectations for sunlight on these open spaces. Therefore, the Proposed Project would have no impact under CEQA. Consistent with recent case law, CEQA does not generally require an evaluation of the impact of a proposed project on the future occupants or users of the project itself.

However, a detailed description and illustration of shadow impacts on each of these proposed open spaces is provided for informational purposes on EIR pp. 4.I.78-4.I.111. Consistent with the informational purposes of the EIR's discussion of shadow on proposed onsite open spaces, the EIR discloses and describes the amount of shading on each open space to be created under the Proposed Project. In particular, consistent with comments expressing concern for shadow from infill buildings near the future Irish Hill Playground, the EIR states "the Proposed Project would decrease the comfort of the space for use as a playground for much of the day throughout the year for those users who prefer sunlight to shade."

Concerns for shadow on future open spaces of the Proposed Project do not raise issues that concern the adequacy and accuracy of the EIR's coverage of shadow impacts of the Proposed Project, but may be considered by the decision-makers in their decision to approve, modify, or disapprove the Proposed Project.

Additionally, the EIR provides an alternative that would reduce the amount of shadow on the Irish Hill Playground. The Code Compliant Alternative (EIR pp. 7.16-7.57) would include

shorter buildings on the east side of a reconfigured and smaller Irish Hill Playground. Under the Proposed Project, the buildings on Parcels C1 and C2 on the east side of this proposed open space would be 90 feet tall. Under the Code Compliant Alternative, the buildings on Parcel C1 and C2 would be 40 feet tall. The shadows cast by 40-foot-tall buildings would be commensurately and proportionally shorter than the shadows cast by 90-foot-tall buildings, thereby reducing the amount of shadow on the Irish Hill Playground in the morning hours throughout the year. In addition, the Code Compliant Alternative would include a surface parking lot (Parcel HDY/P) between the reconfigured and smaller Irish Hill Playground and the proposed building on Parcel C2 (see Figure 7.2: Code Compliant Alternative – Maximum Height Plan, on EIR p. 7.18). Since no buildings would be constructed on Parcel HDY/P, this would further reduce the amount of shadow that the Code Compliant Alternative would cast on the Irish Hill Playground when compared to the Proposed Project.

As noted on RTC pp. 2.27-2.28, the shadow impact under the Irish Hill Passageway Variant would be substantially the same as those identified, described, and illustrated for the open spaces of the Proposed Project overall. As noted on EIR p. 4.I.107, much of the Irish Hill Playground would be shaded for much of the day and year under the Proposed Project. This condition would be similar under the Irish Hill Passageway Variant, but would be improved somewhat under the Irish Hill Passageway Variant due to the overall decrease in building coverage and volume within current Parcel PKS under the variant.

K. RECREATION

The comments and corresponding responses in this section relate to the topic of Recreation, evaluated in EIR Section 4.J. The comments are further grouped according to the following issues:

- RE-1: Existing Setting of Open Space, Parks, and Recreation Facilities
- RE-2: Proposed Project Open Space Program
- RE-3: Approach to Analysis of Impacts Related to Recreation Resources

A corresponding response follows each group of comments.

COMMENT RE-1: EXISTING SETTING OF OPEN SPACE, PARKS, AND RECREATION FACILITIES

"**DEIR Statement**: The increase in residents as a result of the Proposed Project and past, present, and reasonably foreseeable development would not be beyond levels anticipated and planned for by the City for this area and at the citywide level. When the resultant demand is considered in the context of existing public open space in the area and at the Citywide level, proposed open space that would be developed as part of the Proposed Project, and the anticipated additions to San Francisco's open space system, the demand generated by the Proposed Project and past, present, and reasonably foreseeable developments would be expected to be accommodated. For these reasons, the Proposed Project's contribution to cumulative impacts on recreation at the local and citywide level would not be cumulatively considerable and would not substantially accelerate physical deterioration of recreation resources. Therefore, the Proposed Project would not contribute to any significant cumulative impacts on recreation. No mitigation is necessary

"**Comment**: This statement does not take into account the difference between open space and active recreation facilities. Please explain the difference and how much open space AND active recreation space/facilities, and what kind, are being provided for on the project site vs. the same open space and recreation resources currently available outside the site." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-37])*

"**4J: Recreation**
"**DEIR Statement**: Section 4J7 "Although the Central Waterfront area of the City may have pedestrian obstacles − such as steep topography toward Potrero Hill west of I-280, discontinuous sidewalks, or missing crosswalks − it is assumed that all parks and recreational facilities within a 0.5-mile radius could be used."

"**Comment**: Why is this an assumption? The barriers quoted above are a real obstacle to recreation facility access and a burden for anyone in the central waterfront wanting to make use of the Potrero Rec Center. It therefore provides a sound foundation for the argument that a new recreation facility should be provided that does not have these pedestrian obstacles and allows easy access for residents and workers in Pier 70, Dogpatch and the Central Waterfront."
(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-30])

"In addition, and more importantly, the map on 4J8 combines the coding for park, rec facility and playground and does not clearly depict the lack of recreation facilities and playgrounds within a .5 miles of the Pier 70 site, as the Potrero Rec center is barely within the distance, (only the steep edge of the hillside makes it inside the boundary). And as stated above, this center has enormous access obstacles for Central Waterfront residents and workers due to the lack of through streets, steep incline and highway between the site and the rec center. This begs the question of how Pier 70 will provide publicly accessible active recreation resources to its new residents and workers, because the Potrero Rec Center should not be included within .5 miles of the project site." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-31])*

"After reading the DEIR I can't help but notice how the list or parks or recreation centers in the area doesn't quite convey the disconnectedness, level of current maintenance and inaccessibility of all of the very small, aside from one, parks.

"These rec areas are surrounded by major throughfares not friendly to bicycle commuting or walking to get from one or the other or from new residentail housing developments. They're surrounded by freeway 280, freeway overpasses, freeway on-ramps, train tracks. The largest park mentioned, Potrero Rec, sits on TOP of a hill with only one side accessible by vehicle or pedestrians, and HALF of it is steep, unmaintained trail systems with fencing separating it from affordable housing projects. The current muni plan is to divert buses around the housing vs. going through making it even harder to access from anywhere, but the housing development. Potrero Rec is currently in the process of a second renovation to some of its dog run space. The smaller parks listed in your report have zero space allocated for sports like basketball, tennis, soccer, baseball, but do have much community time invested in gardens. In fact two of your parks listed are literally gardens to cover the drab ground cover of a freeway off ramp and on ramp, Pennsylvania St. and Tunnel Top.

"Jackson Park however, the oldest playground in THE CITY, has been and always will be a major community hub. We take pride in the work we are doing to advocate for more community participation in helping to rejuvenate the heaviest used rec area in the south east sector. However, it is in serious disrepair currently and we are feeling it's worn use as families who frequent the park on a daily basis. We hope that new residents and developers will consider this park for its sunny openness, accessibility for vehicles, transit, bikes and walkers and its location with the neighborhood businesses - its place in history in the city and neighborhood - and contribute to the improvement of Jackson, facilitating recreation for new and old residents and **building community**." *(Elain Sprague Stuebe, Email, February 21, 2017 [I-Stuebe-2])*

"**DEIR Statement**: There are also a number of open spaces just outside a walkable distance from the project site (i.e., beyond the 0.5-mile radius of the project site), including the 4.4-acre Jackson Playground and the 1-acre Daggett Place Park. Jackson Playground occupies two City blocks and is bounded by 17th Street to the north, Mariposa Street to the south, Carolina Street to the west, and Arkansas Street to the east. The park includes a children's play area, picnic tables, tennis and basketball courts, a small community garden, a recreation center with a wooden gym floor and

public restrooms, and two baseball fields with bleachers, team benches, and two small storage buildings.

"**Comment**: The Jackson Park has no recreation center. It has a clubhouse that has been shuttered on and off for the past five years by RPD due to safety issues and needed repairs. The toilets are often locked or closed. Jackson Park is already completely oversubscribed by current residents and rec uses, and is going to have even greater and more intense use become a point of contention beyond what is now due to the large residential developments going in on its north and south sides by Martin Building Co. and Related Corp. There is an effort to support redoing the park, but at this time it should not be listed as an amenity to Pier 70 that could provide a needed active recreation facility." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-32])*

"**DEIR Statement**: Other RPD parks within the 0.5-mile radius of the project site include Esprit Park and Woods Yard Park. As discussed above under "Existing Recreation Demand," p. 4.J.14, the most recent park evaluation scores indicate that Esprit Park is a well-maintained park (92.7 percent), and, as of the latest quarterly evaluation conducted by RPD and the Office of the Controller (April 1 to June 30, 2014), the natural turf area was inspected twice (April 22, 2014 and May 31, 2014) and received park evaluation scores of 100 percent and 85.71 percent.47

"**Comment**: The park evaluation quoted here does not reflect reality and should be reconsidered. Esprit Park is in very poor shape. The drainage has failed, leading to a combination of swamp and dead areas, despite being redone a great public expense in 2006. The trees are suffering and many have been lost and removed in the past 5 years, and the intensity of use is only increasing as new residents and workers pour into the neighborhood. It is not a park that can sustain any further influx of residents. Rec Park and Planning will concur." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-35])*

"Thank you for the opportunity to provide comments on the above referenced document. Both the San Francisco Bay Trail and the San Francisco Bay Area Water Trail are projects administered by ABAG. As our comments regarding the Water Trail are minimal, we have combined comments from both projects into a single letter. We are excited to see this project moving forward.

"*General Comments*

"In several locations, the document refers to the San Francisco Bay Trail as having 345 of 500 miles complete. Please note that there are currently 350 miles of complete Bay Trail throughout the nine-county Bay Area, and that the ultimate goal is for all seven of the regions toll bridges to feature bicycle and pedestrian facilities that will be part of the Bay Trail (versus the currently referenced 4.5)." *(Maureen Gaffney, San Francisco Bay Trail and San Francisco Bay Area Water Trail, Email, February 22, 2017 [A-ABAG-1])*

"*The Blue Greenway*
"The DEIR description of the Blue Greenway appears to have missed an important aspect of its core mission—the "Blue" in the Blue Greenway. It is our understanding that the fundamental

purpose of the Blue Greenway is to complete the San Francisco Bay Trail and the San Francisco Bay Area Water Trail between AT&T Park and the County's southern border. No mention of the Water Trail is made in the several descriptions of the Blue Greenway provided throughout the document. Please also note that the Bay Trail is complete on Cargo Way, Heron's Head Park, and India Basin Shoreline Park in addition to the existing segment along Illinois Street and at Bayfront Park adjacent to Terry Francois." *(Maureen Gaffney, San Francisco Bay Trail and San Francisco Bay Area Water Trail, Email, February 22, 2017 [A-ABAG-4])*

RESPONSE RE-1: EXISTING SETTING OF OPEN SPACE, PARKS, AND RECREATION FACILITIES

Comments ask how much open space and how many and what kind of active recreation facilities would be provided on the project site, how new open space and facilities would compare to existing recreation resources, and how the Proposed Project would affect existing recreation resources by itself and in combination with other future projects. The open space program that would be provided by the Proposed Project is discussed in Response REC-2: Proposed Project Open Space Program, RTC pp. 4.K.11-4.K.16. Response REC-3: Approach to Analysis of Impacts Related to Recreation Resources, RTC pp. 4.K.19-4.K.27 discusses how the EIR compares existing and proposed recreation resources, and how the EIR analyzes impacts on recreation resources.

The response below addresses issues raised in the comments concerning open space and types of recreation resources; accessibility and walkability; existing deterioration of recreation resources; and the details of the San Francisco Bay Trail, Bay Water Trail, and the Blue Greenway.

Open Space and Types of Recreation Resources

One comment requests information about the open space and active recreation facilities that are currently available outside the project site. Existing recreation resources are described in EIR Section 4.J, Recreation, on pp. 4.J.4-4.J.10. Types of recreation can be generally divided into active or passive recreation, as established in the Recreation and Open Space Element (ROSE) and as described on EIR p. 4.J.7:

> Active recreation refers to a mix of uses in a neighborhood park that includes the following types of facilities: athletic fields, buildings or structures for recreational activities, concessions, community gardens, courses or sport courts, children's play areas, dog play areas, or bike paths. A passive recreation area refers to a mix of uses in a park, undeveloped land, or minimally improved lands that can include the following: landscaped areas, natural areas, ornamental gardens, non-landscaped green spaces, stairways, decorative fountains, picnic areas, and water bodies without recreational staffing.

Recreation resources within 0.5 mile of the project site are listed in Table 4.J.1: Existing and Baseline Parks and Recreational Facilities Near the Project Site, on EIR pp. 4.J.5-4.J.8. Figure

4.J.1: Existing, Baseline, and Future Parks and Recreation Facilities, EIR p. 4.J.8, shows the locations of these sites. The following types of resources are addressed:

- **Recreation Resource** – This term refers to any publicly accessible recreation-related lands and facilities, such as parks, indoor and outdoor active recreation facilities, unimproved open space, natural lands, and trails, as well as to other features to be discussed for CEQA purposes.
- **Open Space** – The ROSE uses this term interchangeably to describe unimproved natural lands or to summarize all recreation resources in the City. This term is also applicable to public plazas and privately owned public open spaces (POPOs). However, the term "open space" is also used to describe outdoor areas in residential developments as required by the Planning Code.
- **Park** – Generally, this term refers to a large publicly accessible area consisting of natural, semi-natural, or planted space set aside for recreation. Parks generally include simple passive recreation features such as lawns, walkways, and picnic areas. Some parks may feature active outdoor recreation including children's play areas and outdoor sports fields. Most parks in the City are publicly owned and maintained.
- **Recreational Facility** – Generally, this terms refers to a publicly accessible area for active recreation activities such as sports and community activities. A recreational facility can feature either indoor recreation (gymnasiums, indoor pools, community meeting rooms) or outdoor recreation (baseball/soccer fields, basketball/tennis courts, outdoor pools, etc.), or a combination of both. Most recreation facilities in the City are publicly owned and maintained.
- **Plaza** – This term refers to a type of publicly accessible open space that generally features hardscapes and landscaping. Larger plazas also can host community events such as markets. Plazas can be either publicly or privately owned.
- **Trail** – This term refers to a linear open space that can be traversed by pedestrians or bicyclists. Trails can be in the form of pathways within natural open spaces, promenades along the waterfront, in-water swimming and boating routes, and in-street features such as bike lanes.

One comment states that EIR Figure 4.J.1 does not clearly depict the lack of recreation facilities and playgrounds within 0.5 mile of the project site. This figure is provided to show the location of existing recreation resources near the project site and the baseline and future projects in the vicinity that will provide public recreational resources. Table 4.J.1 presents information about the acreage and types of amenities provided by these resources. As noted in the table, approximately 16.46 acres of existing parks and recreational facilities are within 0.5 mile of the project site.

Accessibility and Walkability

Comments point out that existing parks and recreation centers in the area are not well connected to their surroundings and are not easily accessible due to steep terrain, freeways, lack of nearby public transit, or disconnected bicycle and sidewalk networks. Some comments assert that the project site is not located within an accessible walking distance of active recreational facilities.

For the purposes of environmental analysis, the EIR considers the accessibility of parks and recreation centers foremost in the context of walkability, not transit. As discussed on EIR p. 4.J.7, the EIR uses established methodology outlined in the ROSE where the San Francisco Recreation and Parks Department (RPD) considers walkability as a distance buffer of 0.25 mile for children's play areas and 0.5 mile for all other types. As shown in Map 4A of the ROSE, only small areas of the City are not currently within the service area of an existing or proposed open space (or park) area.

In particular, comments specifically state that the Potrero Hill Recreation Center has several barriers to accessibility. The comments refer to factors such as topography, freeways, and lack of pedestrian streetscape features (sidewalks and crosswalks). From Illinois Street, the Potrero Hill Recreation Center is accessible on foot, travelling west on 22nd Street, then Sierra Street, then south on Missouri Street. 22nd Street is at approximately 30 feet and 50 feet above sea level (asl) from the project site to Mississippi Street, where a climb begins west to the Potrero Hill Recreation Center, which is approximately 300 feet asl. There are existing sidewalks throughout this route. Existing crosswalks are provided at the intersections of 22nd Street at Third Street, Tennessee Street, Minnesota Street, and Indiana Street. Pedestrians can cross under I-280 on 22nd Street at ground level using existing sidewalks. Further intersections to the west are on local, residential neighborhood roads and do not have crosswalks. Pedestrians can take gravel paths near the corner of Missouri Street and 22nd Street that lead to the recreation center, or continue south on Missouri Street and west on 23rd Street on paved sidewalks to access the recreation center from the south.

Some comments assert that, due to a perceived lack of accessibility to nearby recreation facilities such as active ball fields and courts, the Proposed Project area is underserved by recreation facilities, and the City should consider building new recreation facilities as part of the Proposed Project or in the neighborhood. The Proposed Project's open space program is discussed in Response REC-2.

Multiple City planning efforts, including the 2008 Eastern Neighborhoods Street and Open Space Concept[1] and the Central Waterfront / Dogpatch Public Realm Plan,[2] have considered ways to improve pedestrian and bicyclist amenities and rehabilitate existing streetscapes in the Dogpatch neighborhood, with the overarching goal of improving safety and accessibility and enhancing

[1] San Francisco Planning Department. 2008. Eastern Neighborhoods Streets and Open Space Concept. Available online at http://default.sfplanning.org/Citywide/Dogpatch_CtrlWaterfront/EN_OpenSpaceConcept_Map2008.pdf Accessed April 2017.

[2] San Francisco Planning Department. 2016. Central Waterfront / Dogpatch Public Realm Plan Website. Available online at http://sf-planning.org/central-waterfront-dogpatch-public-realm-plan. Accessed April 2017.

public amenities. These ongoing planning efforts are further discussed in Response REC-3 under "Ongoing Streetscape and Open Space Plans," RTC p. 4.K.23.

Existing Deterioration of Recreation Resources

Comments assert that existing recreational facilities, including the Potrero Hill Recreation Center and Jackson Playground, are in an existing state of deterioration. As stated on EIR pp. 4.J.13-4.J.14, the Potrero Hill Recreation Center received a Park Maintenance Standard score of 91.1 percent in the 2014-2015 fiscal year. Newly released information from RPD indicates that Potrero Hill not only kept up a high maintenance score in 2016 (93.5 percent) and in Quarter 1 of 2017 (93.7 percent), but is among the highest graded facilities in the City and in Supervisorial District 10, which includes the Bayview Hunters Point, Potrero Hill, Dogpatch, and Visitacion Valley neighborhoods.[3] As noted on pp. 4.J.34-4.J.35, the Clean and Safe Parks Bond of 2012 provided funding to renew and repair existing City parks, including improvements to the natural turf playfields and dog play area at the Potrero Hill Recreation Center, currently expected to be implemented in 2018.

Some comments state that Jackson Playground is also in an existing state of deterioration. One comment asserts that the Jackson Park Clubhouse and bathrooms are closed intermittently. It also states that, although there are ongoing efforts to revitalize the park, it should not be listed as an amenity available to the public. Jackson Playground received a high Park Maintenance Standard score (88.5 percent) in 2016. The Jackson Park Clubhouse is used for a City-run after-school program, as well as private programs such as SF Tots basketball.[4,5] Its outdoor baseball fields, basketball courts, and play areas are not out of service and continue to be open to the public.[6]

One comment states that Esprit Park is in poor condition, citing a failed drainage causing flooding, landscaping die-off, and poor tree health. Esprit Park received a high Park Maintenance Standard Score (96.5 percent) in 2016. Maintenance issues as a result of weather conditions are generally independent from usage-intensity-related maintenance such as trash, graffiti, or playground repairs. Drainage was considered in the site design of the park, and weather-related maintenance would be ongoing, regardless of whether or not deterioration from high usage would occur.

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[3] San Francisco Park Evaluation Program (SFPEP). 2017. San Francisco Park Scores. Available online at: http://sfparkscores.weebly.com/. Accessed April 2017.

[4] San Francisco Parks Alliance. 2017. Jackson Playground. Available online at: http://www.sfparksalliance.org/our-parks/parks/jackson-playground. Accessed April 2017.

[5] SF Tots. 2017. Locations. Available online at: http://www.sftots.com/about-locations/. Accessed April 2017.

[6] Cismowski, Steven. Park Service Area 2 Manager. San Francisco Recreation and Parks. Telephone conversation with Juliana Lehnen, Project Planner, SWCA/Turnstone, May 30, 2017.

Similarly, some comments suggest that the City should rehabilitate existing RPD parks and recreation facilities, or acquire new sites. In compliance with Proposition C, passed in November 2003, RPD maintenance schedules for parks can be accessed by the public online and are updated at least quarterly.[7] Regularly scheduled activities include restroom cleaning, litter removal, watering and mowing, and weeding and gardening. Beyond scheduled maintenance, improvements to existing open space and streetscapes, including Esprit Park, have been proposed under the 2008 Eastern Neighborhoods Street and Open Space Concept, the Central Waterfront / Dogpatch Public Realm Plan, and other planning efforts, as discussed in Response REC-3 (see "Ongoing Streetscape and Open Space Planning in the Dogpatch Neighborhood," RTC p, 4.K.23). However, the future expansion or construction of recreational facilities, beyond that described in the EIR for the Proposed Project, is beyond the scope of this EIR.

San Francisco Bay Trail, Bay Water Trail, and the Blue Greenway

One comment notes that 350 miles of the San Francisco Bay Trail (Bay Trail) have been completed, as opposed to 345 miles as stated in the EIR. In particular, the comment notes that the Bay Trail is complete on Cargo Way, Heron's Head Park, and India Basin Shoreline Park, in addition to the Illinois Street and Terry Francois Boulevard segments.

The EIR acknowledges that the Bay Trail is an ongoing project, and it is anticipated that more trail will likely be operational when waterfront open space is built under the Proposed Project. However, to update the text to reflect the points made in the comment, the paragraph under the heading "Bay Trail" on EIR pp. 4.J.9 has been revised, as shown below (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> The Bay Trail is a planned 500-mile hiking and bicycling path that would encircle San Francisco and San Pablo bays and follow the shoreline of 9 counties, pass through 47 cities, and cross ~~4.5~~ 7 toll bridges. Approximately ~~345~~ 350 miles of the Bay Trail have been completed, including off-street paved trails, dirt/gravel trails, and on-street pathways. The Bay Trail provides scenic recreation for hikers, joggers, bicyclists, skaters, and wheelchair users. It also offers a setting for wildlife viewing and environmental education, and serves as a commute alternative for bicyclists. Within San Francisco, several segments of the Bay Trail are complete, including an on-street segment that runs in a north-south direction from China Basin to Terry A. Francois Boulevard and Illinois Street where it crosses the Islais Creek Channel. Illinois Street is immediately west of the project site and is included as a segment of the Bay Trail. South of the project site past the Islais Creek Channel, off-street segments of the Bay Trail are also complete on Cargo Way, India Basin Shoreline Park, and Heron's Head Park.

[7] San Francisco Recreation and Parks. 2017. Park Maintenance Schedule Posting System. Available online at http://sfrecpark.org/about/park-maintenance-standard/park-maintenance-schedule-posting-system/. Accessed May 30, 2017

One comment states that the EIR does not describe the San Francisco Bay Area Water Trail (Water Trail) in the context of the Blue Greenway project. The EIR discusses the Water Trail on pp. 4.J.10 as its own resource. Although not discussed together, it is acknowledged that the Water Trail project and the Blue Greenway are related programs. However, to update the text to reflect the points made in the comment, the paragraph under the heading "San Francisco Blue Greenway" on EIR pp. 4.J.9-4.J.10 has been revised, as shown below (new text is underlined and deletions are shown in ~~strikethrough~~):

> The San Francisco Blue Greenway is a project to ~~improve and expand the public open space network along the City's Central and Southern Waterfront~~ complete the San Francisco Bay Trail and the San Francisco Bay Area Water Trail from the China Basin Channel to the San Francisco County Line. The San Francisco Parks Alliance began planning the Blue Greenway in 2004 as part of an effort to ~~complete a 13-mile portion of the Bay Trail from China Basin in the north to Candlestick Point State Recreation Area in the south.~~ link established open spaces; create new recreational opportunities and green infrastructure; provide public access through the implementation of the Bay Trail, the San Francisco Bay Water Trail, and green corridors to surrounding neighborhoods; install public art and interpretive elements; support stewardship; and advocate for full waterfront access as an element of all planning and development processes throughout southeastern San Francisco.[12] Portions of the Blue Greenway have already been completed, such as Heron's Head Park and Warm Water Cove. Illinois Street is included as a Linking Street[13] in the Blue Greenway connecting Mission Bay and Bayview Hunters Point. In addition, a planned shoreline segment of the Blue Greenway, between the future Crane Cove Park to the north and the existing Warm Water Cove Park to the south, is mapped in the ROSE and extends through the project site. This shoreline trail would connect with a waterfront park, planned as part of the Proposed Project, and the future Power Plant Shoreline Access to the south of the project site.[14] The Blue Greenway also incorporates water access trail facilities, such as the existing boat launches at Mission Creek Park and Pier 52, and a boat launch planned at the future Crane Cove Park. ~~Portions of the Blue Greenway have already been completed, such as Heron's Head Park and Warm Water Cove.~~
>
> [Footnotes 12, 13 and 14 on EIR p. 4.J.10]
>
> [12] San Francisco Parks Alliance, Blue Greenway History. Available online at http://www.sfparksalliance.org/our-work/blue-greenway/history. Accessed November 11, 2015.
>
> [13] The Blue Greenway Design Standards define Linking Streets as streets that connect between individual open spaces and generally run parallel to the shoreline edge alongside the Port's southern waterfront.
>
> [14] San Francisco Planning Department, ROSE, p. 27. Available online at http://www.sf-planning.org/ftp/General_Plan/index.htm. Accessed September11, 2015.

The comments do not provide new information that would change any of the conclusions of the EIR or otherwise dispute the adequacy of the information given.

COMMENT RE-2: PROPOSED PROJECT OPEN SPACE PROGRAM

"DEIR Statement: With the addition of 9 acres of parks and recreational facilities, implementation of the Proposed Project would increase the total open space acreage on and within a 0.5-mile radius of the project site to approximately 36.25 acres.

"The DEIR continually lumps together open space, parks and recreation. In the context of the above statement, please specifically define recreation facilities that the project will be providing on Pier 70." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-34])*

"And then great point from public comment on recreation. Typically, for a large project like this, you don't necessarily have specific programming of specific sites of open space. At this point, that was my experience with Mission Bay and also with Hunter's Point, that you don't necessarily see what is the exact programming.

"However, there are very few active recreation facilities outside of this Pier 70 project site, and I would hope that this may be an opportunity to do it a little bit different than other projects and actually think about that programming a little bit sooner.

"So if we are going to have things like a basketball court/volleyball court or other types of active recreation, maybe sort of pencil those in a little bit earlier than normally you would see in a project this size.

"Normally, you would just say, that's a pocket park over there and you do the programming later, but I think there's a reason to do it earlier in this case." *(Commissioner Christine D. Johnson, San Francisco Planning Commission, DEIR Hearing Transcript, February 9, 2017 [A-CPC-Johnson-5])*

"Regarding the recreation space, we have -- we already have a -- based on all the other projects that we have heard, a burdened recreation system with very few, you know, public amenities, Jackson Square Playground and the Rec Center, and some -- I think to one of the public's point and maybe Commissioner Johnson's point, really understanding how the open space is going to be programmed really goes a long way to understanding exactly what the load is going to be on the other public spaces, if there is no actual programming.

"So if I do want to play ball, the only place I can go is Jackson Playground, I don't think I can pick up a ballgame, and it's a blank open space, you know, these kinds of things.

"So anyways, I look forward to moving this along and also submitting more comments." *(Vice President Dennis Richards, San Francisco Planning Commission, DEIR Hearing Transcript, February 9, 2017 [A-CPC-Richards-4])*

"And while I think that it's great that there's 9 acres of open space so that the people who work there or live there can go and sit outside, and they can walk along the water, there is no recreational programming on this site." *(Jude Deckenbach, Friends of Jackson Park, DEIR Hearing Transcript, February 9, 2017 [O-FoJP1-2])*

"*Bay Trail Alignment*
"The mission and goal of the Bay Trail is a continuous, fully separated path for cyclists and pedestrians located directly adjacent to the shoreline, running through all nine Bay Area counties and 47 cities. In areas where this is not feasible due to topography, sensitive environments, or incompatible land uses, the trail alignment may run inland to avoid these barriers while still providing a continuous route. Illinois Street is one of these locations. At the time of the original 1989 Bay Trail Plan, industrial uses of the waterfront in this area prevented public access to and along the shoreline. All around the region, the Bay Trail Project continually seeks opportunities to move the alignment closer to the shoreline as opportunities arise. Pier 70, the future Crane Cove Park, and the future development of the power plant property south of Pier 70 all represent such opportunities for the Bay Trail." *(Maureen Gaffney, San Francisco Bay Trail and San Francisco Bay Area Water Trail, Email, February 22, 2017 [A-ABAG-2])*

"*Bay Trail Spine vs. Spur*
"The Bay Trail identifies two main types of trail within the planned 500-mile system: Spine segments which form the backbone of the continuous alignment through the nine counties and 47 cities, and Spur segments offering point access to the bay. In regards to the opportunities for shoreline public access associated with Pier 70, the Port of San Francisco and the Bay Trail Project have discussed a proposed request to the Bay Trail Steering Committee to include the trails at Pier 70 as Spur segments once the project has cleared environmental review. Once the Pier 70 EIR is certified, the Bay Trail Steering Committee would welcome a request from the Port of San Francisco to officially add the Crane Cove Park and Pier 70 trails into the Bay Trail system. Future segments to the south at the power plant property and into Warm Water Cove are also excellent candidates for spur designation as those projects go through environmental review." *(Maureen Gaffney, San Francisco Bay Trail and San Francisco Bay Area Water Trail, Email, February 22, 2017 [A-ABAG-3])*

"2. **Recreation/ Parks:** I would like to see a bit more attention to parks/playgrounds to this area. A playground similar to the one in Mission Bay. Maybe add another play yard to the Waterfront Promenade / other open spaces in the Project. Keeping the existing Playground (Irish Hill) where it is; can more be done to enhance this play yard? Would it be safe right next door to the PG&E Switch Yard/Power plant, not sure how PG&E uses this site? This area and playground area needs to be protected during the construction period from dust, debris, noise pollution and then some." *(Dennis Hong, Email, February 23, 2017 [I-Hong-10])*

"**6. Roof top open space:**
"a. Nice job with the distribution of this issue. Would like to see a possible mix of vegetable gardens as a roof top open space element. This area gets great weather too." *(Dennis Hong, Email, February 23, 2017 [I-Hong-16])*

RESPONSE RE-2: PROPOSED PROJECT OPEN SPACE PROGRAM

Comments state that there are very few active recreation facilities outside of the project site, and that the existing recreation system is burdened. One comment states that the EIR lumps together

discussion of open space, parks, and recreation. A discussion of existing recreation resources is provided in Response REC-1: Existing Setting of Open Space, Parks, and Recreation Facilities, RTC pp. 4.K.4-4.K.9.

One comment asks whether open spaces such as the Irish Hill Playground would be safe given the presence of the existing PG&E switchyard south of the project site. Environmental impacts from construction and operation of the Proposed Project and its open space plan are further discussed in Response REC-3: Approach to Analysis of Impacts Related to Recreation Resources, RTC pp. 4.K.19-4.K.27.

Some comments suggest that, in planning the Pier 70 area, project sponsors should consider new or revised recreational use programming. In particular, comments request that more active recreation facilities, such as play yards and sports facilities, be included in the proposed open space plan. One comment gives support for potential rooftop vegetable gardens. Several comments raise concerns about the City's involvement in the provision of new recreational facilities, and suggest that decision-makers should start an early dialogue to consider modifications to the Proposed Project.

The response below addresses issues raised in the comments concerning the provision of recreation on the project site, the proposed open space program, and merits of the Proposed Project in regard to open space. This discussion is provided for informational purposes, as it does not raise issues related to the adequacy and accuracy of the EIR's evaluation of the Proposed Project's physical environmental impacts on recreation resources.

Provision of Open Space on the Project Site

One comment, shown in Comment REC-3 on p. 4.K.18, states that active recreational facilities cannot be built on the project site because the Proposed Project is on Port property. As discussed in EIR Chapter 2, Project Description, the project site is primarily owned by the Port, with the exception of the Hoedown Yard, which is owned by Pacific Gas and Electric Company. To clarify the comment above, recreational resources, including active recreation facilities, are allowable uses on Port land under certain circumstances. However, portions of the project site are also subject to the Public Trust, which poses stricter land use limits. This discussion is presented to clarify the role of the Public Trust and the Port in providing recreational resources on the project site.

As shown in EIR Figure 2.3: Existing Public Trust Lands, on p. 2.14, areas indicated as "Existing Trust" are subject to the use restrictions imposed by the Trust. In addition, some areas carry uncertain trust status (shown as "Uncertain Trust Status") and these areas may also be subject to

the Trust. The EIR, p. 3.16, acknowledges the regulatory jurisdiction and framework provided by the Public Trust:

> The purpose of the Public Trust Doctrine is to ensure that land that adjoins the State's waterways or is actually covered by those waters remains committed to water-oriented uses. Uses of Public Trust land are generally limited to waterborne commerce; navigation; fisheries; water-oriented recreation, including commercial facilities that must be located on or adjacent to water; and environmental preservation and recreation, such as natural resource protection, wildlife habitat and study, and facilities for fishing, swimming, and boating. Ancillary or incidental uses that promote Trust uses or accommodate the public's enjoyment of Trust lands are also permitted, such as hotels, restaurants, and specialty retail. Because the Public Trust Doctrine is based on judicial cases, there is no zoning code or general statute setting forth a list of permitted Trust uses.

To implement the Proposed Project in accordance with the proposed Special Use District, the Port and State Lands Commission would have to implement a public trust exchange that would lift the Public Trust from designated portions of Pier 70 in accordance with the terms of a negotiated trust exchange agreement meeting the requirements of AB 418, as shown on Figure 2.9: Proposed Project Public Trust Exchange, EIR p. 2.34. Under the Proposed Public Trust Exchange, most of the open space within the Proposed Project (including the Waterfront Terrace, Waterfront Promenade, and Slipways Commons) would be held by the Port subject to the Trust. Such lands must be reserved for Trust uses, as described above, and must be used to serve Statewide, as opposed to purely local, public purposes.[8] In general, the State Lands Commission has viewed local-serving active recreation uses as inconsistent with the Trust,[9] limiting the Port's ability to use these open spaces for athletic fields or local-serving play yards. Such limitations would not apply to portions of the Proposed Project that will be freed of any Trust or Burton Act use or alienation restrictions. The Hoedown Yard is not subject to the Public Trust and will not be affected by the trust exchange. As to those lands, the Proposed Project includes various recreational facilities including the Irish Hill Playground and potential rooftop recreation on Parcel C1, described in more detail below.

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[8] California State Lands Commission. 2001. Minute Item 88, "Consider Adoption of the Policy Statement Relating to the Public Trust Doctrine." Exhibit A, pp. 1-2. Available online at: http://archives.slc.ca.gov/Meeting_Summaries/2001_Documents/09-17-01/Items/091701R88.pdf. Accessed May 30, 2017.

[9] As noted in the letter dated September 10, 2010 from the State Lands Commission to the San Francisco Planning Department, in comment to the Treasure Island/Yerba Buena Island Redevelopment Project Draft EIR (State Clearinghouse No. 2008012105), "permanent athletic fields or sports fields […] are not uses consistent with [Treasure Island Development Authority's] statutory trust grant or the Public Trust Doctrine, as such uses purely provide a municipal benefit for the local community and are not water-related or visitor serving."

Proposed Open Space Program

Bay Trail

Some comments provide additional insight into the mission and goal of the Bay Trail and the history of the Bay Trail. The comments correctly state that existing industrial uses of the Pier 70 waterfront prevented public access at the time when the original 1989 Bay Trail Plan was developed. The comments provide that the intent of the Bay Trail is to seek opportunities to move the alignment closer to the shoreline, and that the Bay Trail is comprised of a "spine" (forming the continuous trail) and "spurs" offering other point access to the Bay. The comment further specifies that waterfront trails provided by the Proposed Project and the future Crane Cove Park would be well integrated into the Bay Trail as spur segments along with Warm Water Cove and the Potrero Power Plant Property.

These comments are noted and are generally consistent with assumptions provided on EIR pp. 2.45-2.48 and p. 4.J.29. However, to update the text to reflect the points made in the comment, a new sentence has been added to the second paragraph under the heading "Proposed Open Space Plan" on EIR p. 2.45, as follows (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> The proposed open space would supplement recreational amenities in the vicinity of the project site, such as the future Crane Cove Park in the northwestern part of Pier 70, and would include extension of the Blue Greenway[42] and Bay Trail through the southern half of the Pier 70 area. Trails provided by the Proposed Project's Waterfront Promenade and Waterfront Terrace and the future Crane Cove Park would be integrated into the Bay Trail system as additional "spine" segments for point access to the Bay.
>
> [Footnote 42 on EIR p. 2.45]
>
> [42] The Blue Greenway is a City of San Francisco project to improve the City's southerly portion of the 500-mile, 9-county, region-wide Bay Trail, as well as to extend the newly established Bay Trail and associated waterfront open space system. This 13-mile trail corridor will connect China Basin in the north to Candlestick Point State Recreation Area in the south. Trail information is available online at http://www.sf-port.org/index.aspx?page=1433, accessed September 24, 2015.

In addition, a new sentence has been added to the first paragraph under the heading "Open Space" on EIR p. 4.J.29, as follows (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> The Proposed Project would include 9 acres of public open space under both development scenarios (see Figure 2.15: Proposed Open Space Plan, in Chapter 2, Project Description, p. 2.46) as a public benefit approved by the San Francisco electorate by ballot measure on November 4, 2014 ("Proposition F"). The proposed open space would supplement other existing or planned amenities near the project site, such as the future Crane Cove Park, and would include extensions of the Blue Greenway and Bay Trail along the eastern portion of the 28-Acre Site. Trails provided by the Proposed Project's

> Waterfront Promenade and Waterfront Terrace and the future Crane Cove Park would be integrated into the Bay Trail system as additional "spine" segments for point access to the Bay.

These comments do not provide evidence challenging the adequacy of the EIR nor provide evidence that would change any of the conclusions presented in the EIR.

Active Recreation

Some comments ask for a specific definition of recreation facilities that the Proposed Project would provide. Others ask what active recreation resources, if any, are being proposed on the project site. Another comment states that there is no recreational programming on the project site. As described on EIR pp. 2.45-2.48, the Proposed Project includes the Irish Hill Playground, which would be a 2-acre area south and east of the existing remnant of Irish Hill. This installation would include active children's play areas (a play slope and play pad). The proposed Waterfront Promenade and Waterfront Terrace, as described on p. 2.47, would provide new segments of the Bay Trail for walking, running, and bicycling.

In addition, the rooftops of Parcels C1 or C2, if built as parking structures, would provide public open space and further expand the range of open space amenities within the project site. The rooftop open spaces could accommodate uses that are not permitted within the Trust areas such as active recreation. As described on EIR p. 2.48, rooftop open spaces may include active sports courts and play fields, community gardens, seating, and observational terrace areas.

Recent updates to the *Design for Development* have further detailed the possible uses of the rooftops of Parcels C1 and C2. If rooftop ball courts were built, they would provide new active recreation facilities to serve demand for active recreation from Proposed Project residents as well as the surrounding neighborhood. These rooftops could offer space for recreation that may focus on a single activity or be designed as multi-purpose courts. Potential programming may include, but would not be limited to, basketball, tennis, handball, volleyball, and bocce ball. Natural or artificial playing surfaces may be used for the intended sports facilities.

One comment suggests vegetable gardens as a potential use for the optional rooftop open spaces. As shown in Table 4.J.3: Proposed Project Open Space Program, p. 4.J.30, programming for the rooftops may include community garden plots if the rooftops are not developed as active recreational uses. If developed as community gardens, the garden plots would be accessible to the public and may be managed by either a community organization or by local residents. Community gardens may be designed as raised planters, a series of plots, or one large plot. The amount of space allotted to community garden plots would be scaled appropriately to the level of maintenance and oversight available and to accommodate demand for active recreation. The draft of the proposed *Pier 70 SUD Design for Development* has been updated to reflect ongoing

discussions between the project sponsors and City departments, including text to further expand upon the Proposed Project open space plan. As shown in RTC Chapter 2, Revisions and Clarifications to the Project Description, RTC p. 2.37, two new paragraphs have been added after the paragraph under the heading "Rooftop Open Space Areas" on EIR p. 2.48, and one new paragraph has been added after the second paragraph under the heading "Open Space" on EIR p. 4.J.29. These revisions do not change any of the analyses or conclusions of the EIR.

Provision of rooftop open spaces is not guaranteed by approval of the Proposed Project. Comments and suggestions in favor of development of Parcels C1 and C2 as parking structures with rooftop open space, as well as other environmental considerations detailed in the EIR, may be considered and weighed by the decision-makers as part of their decision to approve, modify, or disapprove the Proposed Project.

Merits of the Proposed Project

A number of comments express support for, opposition to, or concern about the Proposed Project (or particular aspects thereof) based on its merits. Some comments acknowledge the benefits of the proposed 9-acre open space program. Others suggest that the Proposed Project, in keeping with the similar redevelopment plans for Mission Bay and Hunters Point, be transparent about the open space programming at this stage in the development process, in consideration of the lack of active recreation facilities in the project area and an already burdened recreation system.

These comments do not raise issues about the adequacy or accuracy of the EIR's coverage of environmental impacts that require a response in this RTC document. However, such comments may be considered and weighed by the decision-makers as part of their decision to approve, modify, or disapprove the Proposed Project independent of the environmental review process. Comments and corresponding responses related to the Project Description are presented in RTC Section 4.A, Introduction and Project Description.

COMMENT RE-3: APPROACH TO ANALYSIS OF IMPACTS RELATED TO RECREATION RESOURCES

"**DEIR Statement**: The Maximum Residential Scenario would create nine acres of new open space and add 6,868 new residents to the area, for a total new service population of approximately 12,272 residents. Comparably, the existing 9.5-acre Potrero Hill Recreation Center also serves a population of approximately 12,000 residents as of 2010. Potrero Hill Recreation Center was found to be well maintained per quarterly RPD evaluation. This comparison suggests that the amount of open space provided by the Proposed Project is reasonable to support the resulting new population (9 acres for 12,272 residents).

"**Comment**: The Potrero Rec center is an active recreation facility that includes a playground, indoor basketball courts, grass soccer field, baseball field, small auditorium, and a separate dog run. Why is it being used as a comparison the Pier 70 site's planned open space? There is little

to compare beyond acreage and residents." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-36])*

"I just want to speak with regard to the recreation portion of the Draft EIR. As Potrero Hill Rec Center, the increase of 6,800 new residents is that -- is going to have an impact on the existing open space and recreational facilities in -- in Potrero Hill and in Dogpatch.

"The EIR says that it will have a less-than-significant impact. I disagree with that. The Rec Center, as is identified, will be used and even though the EIR or DEIR said that there would be – there's some improvements happening to the Potrero Hill Recreational Center in the form of the 2012 Park Bond, they are not big changes, and there's still a lot of opportunity to improve upon the 9 acres of space that exists at the top of the hill for the entire community, including the Pier 70 future community.

"There will be a 50 percent increase of residents to the area, and it will have an impact on the function and usage of that facility and of Jackson Park. And so I disagree with that finding, and I think there needs to be some cushioning for the existing recreational facilities and further -- further consideration for those impacts." *(Lisa Tehrani, DEIR Hearing Transcript, February 9, 2017 [I-Tehrani-1])*

"I'm going to direct my report -- my comments to Section 4(j), which was -- in the Draft EIR, which was about recreation.

"The thresholds for determining the significance of the impact which are consistent with the environmental checklist of Appendix G of the State CEQA guidelines, for the purpose of this analysis, the following applicable thresholds were used to determine whether implementing the proposed project would result in a significant impact on recreation.

"Implementation of the proposed project would have a significant effect on recreation if the project would: Increase the use of existing neighborhood or regional parks or other recreational facilities such that the substantial physical deterioration of the facilities would occur or be accelerated.

"Also from this section: An increase in the local population could contribute to or accelerate the deterioration of existing parks and recreational facilities if the demand generated by the new residents were to create an overuse of existing facets. In particular, amenities such as grass, sportsfield, or play structures are more susceptible to deterioration more than resilient hardscaped facilities such as concrete bike paths." *(Jude Deckenbach, Friends of Jackson Park, DEIR Hearing Transcript, February 9, 2017 [O-FoJP1-1])*

"Therefore, people are going to come to the two recreational facilities that are in Potrero Hill, Potrero Rec Center and Jackson Park down here. And with the implementation of the maximum residential scenario, this population of the area within the .5-mile buffer zone – we're like three blocks outside that.

"They're going to -- the population is going to increase from 5,404 people to over 12,000 people. Where are these people going to play? If they play -- if they want to play tennis, if they want to

play basketball, if they are one of the over-a-thousand residents per week who use the ball fields at Jackson, they are going to come to these facilities. It's going to increase usage. It's going to increase the deterioration.

"I'm saying that I think it's incumbent upon the cities to improve and upgrade the current existing resident -- recreational facilities. I mean, Jackson Park fields have not been graded since last century. 1999, but still, last century.

"So I object to how they are saying that they would not -- that it's inaccurate that there won't be a significant impact on these recreational facilities because there will." *(Jude Deckenbach, Friends of Jackson Park, DEIR Hearing Transcript, February 9, 2017 [O-FoJP1-3])*

"On behalf of the Friends of Jackson Park (FoJP), I'm writing to voice our concern about Pier 70's DEIR. In Chapter 4J Recreation of the DEIR, it states:

> The thresholds for determining the significance of impacts in this analysis are consistent with the environmental checklist in Appendix G of the State CEQA Guidelines, which has been modified by the San Francisco Planning Department. For the purpose of this analysis, the following applicable thresholds were used to determine whether implementing the Proposed Project would result in a significant impact on recreation. Implementation of the Proposed Project would have a significant effect on recreation if the project would:
>
> J.1 Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated
>
> Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment.

"Given that Pier 70 is on Port land, no permanent recreation facilities can be built. Therefore, if any of the potential 6,800+ new residents want to play basketball, base/soft ball, tennis, etc. they must leave their site and come to either Potrero Hill Rec Center or Jackson Park for any type of recreational programming. These two SFRPD facilities are already well used and in disrepair with need for renovation.

"**We disagree with the DEIR and believe that the influx of these new residents will definitely substantially impact the facilities.** It's disingenuous to suggest otherwise." (*Jude Deckenbach, Friends of Jackson Park, Email, February 21, 2017 [O-FoJP2-1])*

"**DEIR Statement**: Existing City-owned facilities managed by RPD, the San Francisco Municipal Transportation Agency, or the Port within a 0.5-mile radius of the project site (Esprit Park, Warm Water Cove Park, Woods Yard Park, Potrero Hill Recreation Center, Potrero Hill Mini Park, Connecticut and Arkansas Friendship Gardens, Agua Vista Park, and Bayfront Park amenities at P21 and P22) provide approximately 16.46 acres of existing parks and recreation space. ...

"**Comment**: Again, the Potrero Rec Center should not be counted as within .5 miles or a 10 minute walk of the plan site due to geographical and topographical barriers. The impact of the population should be recalculated without Potrero Rec. Center." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-33])*

"I am a resident of Potrero Hill and member of Friends of Jackson Park. After reviewing the Draft EIR for Pier 70, I am concerned that the impact of the development and its future 6,800 will have on nearby recreation facilities is understated.

"Since Pier 70 will not have its own recreation facilities, we anticipate the new residents will utilize Jackson Park and the Potrero Recreation Center for these needs. These two facilities are already heavily used and in a state of disrepair. The additional impact is likely to accelerate the degradation of these SFRPD facilities.

"Please revisit the analysis of the impact of Pier 70 will have on the Potrero Hill's recreation facilities." *(Meghan Sheedy, Email, February 21, 2017 [I-Sheedy-1])*

"The draft EIR as currently written remains inadequate, incomplete, and inaccurate for the following reasons: …

"– **Recreation and Open Space**. The draft EIR does not adequately analyze and address impacts of the Pier 70 project and population increase on surrounding recreation facilities and open space. Pier 70 will result in thousands of new people residing on the site. Yet the Pier 70 project does not propose to include recreational facilities which, consequently, will put additional strain on existing facilities in Potrero Hill – specifically Jackson Park and the Potrer[o] Rec Center.

"For all of the above reasons, I respectfully urge City Planning to revise the Pier 70 EIR draft to address significant impacts and necessary mitigations." *(Rodney Minott, Email, February 20, 2017 [I-Minott-3])*

RESPONSE RE-3: APPROACH TO ANALYSIS OF IMPACTS RELATED TO RECREATION RESOURCES

Several comments ask why the EIR considers existing recreation resources within 0.5 mile of the proposed project. As discussed under "Accessibility and Walkability" in Response REC-1, RTC p. 4.K.5-4.K.7, for the purpose of analysis of physical deterioration to existing recreation resources, the EIR analysis conservatively assumes that any park, open space, or recreation facility within an approximate 0.5-mile distance, including the Potrero Hill Recreation Center, may be visited by Proposed Project residents. As noted in Response REC-1, RTC p. 4.K.6, there are sidewalks throughout the route from the project site to the Potrero Hill Recreation Center, with crosswalks at arterial streets as well as passage under I-280. Nonetheless, the EIR analysis likely overestimates the number of Proposed Project residents who would travel to these sites by foot, bicycle, transit, or private vehicle for a conservative analysis.

Several comments raise concerns regarding existing open space, parks, and recreation facilities, and the effects of increased use by Proposed Project residents. As discussed on pp. 4.J.29-4.J.43, the EIR concludes that the Proposed Project would increase the use of existing recreation resources but not to the extent that substantial physical deterioration of the facilities would occur

or be accelerated. Issues related to project impacts raised in the comments are further discussed below.

Impacts of the Proposed Project Population on Existing Recreation Resources

One comment states that the Potrero Hill Recreation Center is not easily accessible and would not be visited by Proposed Project residents, and should therefore not be included in the EIR impact analysis. As stated in Response REC-1, under "Accessibility and Walkability," RTC pp. 4.K.5-4.K.7, the EIR acknowledges on p. 4.J.7 that there may be physical challenges that could create barriers for users seeking recreation in nearby neighborhoods, such as topography, discontiguous sidewalks, and gaps in the bicycle route network. In order to conservatively assess any possible physical deterioration to existing recreation resources that could be caused by the Proposed Project, the EIR analysis assumes that any park, open space, or recreation facility within an approximate 0.5-mile distance of the project site may be visited by Proposed Project residents despite these challenges. As discussed on p. 4.J.32, the EIR analysis likely overestimates the number of Proposed Project residents who would travel to these sites because, in an effort to state the maximum potential impact of the Proposed Project on nearby parks and recreation facilities, the service population analysis conservatively assesses demand without including the effect of the Proposed Project's open space on meeting demand for existing recreation resources.

As discussed under "Project Features" on pp. 4.J.28-4.J.29, the Proposed Project would provide more public open space than typically required under the Planning Code for new residential or commercial developments. The increased use of recreational resources is expected to be spread out among several parks in the area, including the facilities included as part of the Proposed Project. Some existing recreational amenities, such as the community auditorium, playground, and passive recreation activities offered at the Potrero Hill Recreation Center, would be supplemented on the project site with Irish Hill Playground, events at the Building 12 Market Plaza and Market Square, and passive recreation areas among the other open spaces. The Proposed Project also includes optional rooftop open spaces that may include amenities such as ball courts. However, these open spaces are contingent upon the development of parking structures on Parcels C1 and C2, and would augment the 9 acres of ground-level open space.

In particular, some comments state that the Potrero Hill Recreation Center and Jackson Playground would be affected by the Proposed Project population. As stated on p. 4.J.7, it is assumed that Proposed Project residents would be able to walk to active recreational resources within the 0.5-mile walkable range, such as the Potrero Hill Recreation Center, as discussed in Response REC-1. As stated on EIR p. 4.J.35, the Potrero Hill Recreation Center has been evaluated by RPD and is generally reported to be in good maintenance condition, and additional improvements proposed by the 2012 Clean and Safe Parks Bond are anticipated to be complete prior to project completion:

> Of the eight existing parks and recreational facilities within a 0.5-mile radius of the project site, one facility, the Potrero Hill Recreation Center, was identified in the 2012 Clean and Safe Parks Bond as needing improvements to the natural turf playfields and the dog play area.[44] These improvements are anticipated to take place in 2017 and the affected recreation facilities are scheduled to re-open to the public by July 2018.[45]
>
> As discussed above under "Existing Recreation Demand," p. 4.J.14, the most recent park evaluation scores indicate that the Potrero Hill Recreation Center is a well-maintained park (91 percent). As of the latest quarterly evaluation conducted by RPD and the Office of the Controller (April 1 to June 30, 2014), two evaluations took place, on May 15, 2014, and May 27, 2014. In general, most feature elements were found to be in satisfactory condition and no feature elements scored less than 80 percent in evaluations performed to date. Feature elements identified as requiring further improvement included a dog waste bag dispenser and a hole in a dog play area, overgrown pathways, holes in fences and broken gate latches, a dirty restroom, peeling paint, and graffiti and trash.[46] Construction under the Maximum Residential Scenario would not begin until 2018 and would not be fully complete until 2029. As such, it is anticipated that identified improvements to the Potrero Hill Recreation Center would be completed by the time the first occupancy permit for the Proposed Project would be issued.
>
> [Footnote 44 on EIR p. 4.J.35]
> [44] San Francisco Recreation and Parks Department, Active Capital Projects, 2015. Available online at http://sfrecpark.org/park-improvements/currentprojects/. Accessed September 22, 2015.

As stated on EIR p. 4.J.9, Jackson Playground is outside the 0.5-mile walkability buffer used in the EIR's approach to recreation impacts. Nonetheless, it is acknowledged that City residents may travel beyond the typical range, especially to seek out particular recreation amenities. These recreation facilities include outdoor fields, indoor courts, and community spaces that are used by sports leagues and other organizations and for programmed classes. Proposed Project residents or their children may join athletic programs that reserve space to meet at the Potrero Hill Recreation Center or Jackson Playground. It would be speculative to assume that existing programs would fill to capacity, or that additional programs or facility reservations would be needed due to increased demand. The amount of any enrollment increase that could occur is speculative and cannot be directly estimated based on the proximity or population of the Proposed Project alone. Moreover, enrollment or court reservation availability is not a physical environmental impact under CEQA and is beyond the scope of the EIR.

Therefore, as discussed above, the analysis of recreational/open space impacts is adequately covered in the EIR and no additional environmental review of this topic is required. These comments are noted, will be transmitted to City decision-makers, and will be considered by City decision-makers as part of the Proposed Project's approval process.

Comparison of Recreation Resources

One comment asks why the Potrero Hill Recreation Center, as an active recreation facility, is compared to the open space program provided by the Proposed Project. As stated on p. 4.J.7, the Proposed Project would create 9 acres of new open space, which is similar in scale to the existing 9.5-acre Potrero Hill Recreation Center. As noted in "Demand on Nearby Existing Parks and Recreation Facilities," EIR pp. 4.J.11-4.J.15, and Table 4.J.2: Estimated Service Population for Parks and Recreation Facilities Near the Project Site, EIR p. 4.J.12, the Potrero Hill Recreation Center has been found to be well maintained per quarterly RPD evaluations, despite serving a population as large as approximately 12,000 residents as of 2010.

The Proposed Project would add up to approximately 6,868 new residents to the area, for a total new service population of approximately 12,272 residents. Although each site may provide different recreation opportunities, the comparison is provided on EIR p. 4.J.37 to illustrate that the 9-acre proposed open space plan is sufficient in scale to withstand deterioration pressures sustained by the existing local population and Proposed Project residents. The comments do not provide other evidence or new analysis that would suggest that the EIR is inadequate or inaccurate, and no additional environmental review of this topic is required for the Proposed Project.

Cumulative Impacts

Some comments raise concerns about the Proposed Project's contribution to the deterioration of public parks, recreational facilities, and open space in consideration of existing facility maintenance and nearby future development. As discussed on EIR pp. 4.A.12-4.A.18, the EIR accounts for population growth associated with specific projects within one-half mile of the project site, as well as area plans such as the *Eastern Neighborhoods Area Plans*, the *Western SOMA Community Plan*, the *Mission Bay Redevelopment Plan*, and the *Central SOMA Plan*. Consistency with plans and policies is further discussed in EIR Chapter 3 and RTC Section 4.C. Impacts associated with population growth are discussed in EIR Section 4.B and RTC Section 4.E, and impacts associated with other public services, such as police, fire and schools, are discussed in EIR Section 4.L and RTC Section 4.L.

EIR Section 4.J, Recreation, acknowledges that development of the Proposed Project would increase demand for recreational facilities. However, as stated on EIR pp. 4.J.29-4.J.40, acceleration of physical deterioration of recreational resources would not occur because the demand for these resources would be met in part by the Proposed Project's open space program as well as the required private and common open space that would be provided with the development of each of the proposed new buildings. In addition, as stated in Response Rec-1 under "Existing Deterioration of Recreation Resources," pp. 4.K.7-4.K.8, the existing parks and

recreation facilities are generally well maintained and several maintenance and renovation planning efforts are ongoing or underway. One such plan, the Dogpatch Public Realm Plan, is described in detail under "Ongoing Streetscape and Open Space Planning in the Dogpatch Neighborhood" on RTC pp. 4.K.23-4.K.26, below. Furthermore, as discussed on EIR pp. 4.J.4-4.J.6, some existing park land (Agua Vista Park, and portions of Bayfront Park) and one baseline park project (Mariposa Park) were recently built, totaling almost 5 acres of new parks. The Proposed Project would result in less-than-significant project impacts on recreation resources.

Further, as stated on EIR pp. 4.J.42-4.J.46, impacts on recreation resources would remain less than significant from implementation of the Proposed Project and in combination with cumulative development projects. The project site is within one of San Francisco's Priority Development Areas that has been planned to accommodate a significant share of residential and employment growth, continuing with redevelopment of Mission Bay and Candlestick Point / Hunters Point. Recreation demand would be readily met by planned parks and open space areas developed as part of the Mission Bay Plan and Pier 70 master plan area, as well as by existing facilities in the project vicinity. In particular, the area includes or would include almost 5 acres of recently completed park land (Mariposa Park, Agua Vista Park, portions of Bayfront Park) and 15.8 acres of new open space proposed as part of the cumulative projects (Crane Cove Park, Golden State Warriors Event Center and Mixed-Use Development Project, and Potrero Hope SF Master Plan). As stated on EIR p. 4.J.45, the Proposed Project's 9 new acres of open space in combination with these future open space developments would nearly double the amount of open space in the vicinity. Furthermore, the development of residential units under the Proposed Project would also take place in sequence with the development of project open space, as shown in Figures 2.26: Proposed Phasing Plan – Maximum Residential Scenario, EIR p. 2.82, and 2.27: Proposed Phasing Plan – Maximum Commercial Scenario, EIR p. 2.85, and project open spaces would become increasingly available for residents over time during development. The comments do not provide evidence or new analysis that would suggest that discussion of cumulative impacts in the EIR is inadequate or inaccurate, and no additional environmental review of this topic is required for the Proposed Project. These comments will be considered by City decision-makers as part of the Proposed Project's approval process.

Ongoing Streetscape and Open Space Planning in the Dogpatch Neighborhood

One comment identifies the "Dog-Patch Street Space Plan" and "Eastern Neighborhoods Street and Open Space Plan(s)" as suggested projects to consider for this EIR (see RTC Section 4.S, Cumulative Impacts, p. 4.S.2-4.S.8, for a discussion of the cumulative project list methodology). Streetscape and open space improvements of varying scale are proposed under several ongoing local planning efforts, including the Central Waterfront / Dogpatch Public Realm Plan (Public Realm Plan), which is a City initiative that has been informed by ongoing community input, and

the Eastern Neighborhoods Community Planning: Streets and Open Space Concept, and the Dogpatch 22nd Street Greening Master Plan, which is a community-led plan to identify park development and improvement projects.

EIR Section 4.E, Transportation and Circulation, pp. 4.E.98-4.E.99, describes transportation-related improvements proposed by the Central Waterfront / Dogpatch Public Realm Plan (Public Realm Plan) and notes that development of the Plan is ongoing:

> …[A]s part of a separate and ongoing planning effort, the City is conducting a planning process, led by the Planning Department, to improve the public realm in the Central Waterfront and Dogpatch neighborhoods, known as the Central Waterfront/Dogpatch Public Realm Plan. The Plan area includes the blocks between Illinois Street, Cesar Chavez Street, I-280, and Mariposa Street. This planning process is generally designed to improve sidewalks, pedestrian crossings, and lighting in the area, as well as enhance streetscape features. Upon completion, the Plan will consist of a comprehensive set of smaller projects, prioritized so that as funding becomes available, the individual components of the plan may be constructed over time.

Further, in 2012, community leaders and non-profit groups began to explore the formation of a Green Benefit District (GBD) for the Dogpatch and Potrero Hill neighborhoods. To that end, the community developed the Green Vision Plan and a GBD Management Plan (November 2013 and March 2015, respectively) and these plans identified several "aspirational," or potential, park development and improvement projects.[10,11] At the time the NOP was published (May 2015), the results of these planning efforts were speculative. The community's petition to formally establish the Dogpatch and Northwest Potrero Hill GBD was still underway and the City had just initiated the Public Realm Plan Process in order to perform initial scoping and development of cost estimates for such capital projects under what would be known as the Public Realm Plan.[12]

The Dogpatch and Northwest Potrero Hill GBD was later approved by ballot in July 2015 and the City's community outreach, project prioritization, and design concept finalization for the Public Realm Plan has continued since. More recently, a public review draft of potential area-wide

[10] Dogpatch & Northwest Potrero Hill GBD, Green Vision Plan, November 8, 2013. Available online at http://dnwph-gbd.org/documents/. Accessed April 2017.

[11] Dogpatch & Northwest Potrero Hill GBD, Management Plan, March 27, 2015. Available online at http://dnwph-gbd.org/documents/. Accessed April 2017.

[12] San Francisco Planning Department, Dogpatch Neighborhood Association Meeting Handout, March 10, 2015. Available online at: http://default.sfplanning.org/Citywide/Dogpatch_CtrlWaterfront/2015.03.10_DNA_Mtg_Handout.pdf. Accessed April 2017.

streetscape improvements was provided at meetings with the Dogpatch Neighborhood Association in February and March 2017.[13]

Potential streetscape improvements include proposed pedestrian connections, sidewalk improvements, bulbouts, curb ramps and cross walks, new or revised intersection stop control or signalization, and Class III bike routes. The Public Realm Plan is also considering pedestrian lighting for the 22nd Street Caltrain bridges. Based on community feedback, one key component of the Public Realm Plan involves renovation of Esprit Park, an existing park discussed in EIR Section 4.J, Recreation, and identified in Table 4.J.1: Existing and Baseline Parks and Recreational Facilities Near the Project Site, on EIR p. 4.J.5. On March 10, 2017, a Schematic Concept for renovation of Esprit Park was released based on feedback for preferred programs and amenities, size, and rough allocation of functional program areas to inform the next phase of park design.[14] The Public Realm Plan is also considering potential expansion and improvements to Minnesota Grove on Minnesota Avenue between 24th and 25th streets.

As shown in Table 4.J.1, EIR p. 4.J.6, Progress Park and Tunnel Top Park are identified as recreation resources near the 1-280 Caltrans right-of-way. The Public Review Draft of the Public Realm Plan identifies additional potential future open space adjacent to I-280 and the Caltrain right-of-way between Pennsylvania Street and Indiana Street bounded by 23rd Street to the north and Cesar Chavez Street to the south.[15]

Section 4.J, Recreation, acknowledges that projects such as recently constructed parks (including Mariposa Park and portions of Bayfront Park), new parks and open space under the Cumulative scenario (Crane Cove Park, Golden State Warriors Event Center and Mixed-Use Development Project, and Potrero Hope SF Master Plan), as well as planned improvements to existing parks and recreation facilities (such as improvements under the 2012 Clean and Safe Parks Bond), each alleviate recreation demand. These activities are complementary to park and open space improvements proposed by the Central Waterfront / Dogpatch Public Realm Plan, and

[13] San Francisco Planning Department. 2017. Dogpatch Neighborhood Association Informational Update. February 14, 2017. Presentation Materials. Available online at: http://default.sfplanning.org/Citywide/Dogpatch_CtrlWaterfront/2017.02.14_CWD-PRP_DNA.pdf. Accessed April 2017.

[14] San Francisco Planning Department. 2017. Esprit Park Schematic Design, Dogpatch Neighorhood Association Design and Development Review Committee Review Package, Tuesday March 14, 2017. Available online at: http://default.sfplanning.org/Citywide/Dogpatch_CtrlWaterfront/CWD_PRP_ReviewPackage_031417.pdf. Accessed April 2017.

[15] San Francisco Planning Department. 2017. Dogpatch Neighborhood Association Informational Update. February 14, 2017. Presentation Materials. Available online at: http://default.sfplanning.org/Citywide/Dogpatch_CtrlWaterfront/2017.02.14_CWD-PRP_DNA.pdf. Accessed April 2017.

implementation the Public Realm Plan would further improve pedestrian and bicycle accessibility, revitalize Esprit Park and other open spaces, and further alleviate recreation demand. The comment does not provide substantial evidence that new significant cumulative impacts would result or that identifying these additional planning efforts would change any of the conclusions in the EIR. Therefore, no further response is required in this RTC document.

Impacts to Proposed Project Open Space

Some comments state that the Proposed Project's open space program is not sufficient to accommodate anticipated demand given the addition of new residents, workers, and other users. As discussed on EIR p. 4.J.4, the project site does not currently contain any developed or accessible public open space. Since these open spaces do not yet exist, and, in fact, are part of the Proposed Project itself, demand placed on these proposed open spaces by future residents of the Proposed Project would not interfere with any existing recreational use and would have no impact under CEQA. This is because, generally, the impact of a proposed project on itself is not considered an impact on the existing environment requiring analysis under CEQA. However, a discussion of population impacts on project open space is provided for informational purposes.

Proposed project open spaces (Waterfront Terrace, Waterfront Promenade, and Slipways Commons, among others) and other existing or planned facilities nearby, such as Bayfront Park, Agua Vista Park, and the Bay Trail are/would be designed and constructed to withstand substantial use and are capable of serving large numbers of visitors. Similar levels of use are currently experienced at existing recreational facilities in the vicinity of AT&T Park, including China Basin Park, South Beach Park, The Embarcadero Promenade, and Bay Trail, prior to and following San Francisco Giants baseball games. These facilities are regularly maintained by the applicable City departments to ensure substantial deterioration from use does not occur.

One of the project sponsors' objectives is to provide access to San Francisco Bay where it has been historically precluded by opening the eastern shore of the site to the public with a major new waterfront park, extending the Bay Trail, and establishing the Blue Greenway to create a pedestrian- and bicycle-friendly environment. To that end, the Port is coordinating the development of several adjacent waterfront sites to meet water-oriented recreational activities. Although on-site recreation would be primarily related to providing pedestrian and bicycle trails and waterfront viewing, multiple nearby boat launches (Pier 52, Islais Creek, Mission Creek) and the future Crane Cove Park would provide swimming and boating access.

Given the availability of existing recreational facilities in the project vicinity and region and the ability of these facilities to accommodate large crowds, combined with the inclusion of on-site publicly accessible open space proposed by the project that would directly serve the project's demand for recreational facilities, the increased use of existing recreation facilities would not

result in substantial physical deterioration of these resources, or otherwise result in physical degradation of existing recreation resources. As explained in the EIR, the Proposed Project's impacts on recreation resources were determined to be less than significant, and no mitigation is required.

Similarly, one comment, shown in Response RE-2, asks whether project open spaces such as playgrounds need to be protected from the nearby PG&E Switch Yard, construction dust, debris, noise, and other pollution. Safety and public health concerns are addressed in Section 4.F, Noise; Section 4.G, Air Quality; Section 4.N, Geology and Soils; and Section 4.O, Hazards and Hazardous Materials, of the EIR. However, since these open spaces do not yet exist, potential pollution or other impacts to project open spaces would not interfere with any existing recreational use and would have no impact under CEQA.

Mitigation

One comment asks to consider mitigating impacts to recreation resources. Similarly, some comments suggest that the City should rehabilitate existing RPD parks and recreation facilities, or acquire new sites. As stated above, the EIR does not identify any significant impacts to recreation resources that would require mitigation. Since the Proposed Project would not result in project-specific impacts or contribute considerably to cumulative recreational impacts, mitigation such as specific contributions to Jackson Playground or other area parks would not be warranted per CEQA Guidelines Section 15126.4. Furthermore, any funding or donations to open space areas outside the project site, or the future expansion or construction of recreational facilities, beyond those described in the Proposed Project, is beyond the scope of this EIR.

L. PUBLIC SERVICES

The comments and corresponding responses in this section relate to the topic of Public Services, evaluated in EIR Section 4.L. The comments are further grouped according to the following issues:

- PS-1: Public Schools
- PS-2: Libraries
- PS-3: Cumulative Public Services Impacts

A corresponding response follows each group of comments.

COMMENT PS-1: PUBLIC SCHOOLS

"**4L: Public Services**
"There's a need for community meeting rooms and spaces. Gathering places and multipurpose facilities activate other uses.

"**DEIR Statement:** Page 34: As the SFUSD is not currently experiencing high growth rates, facilities throughout the County are generally underutilized. The SFUSD maintains a property and building portfolio that has a student capacity for over 90,000 students. As such, the SFUSD currently has more classrooms district-wide than it needs, resulting in a surplus of property. The SFUSD has responded to this trend by closing and merging certain schools, and is not planning to construct new schools near the project site.

"**Comment:** This is not true—DEIR seems out of synch with current population forecasts. The SFUSD in in the process of approving the building two new schools, one in Mission Bay and one in the Bay View, due to the housing development, especially affordable housing, AND the fact that far more families have moved into and will move into these newly developed and rapidly neighborhood than the City and SFUSD had anticipated. In addition, this section states that "The elementary school nearest the project site is Daniel Webster Elementary School at 465 Missouri Street, located approximately 0.5 mile west of the project site.[59] For the 2015-2016 academic year, this school had a total K-5 enrollment of 275 students. According to the current SFUSD enrollment and matriculation process, students who attend this elementary school would subsequently attend James Lick Middle School at 1220 Noe Street, approximately 2.5 miles west of the project site. This school has an enrollment of 601 students. After middle school, students would apply to any high school in the City. The public high school nearest the project site is the International Studies Academy at 655 De Haro Street, approximately 0.7 mile west of the project site. The International Studies Academy has an enrollment of 128 students.

"**Comment:** It appears that the DEIR information is incorrect and out of date. Though SFUSD does have a lottery, it gives preference to neighborhood location, and so where would the children of Pier 70 be offered neighborhood preference? If it is Daniel Webster, can the school accommodate this number of children? Additionally, ISA has now been moved to John O'Connell HS site in the Mission, and currently NO local Middle Schools serving Mission Bay, Potrero, Dogpatch, though it is the preference of the families to have their children attend schools near their homes, preferably within walking distance, as born[e] out by the fact the Daniel

Webster PTA as well as PREFund has been advocating for several years to ensure that the Enola Maxwell site as a Middle School Option for our neighborhood. How will the additional youth in Pier 70 affect the enrollment potential of a local Middle School?" *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-27])*

"The topic is so complex, and the data drawn from so many sources, that data often becomes obsolete before the draft is printed. An example of this is data from the school district, which indicates that San Francisco's student population is demising, and new schools are not needed. Yet, by November 2016, the School District campaigned for Proposition A school bond, which requested funds for the building of two new schools in the eastern part of the City including an elementary school in Mission Bay. Below is a quote from the draft EIR, as an example[:]

'As the SFUSD is not currently experiencing high growth rates, facilities throughout the City and County are generally underutilized. The SFUSD maintains a property and building portfolio that has a student capacity for over 90,000 students. As such, the SFUSD currently has more classrooms district-wide than it needs, resulting in a surplus of property. The SFUSD has responded to this trend by closing and merging certain schools, and is not planning to construct new schools near the project site.'" *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-39])*

RESPONSE PS-1: PUBLIC SCHOOLS

One comment asserts that the EIR uses out-of-date data and cites, as an example, the EIR's conclusion that the Proposed Project would not result in the need for new facilities because of the available capacity within the SFUSD system; according to the comment, this conclusion does not align with Proposition A, a proposition on the November 2016 ballot that requested funding for two new schools in the eastern part of the City, including an elementary school in Mission Bay. Although Proposition A requested funds from San Francisco voters, the use of the general obligation bonds is primarily for the repair and rehabilitation of existing school facilities (approximately 85 percent).[1] Proposition A also included funds for the possible construction of new schools, specifically in the Bayview and Mission Bay neighborhoods, although the school locations are not guaranteed as part of the proposition. The proposed Mission Bay public school was considered in the maximum development program for the Mission Bay South Redevelopment Project.[2] The proposed schools are associated with projects of a larger scale (303 and 702 acres for Mission Bay and Bayview Hunter Point Redevelopment Areas, respectively)

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[1] City and County of San Francisco, 2016, San Francisco Voter Information Pamphlet & Sample Ballot: Proposition A School Bonds, November 8. Available online at http://voterguide.sfelections.org/en/school-bonds. Accessed March 21, 2017.

[2] San Francisco Redevelopment Agency, 2013, Redevelopment Plan for the Mission Bay South Redevelopment Project, p. 15, adopted July 9. Available online at http://sfocii.org/sites/default/files/FileCenter/Documents/8895-MBS%20Red%20Plan%20First%20Amendment.pdf. Accessed March 21, 2017.

that have considerably increased, and would continue to considerably increase, the number of school-aged children in these neighborhoods (approximately 1,615[3] and 1,248[4] students for Mission Bay and Bayview Hunter Point Redevelopment Areas, respectively). The SFUSD determined that, as a result of these increases, schools near these developments would reach their existing capacities.

As stated on EIR pp. 4.L.28-4.L.29, the Proposed Project would increase the school-aged population by approximately 484 students under the Maximum Residential Scenario and 264 under the Maximum Commercial Scenario (considerably smaller increases than those associated with the previously mentioned projects). The EIR analysis concludes that the Proposed Project would not result in the need for new or expanded facilities because students could be accommodated by existing facilities.

Comments referring to San Francisco Unified School District (SFUSD) growth rates and population forecasts suggest that data used in the EIR are out of date. The EIR draws on the SFUSD's 2013-15 Strategic Plan, the most up-to-date version of the plan available during the time the Draft EIR was being prepared. The 2013-15 Strategic Plan shows that the SFUSD has an enrollment of 53,000 students and a capacity of 90,000 students, as stated on EIR p. 4.L.13. Although the SFUSD's 2016-2019 Strategic Plan (the most up-to-date information currently available) shows a slightly higher enrollment of 55,320,[5] the conclusions presented in the EIR on pp. 4.L.28-4.L.29 remain valid. The comments do not present any substantial evidence that would change the conclusions of the EIR. However, to update SFUSD existing data in the EIR's discussion of public schools, the last sentence on EIR p. 4.L.12, which continues on p. 4.L.13, has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> The SFUSD manages ~~15~~ 12 early education schools, ~~72~~ 64 elementary schools (K-5), ~~12~~ 13 middle schools (grades 6-8), ~~15~~ 19 high schools (grades 9-12), ~~4~~ 9 County and Court schools, 13 charter schools, and ~~3~~ 5 continuation/alternatively-configured schools with a total enrollment of ~~more than 53,000~~ 55,320 students.[51]

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[3] San Francisco Redevelopment Agency, 1998, Mission Bay Subsequent Environmental Impact Report, p. II.33, September 17. Available online at http://sfocii.org/sites/default/files/FileCenter/Documents/3879-MISSION%20BAY%20SUBSEQUENT%20ENVIRONMENTAL%20IMPACT%20REPORT%20VOL%20IA.pdf. Accessed on March 21, 2017.

[4] San Francisco Redevelopment Agency, 2006, Bayview Hunters Point Redevelopment Projects and Rezoning, p. S-27, March 2. Available online at http://sfocii.org/sites/default/files/ftp/uploadedfiles/Projects/BVHPFEIRSum.pdf. Accessed on March 21, 2017.

[5] SFUSD, *SFUSD's 2016-19 Strategic Plan*, p. 2. Available online at http://www.sfusd.edu/en/assets/sfusd-staff/about-SFUSD/files/2016-19-strategic-plan.pdf. Accessed on March 9, 2017.

Footnote 51, on EIR p. 4.L.13, cited in this text, has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> [51] San Francisco Unified School District (SFUSD), SFUSD's ~~2013-15 Strategic Plan. Available online at http://www.sfusd.edu/en/assets/sfusd-staff/about-SFUSD/files/SFUSD%20Strategic%20Plan.pdf. Accessed September 14, 2015.~~ *2016-19 Strategic Plan*, p. 2. Available online at http://www.sfusd.edu/en/assets/sfusd-staff/about-SFUSD/files/2016-19-strategic-plan.pdf. Accessed March 9, 2017.

One comment suggests that the EIR is out of date with the SFUSD school lottery system and its relation to geographic preference, and questions whether Daniel Webster Elementary could accommodate new students from the Proposed Project. As discussed in Footnote 59 on EIR p. 4.L.14, the school lottery gives weight to the attendance area in which the student resides. Because Daniel Webster Elementary is the closest elementary school to the project area, it would be weighted for prospective new students at the project site. The capacity of Daniel Webster Elementary is 500 students.[6] For the 2015-2016 academic year, the school had a total K-5 enrollment of 275 students and room for 225 additional students. Based on SFUSD's student generation rate of 0.16 student per residential unit,[7] the Proposed Project would increase the demand for schools by about 484 students under the Maximum Residential Scenario and by about 264 students under the Maximum Commercial Scenario. These students would be distributed throughout grades, and some would likely attend private and charter schools in the area. If Daniel Webster Elementary were to exceed its capacity, students would attend other nearby schools, including Starr King Elementary and Bryant Elementary School, as determined by the City's lottery process. Based on current enrollments and school capacities, Starr King and Bryant Elementary Schools can accommodate 313 and 133 additional students, respectively.[8,9] Similarly, James Lick Middle School, which is approximately 2.5 miles west of the project site, has a current enrollment of 658 and a capacity of 750 students, and can accommodate 92

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[6] SFUSD, *Capital Plan FY 2010-2019*, p. 38, September 2009. Available online at http://www.sfusd.edu/en/assets/sfusd-staff/about-SFUSD/files/capital-plan-final-2010-2019.pdf. Accessed March 9, 2017.

[7] Lapkoff & Gobalet Demographic Research, Inc., *Demographic Analyses and Enrollment Forecasts for the San Francisco Unified School District*, p. 1-6, March 18, 2010.

[8] SFUSD, *Capital Plan FY 2010-2019*, p. 38, September 2009. Available online at http://www.sfusd.edu/en/assets/sfusd-staff/about-SFUSD/files/capital-plan-final-2010-2019.pdf. Accessed March 9, 2017.

[9] SFUSD, Research Planning and Accountability Data Center, School List and Summary – Student Enrollment. Available online at http://web.sfusd.edu/Services/research_public/rpa_student_enrollment/SFUSD%20School%20Site%20List%20and%20Summary-%20Student%20Enrollment%20[Most%20Current].pdf. Accessed March 14, 2017.

additional students.[10,11] Therefore, new students as a result of the Proposed Project could be accommodated by existing school facilities, and no new or expanded facilities would be required.

The comment regarding the closure of the International Studies Academy is accurate: the school merged with John O' Connell High School for the 2016-2017 school year.[12] The following revisions have therefore been made to the last sentence of the first complete paragraph on EIR p. 4.L.14 (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> The public high school nearest the project site is ~~the International Studies Academy~~ John O' Connell High School at ~~655 De Haro Street~~ 2355 Folsom Street, approximately ~~0.7~~ 1.4 mile west of the project site. ~~The International Studies Academy~~ John O' Connell High School has an enrollment of ~~128~~ 378 students.

One comment notes the need for more community meeting rooms and gathering places. As stated on EIR p. 2.45, the Building Design Standards for the proposed open space plan respond to several key objectives, including creating a variety of vibrant public spaces for social interaction and respite. The Waterfront Promenade, Slipway Commons, and Building 12 and Market Plaza are all intended to support outdoor community gatherings. The Proposed Project includes 9 acres of publicly owned open space to encourage community and civic spaces. Within the project site, active, public, and creative uses would be encouraged on the ground floor of buildings. In addition, the Pier 70 Design for Development provides that 50 percent of Retail and Service frontages (those building frontages generally facing the waterfront at the northern and southern portions of the site, as well as building corners and frontages at several key locations across the site) would be required to have community facilities and personal services, including event and activity spaces.

COMMENT PS-2: LIBRARIES

"**Impact PS-4:** The Proposed Project would not result in an increase in demand for library services that could not be met by existing library facilities. (Less than Significant) Maximum Residential Scenario – The number of new residents at the project site under the Maximum Residential Scenario would represent an approximately 448 percent increase in the total number of residents located in Census Tract 226, the census tract in which the project site is located.

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[10] SFUSD, *Capital Plan FY 2010-2019*, p. 38, September 2009. Available online at http://www.sfusd.edu/en/assets/sfusd-staff/about-SFUSD/files/capital-plan-final-2010-2019.pdf. Accessed March 9, 2017.

[11] SFUSD, Research Planning and Accountability Data Center, School List and Summary – Student Enrollment. Available online at http://web.sfusd.edu/Services/research_public/rpa_student_enrollment/SFUSD%20School%20Site%20List%20and%20Summary-%20Student%20Enrollment%20[Most%20Current].pdf. Accessed March 14, 2017.

[12] International Studies Academy, 2017, ISA School Closed. Available online at https://isa-sfusd-ca.schoolloop.com/. Accessed on March 9, 2017.

Although this increase would be large for the project area, it would be not be substantial for the City as a whole, because it would represent 2.4 percent of the total Citywide population growth from 2010 to 2040. Residential and nonresidential development associated with the Proposed Project would increase demand for local library services. However, the existing library branches near the project site have been either recently renovated or constructed in accordance with the Branch Facilities Plan (the Mission Bay Branch was constructed in July 2006, the Potrero Branch was renovated in 2010, and the Bayview Branch was constructed in 2013), and they would therefore be able to meet the demand for library services generated by the 6,868 residents and 5,599 employees at the project site under the Maximum Residential Scenario. The Proposed Project would not require construction of new or expanded library facilities beyond those already proposed or under construction under the BLIP. Thus, the new, existing, and rebuilt San Francisco Public Library branches could accommodate increased demand from the Proposed Project, and no additional library facilities would be required. Impacts on library services would be less than significant, and no mitigation measures are necessary[.]

"**Comment**: Branch libraries are built to support community use, so why, when considering the impact on library services, does the DEIR reject the local increase in favor of the spreading the impact throughout the overall SF population? This is not logical, and assumes people will travel to other libraries if the local ones are full. This does not seem to be the point of accurately measuring and mitigating Pier 70s true impact on local library services.

"In addition, [w]hy does this DEIR assume that simply because a library has been renovated that it has increased its capacity to meet community needs? In fact the new Mission Bay Library is already oversubscribed, with lines out the door for story time. The Potrero Branch in fact lost capacity with its new open, loft-like redesign, with the public meeting room square footage being halved in size, further diminishing its ability to meet a rapidly growing community's need.

"Despite the cumulative quantity of development approach, it appears that this DEIR's estimates were not accurate. Demand has outstripped supply TODAY and the impact of Pier 70 should be mitigated appropriately with a new Branch Library to serve this community." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-28])*

RESPONSE PS-2: LIBRARIES

The comment states that branch libraries are built for community use and that the EIR incorrectly asserts that effects would be distributed throughout San Francisco. Based on patterns of use drawn from library visitor data, residents and employees at the project site would likely use neighborhood libraries as well as Citywide library resources. For example, visits to the Main Library comprise approximately 25 percent of all library visits Citywide.[13,14] Also, residents of the Proposed Project would also likely use libraries near their place of employment in addition to their local branch.

[13] San Francisco Public Library, Statistics FY 2014-2015. Available at http://sfpl.org/pdf/about/administration/statistics-reports/annualreport2013_2014.pdf. Accessed on October 22, 2015.

[14] San Francisco Public Library, Main Library Fact Sheet. Available at https://sfpl.org/pdf/libraries/main/about/mainlibraryfactsheet.pdf. Accessed on May 16, 2017.

The comment notes that because a library has been renovated does not mean that it has increased its capacity. The San Francisco Public Library Branch Library Improvement Program (BLIP), intended to expand and improve library branches, has ensured adequate capacity for San Francisco residents.[15] As stated on EIR p. 4.L.15, the BLIP included the preparation of the Branch Facilities Plan, which is intended to guide and identify the particular needs and standards for the neighborhood branches of the San Francisco Public Library. Public libraries near the project site, which include the Potrero Branch, at 1616 20th Street (approximately 0.5 mile northwest); the Mission Bay Branch, at 960 Fourth Street (approximately 1 mile to the north); and the Bayview Branch, at 5075 Third Street (approximately 1.6 miles to the south), have all been either newly constructed or renovated and expanded within the last five years due to BLIP funding and the Branch Facilities Plan needs assessment analysis.[16,17] In addition, as stated in the *San Francisco Public Library Strategic Plan*, there is no national standard for library service, and each library must evaluate how it may best meet the needs of the community. To this end, the *Strategic Plan* provides every library facility and program with a unifying organizational vision and system-wide goals. The *Strategic Plan* is based, in part, on population projections for build-out of the *General Plan*, which includes the development anticipated at the project site. Although the population would grow under the Proposed Project, the construction of new or expanded library facilities, beyond those already proposed or under construction under the BLIP, would not be required, as discussed on EIR p. 4.L.30.

COMMENT PS-3: CUMULATIVE PUBLIC SERVICES IMPACTS

"**DEIR Statement**: In conclusion, the Proposed Project, in combination with past, present, and reasonably foreseeable future projects, would result in less-than-significant cumulative impacts on public services.

"**Comment**: In addition to the outdated data and inaccuracies mentioned above in relation to schools and libraries mentioned, please compare this DEIR's cumulative quantity of development approach for quantifying and mitigating impact on all public services, to Mission Bay, where that new neighborhood of 6000 residential units prompted the addition of a new fire station, school, library and vast network of parks and playgrounds. Here in the Central Waterfront, with more than 4000 new residential units in and around Dogpatch built since 2010 or coming online by 2020, with plans to grow to well over 7000 new units by 2030, it seems that a re-evaluation needs to be done. The impact is hardly "less than significant" and should include the construction of new public service facilities altogether, as was done for Mission Bay, to serve what cumulatively and essentially is new neighborhoods being constructed whole hog, with no commensurate public

[15] San Francisco Public Library, Branch Facilities Plan/Executive Summary, February 2016. Available online at http://sfpl.org/index.php?pg=2000043001. Accessed February 5, 2016.

[16] San Francisco Public Library, 2011, Potrero Branch Library Facts & Figures. Available at https://sfpl.org/pdf/blip/potrerofaq.pdf. Accessed May 16, 2017.

[17] San Francisco Public Library, 2013, New Bayview Branch Library Facts & Figures. Available at https://sfpl.org/pdf/blip/bayviewfaq.pdf. Accessed May 16, 2017.

services and facilities to serve it." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-29])*

RESPONSE PS-3: CUMULATIVE PUBLIC SERVICES IMPACTS

Comments question conclusions reached in the public services cumulative analysis, specifically whether new public services should be constructed (as was done for Mission Bay) to address cumulative neighborhood impacts. The cumulative analysis presented in the EIR on pp. 4.L.31-4.L.33 accounts for population growth associated with specific projects within one-half mile of the project site, as well as area plans such as the *Eastern Neighborhoods Plan*, *Western SOMA Community Plan*, *Mission Bay Redevelopment Plan*, and the *Central SOMA Plan*. These projects were either under construction as of the date of the publication of the NOP or approved and reasonably likely to be completed and occupied or in operation when the Proposed Project is expected to be implemented. Build-out of the Proposed Project, in conjunction with reasonably foreseeable projects, would increase overall demand for services provided by the SFPD, SFFD, SFUSD, and San Francisco Public Library. However, as discussed in Impact C-PS-1 on EIR pp. 4.L.31-4.L.33, the Proposed Project in combination with the cumulative projects would result in less-than-significant impacts on all public services. Similarly, cumulative impacts related to recreational facilities are less than significant and described in Impact C-RE-1 on EIR pp. 4.J.44-4.J.46.

As discussed in Impact C-PS-1 on EIR pp. 4.L.31-4.L.33, the redistricting associated with the *District Boundary Station Analysis* would reduce the Bayview Police District's service area, and the Police District would be able to accommodate future population and employment growth within the district, including the demand generated by the Proposed Project and cumulative projects.[18] Similarly, the SFFD has not identified a Citywide service gap, and the incremental increase in the demand for fire and emergency medical services as a result of the Proposed Project and reasonably foreseeable projects would not be beyond levels anticipated and planned for by the SFFD. SFUSD facilities remain below their capacity and the development of cumulative projects in combination with the Proposed Project would not result in the need for new or expanded public school facilities. All cumulative projects (past, present, and reasonably foreseeable) that are within the identified population projections are understood to have been considered during development of the *San Francisco Public Library Strategic Plan*; therefore, it is not anticipated that cumulative development would result in a significant cumulative impact on library services.

[18] E-mail communication with Sergeant Maria Ciriaco, Legal Division, SFPD, November 4, 2015.

M. BIOLOGICAL RESOURCES

The comments and corresponding responses in this section relate to the topic of Biological Resources, evaluated in EIR Section 4.M. The comments are further grouped according to the following issues:

- BI-1: Effectiveness of Project Approach to Avoid or Minimize Impacts to Nesting Raptors and Other Birds
- BI-2: Adequate Compensation for Project Fill of Bay Waters
- BI-3: Presence of Late-Blooming Special-Status Plant Species on Irish Hill
- BI-4: Project Approach to Control Feral Cats
- BI-5: Project Consistency with the Bay Plan Policies on Aquatic Biological Resources
- BI-6: Implications of Potential Project Bat Buffers on Remedial Action Efforts at the Adjacent Potrero Power Plant.

A corresponding response follows each group of comments.

COMMENT BI-1: EFFECTIVENESS OF PROJECT APPROCH TO AVOID OR MINIMIZE IMPACTS TO NESTING RAPTORS AND OTHER BIRDS

"**City Effectiveness as a Lead Agency or Responsible Agency**
"The mitigations proposed by the city of San Francisco are significantly less stringent than those applied by state agencies that act as CEQA Lead Agencies. For example The Pier 70 Mixed-Use District Project EIR lists moderate likelihood of listed hawk and owl nesting. The mitigation measures are substantially less prescriptive than the following mitigation measures from the Fresno to Bakersfield High Speed Rail Final EIR. The likelihood of nesting is very high in vacant buildings and similar mitigation measures should be implemented during both demolition and construction.

"• BIO-MM#31. Bird Protection. During Final Design, the Project Biologist will verify that the catenary system, masts, and other structures such as fencing are designed to be bird and raptorsafe in accordance with the applicable recommendations presented in Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 2006 (APLIC 2006) and Reducing Avian Collisions with Power Lines: State of the Art in 2012 (APLIC 2012). The Project Biologist will check the final design drawings and submit a memorandum to the Mitigation Manager to document compliance with this measure.

"• BIO-MM#30. Conduct Preconstruction Surveys and Monitoring for Raptors. No more than 14-days before the start of ground-disturbing activities, the Project Biologist will conduct visual preconstruction surveys where suitable habitats are present for nesting raptors if construction and habitat removal activities are scheduled to occur during the bird-breeding season (February 1 to August 15). Surveys will be conducted in areas within the construction footprint and, where permissible, within 500 feet of the construction footprint for raptor species (not Fully Protected species) and 0.5 mile of the construction footprint for Fully

Protected raptor species. The required survey dates will be modified used on local conditions. If breeding raptors with active nests are found, the Project Biologist in conjunction with the Contractor will establish a 500-foot buffer around the nest to be maintained until the young have fledged from the nest and are no longer reliant on the nest or parental care for survival or the nest fails (as determined by the Project Biologist). If fully protected raptors (e.g., white tailed-kite) with active nests are found, the Project Biologist in conjunction with the Contractor will establish a 0.5-mile buffer around the nest to be maintained until the young have fledged from the nest or the nest fails (as determined by the Project Biologist). Adjustments to the buffer(s) will require prior approval by USFWS and/or CDFW. The Project Biologist will submit a memorandum, on a weekly basis or at other appropriate intervals, to the Mitigation Manager to document compliance with this measure

"• BIO-MM#29. Conduct Preconstruction Surveys and Delineate Active Nest Exclusion Areas for Other Breeding Birds. Before the start of ground-disturbing activities, the Project Biologist will conduct visual preconstruction surveys where suitable habitats are present for nesting birds protected by the MBTA if construction and habitat removal activities are scheduled to occur during the bird breeding season (February 1 to August 15). In the event active bird nests are encountered during the preconstruction survey, the Project Biologist in conjunction with the Contractor will establish nest avoidance buffer zones as appropriate. The buffer distances will be consistent with the intent of the MBTA. The Project Biologist will delineate nest avoidance buffers established for ground-nesting birds in a manner that does not create predatory bird perch points in close proximity (150 feet) to the active nest site. The Project Biologist or Biological Monitor will periodically monitor active bird nests. The Project Biologist will maintain the nest avoidance buffer zone until nestlings have fledged and are no longer reliant on the nest or parental care for survival or the nest is abandoned (as determined by the Project Biologist). The Project Biologist will submit a memorandum, on a weekly basis." *(Clair and Don Clark, Letter, February 8, 2017 [I-C&DClark1-3])*

"The Pier 70 Mixed-Use District Project Table E2 lists moderate likelihood of listed hawk and owl nesting. The mitigation measures are less prescriptive than those typically required by CDFG. See the following mitigation measures from the Fresno to Bakersfield High Speed Rail Final EIR. The likelihood of nesting is very high in vacant buildings and similar mitigation measures should be implemented during both demolition and construction.

"• BIO-MM#31. Bird Protection. During Final Design, the Project Biologist will verify that the catenary system, masts, and other structures such as fencing are designed to be bird and raptorsafe in accordance with the applicable recommendations presented in Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 2006 (APLIC 2006) and Reducing Avian Collisions with Power Lines: State of the Art in 2012 (APLIC 2012). The Project Biologist will check the final design drawings and submit a memorandum to the Mitigation Manager to document compliance with this measure.

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footprint and, where permissible, within 500 feet of the construction footprint for raptor species (not Fully Protected species) and 0.5 mile of the construction footprint for Fully Protected raptor species. The required survey dates will be modified based on local conditions. If breeding raptors with active nests are found, the Project Biologist in conjunction with the Contractor will establish a 500-foot buffer around the nest to be maintained until the young have fledged from the nest and are no longer reliant on the nest or parental care for survival or the nest fails (as determined by the Project Biologist). If fully protected raptors (e.g., white tailed-kite) with active nests are found, the Project Biologist in conjunction with the Contractor will establish a 0.5-mile buffer around the nest to be maintained until the young have fledged from the nest or the nest fails (as determined by the Project Biologist). Adjustments to the buffer(s) will require prior approval by USFWS and/or CDFW. The Project Biologist will submit a memorandum, on a weekly basis or at other appropriate intervals, to the Mitigation Manager to document compliance with this measure

"• BIO-MM#29. Conduct Preconstruction Surveys and Delineate Active Nest Exclusion Areas for Other Breeding Birds. Before the start of ground-disturbing activities, the Project Biologist will conduct visual preconstruction surveys where suitable habitats are present for nesting birds protected by the MBTA if construction and habitat removal activities are scheduled to occur during the bird breeding season (February 1 to August 15). In the event active bird nests are encountered during the preconstruction survey, the Project Biologist in conjunction with the Contractor will establish nest avoidance buffer zones as appropriate. The buffer distances will be consistent with the intent of the MBTA. The Project Biologist will delineate nest avoidance buffers established for ground-nesting birds in a manner that does not create predatory bird perch points in close proximity (150 feet) to the active nest site. The Project Biologist or Biological Monitor will periodically monitor active bird nests. The Project Biologist will maintain the nest avoidance buffer zone until nestlings have fledged and are no longer reliant on the nest or parental care for survival or the nest is abandoned (as determined by the Project Biologist). The Project Biologist will submit a memorandum, on a weekly basis or at other ap" *(Don Clark, Email, January 9, 2017 [I-DClark3-3])*

RESPONSE BI-1: EFFECTIVENESS OF PROJECT APPROACH TO AVOID OR MINIMIZE IMPACTS TO NESTING RAPTORS OR OTHER NESTING BIRDS

The comments express concern about the mitigation measures under the Proposed Project intended to reduce or avoid impacts to hawks and owls with potential to nest within the project site. Comments assert that the measures are less stringent and prescriptive than those typically applied by State agencies (acting as the CEQA lead agency) or sometimes recommended by the California Department of Fish and Wildlife. The comments provide example mitigation measures from the *Fresno to Bakersfield High Speed Rail Final EIR* and suggest that similar mitigation measures should be implemented for the Proposed Project to adequately reduce or avoid potential impacts to nesting birds.

Potential project-related impacts to nesting birds are discussed on EIR pp. 4.M.49-4.M.54 under Impact BI-1. As discussed on those pages, both State (California Fish and Game Code) and Federal (Migratory Bird Treaty Act [MBTA]) regulations mandate protection of native, migratory, and nesting birds, their eggs, and nests. In order to comply with these regulations, the project sponsors would need to take steps generally outlined in the example mitigation measures to ensure potential impacts to birds, their eggs, and nests are avoided or minimized. However, to clarify the project sponsors' actions that would demonstrate sufficient compliance with the MBTA and the Fish and Game Code, the following revisions have been made to the discussion of "Construction Impacts" under Impact BI-1 and to Mitigation Measure M-BI-1 on EIR pp. 4.M.49-4.M.51, and a new mitigation measure, M-BI-1b: Nesting Bird Protection Measures, has been added (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analysis or conclusions of the EIR.

Construction Impacts

Construction activities within both the 20th/Illinois Parcel and the 28-Acre Site, especially those that involve heavy machinery, may adversely affect nesting bird species within 0.25 mile of the project site during the nesting season (January 15–August 15). The project site's proximity to San Francisco Bay and its current lack of activity result in a more attractive environment for birds to nest than other San Francisco locations (e.g., the Financial District) that have higher levels of site activity and human presence. Caspian tern and western gull nesting is documented at Piers 60 and 64, north of the project site and within this radius. Dilapidated piers northeast of the project site could provide potential nesting sites for these species and for double-crested cormorant. Osprey has previously nested south of the project site at Pier 80, also within 0.25 mile of the Proposed Project, and could forage or nest within the terrestrial study area. Although not previously documented in the project vicinity, American peregrine falcon could nest in or on existing buildings on the project site. Project activities would not disrupt foraging activities of California least tern or California brown pelican, which may use open water habitat and shorelines of the project study area; these species do not nest locally. Common species, such as mourning dove, house finch, Anna's hummingbird, black phoebe, barn swallow, cliff swallow, red-tailed hawk, and red-shouldered hawk, also have the potential to nest on the ground, within ruderal vegetation, eucalyptus trees, or in existing buildings on the project site. Each of these species and their nests are afforded protection by the MBTA and California Fish and Game Code. The Proposed Project is required to comply with these regulations to avoid take of individual birds, eggs, and their nests.

Project construction activities and an increased human presence at the project site are expected to generate noise and visual disturbance that could adversely affect bird breeding and nesting behaviors at the project site and nearby. Proposed Project construction activities that may cause visual disturbance, alter the ambient noise environment, or introduce short-term loud noise events resulting in avoidance response (flushing) include, but are not limited to, making shoreline protection improvements; constructing new buildings; making improvements to existing structures; constructing transportation and circulation improvements; adding new and upgraded utilities and infrastructure; constructing geotechnical and shoreline improvements (that require soldier

pile driving or impact pile driving); and making improvements to publicly owned open space. A variety of construction activities, equipment, and schedules would be associated with each of these general types of construction.

Both long- and short-term loud noises can affect bird foraging and roosting by temporarily disturbing these behaviors, and may deter bird use of an area (including nesting) if such noises persist over the long term. However, overall avian activity within the study area is not expected to substantially change with project implementation because habitat value for birds foraging and nesting within the project site and vicinity would not substantially change (e.g., in-water foraging and nesting in eucalyptus trees on Irish Hill). Noise disturbance generally falls into two main categories: impulse and continuous. Impulse disturbances often used in demolition activities include single actions like blasts, or multiple actions like jackhammers and pile drivers. Continuous noise includes typical construction work area activities and roadway noise. Bird disruption from visual or noise disturbance varies, but typically birds will avoid disturbance areas and move to more preferable environments. However, some species inhabit noisy areas and may indirectly benefit from reduced competition and predation.[123]

Birds currently residing in both the terrestrial and marine study areas are accustomed to varying levels of ambient noise emanating from existing human activities in the area. For example, pedestrians and vehicular traffic are constant throughout the day and various Port activities are ongoing in the project vicinity on a regular basis. The primary sources of noise in the project vicinity are BAE Systems ship repair facilities, various industrial activities (e.g., American Industrial Center operations), construction activities along Illinois Street, and traffic on local streets surrounding the project site (Illinois, 20th, and 22nd streets) and the I-280 freeway corridor, located 0.25 mile west of the project site. Typical noise levels for some construction activities anticipated during project implementation would exceed ambient levels in the project vicinity. Construction activities that would substantially alter the noise environment could disrupt birds attempting to nest, disrupt parental foraging activity, or displace mated pairs with territories in the project vicinity. Given the long build-out period for the Proposed Project, the potential impacts of noise and visual disturbance on breeding birds are likely to occur over several nesting seasons, with the highest potential impacts associated with initial disturbance to idle parcels of the site. As the project progresses and the level of disturbance to the site increases with parcel development, nesting birds are less likely to be attracted to the site and the potential for construction-related impacts on birds and their nests decreases over time as the site is gradually built out and human activity increases.

The loss of an active nest attributable to project activities would be considered a significant impact under CEQA. Moreover, disruption of nesting migratory or native birds is not permitted under the MBTA or California Fish and Game Code. Thus, the loss of any active nest by, for example, removing a tree~~,~~ or shrub, or demolishing a building containing an active nest, or causing visual or noise disturbance which leads to nest abandonment, must be avoided under Federal and California law. Mitigation Measure M-BI-1a: Worker Environmental Awareness Program Training, shown below, requires all project personnel involved in demolition or ground-disturbing work to attend an

environmental training session prior to beginning work to educate workers on sensitive resources within and surrounding the project site and the regulatory environment protecting them, general and project-specific protection measures and protocols to be implemented during construction, and consequences for non-compliance with ~~project-specific~~ protection measures. This measure, in combination with Mitigation Measure M-BI-1b: Nesting Bird Protection Measures, and compliance with the MBTA and California Fish and Game Code, would avoid or reduce potential impacts on migratory and special-status birds to a less-than-significant level.

Mitigation Measure M-BI-1a: Worker Environmental Awareness Program Training

Project-specific Worker Environmental Awareness Program (WEAP) training shall be developed and implemented by a qualified biologist[123A] and attended by all project personnel performing demolition or ground-disturbing work prior to beginning demolition or ground-disturbing work on site for each construction phase. The WEAP training shall ~~generally~~ include, but not be limited to, education about the following:

a) Applicable State and Federal laws, environmental regulations, project permit conditions, and penalties for non-compliance.

b) Special-status plant and animal species with the potential to be encountered on or in the vicinity of the project site during construction.

c) Avoidance measures and a protocol for encountering special-status species including a communication chain.

d) Preconstruction surveys and biological monitoring requirements associated with each phase of work and at specific locations within the project site (e.g., shoreline work) as biological resources and protection measures will vary depending on where work is occurring within the site, time of year, and construction activity.

e) Known sensitive resource areas in the project vicinity that are to be avoided and/or protected as well as approved project work areas, access roads, and staging areas.

f) Best management practices (BMPs) (e.g., straw wattles or spill kits) and their location around the project site for erosion control and species exclusion, in addition to general housekeeping requirements.

Mitigation Measure M-BI-1b: Nesting Bird Protection Measures

The project site's proximity to San Francisco Bay and its current lack of activity result in a more attractive environment for birds to nest than other San Francisco locations (e.g., the Financial District) that have higher levels of site activity and human presence. Nesting birds and their nests shall be protected during construction by implementation of the following measures for each construction phase:

a) To the extent feasible, conduct initial activities including, but not limited to, vegetation removal, tree trimming or removal, ground disturbance, building demolition, site grading, and other construction activities which may compromise breeding birds or the success of their nests (e.g., CRF, rock drilling, rock crushing, or pile driving), outside of the nesting season (January 15–August 15).

b) If construction during the bird nesting season cannot be fully avoided, a qualified wildlife biologist[123B] shall conduct pre-construction nesting surveys within 14 days prior to the start of construction or demolition at areas that have not been previously disturbed by project activities or after any construction breaks of 14 days or more. Surveys shall be performed for suitable habitat within 250 feet of the project site in order to locate any active passerine (perching bird) nests and within 500 feet of the project site to locate any active raptor (birds of prey) nests, waterbird nesting pairs, or colonies.

c) If active nests are located during the preconstruction bird nesting surveys, a qualified biologist shall evaluate if the schedule of construction activities could affect the active nests and if so, the following measures would apply:

   i. If construction is not likely to affect the active nest, construction may proceed without restriction; however, a qualified biologist shall regularly monitor the nest at a frequency determined appropriate for the surrounding construction activity to confirm there is no adverse effect. Spot-check monitoring frequency would be determined on a nest-by-nest basis considering the particular construction activity, duration, proximity to the nest, and physical barriers which may screen activity from the nest. The qualified biologist may revise his/her determination at any time during the nesting season in coordination with the Port of San Francisco or Planning Department.

   ii. If it is determined that construction may affect the active nest, the qualified biologist shall establish a no-disturbance buffer around the nest(s) and all project work shall halt within the buffer until a qualified biologist determines the nest is no longer in use. Typically, these buffer distances are 250 feet for passerines and 500 feet for raptors; however, the buffers may be adjusted if an obstruction, such as a building, is within line-of-sight between the nest and construction.

   Modifying nest buffer distances, allowing certain construction activities within the buffer, and/or modifying construction methods in proximity to active nests shall be done at the discretion of the qualified biologist and in coordination with the Port of San Francisco or Planning Department, who would notify CDFW. Necessary actions to remove or relocate an active nest(s) shall be coordinated with the Port of San Francisco or Planning Department and approved by CDFW.

   iii. Any work that must occur within established no-disturbance buffers around active nests shall be monitored by a qualified biologist. If adverse effects in response to project work within the buffer are observed

and could compromise the nest, work within the no-disturbance buffer(s) shall halt until the nest occupants have fledged.

iv. Any birds that begin nesting within the project area and survey buffers amid construction activities are assumed to be habituated to construction-related or similar noise and disturbance levels, so exclusion zones around nests may be reduced or eliminated in these cases as determined by the qualified biologist in coordination with the Port of San Francisco or Planning Department, who would notify CDFW. Work may proceed around these active nests as long as the nests and their occupants are not directly impacted.

The following new footnotes have been added to p. 4.M.51 as part of these revisions. The new footnotes will be assigned their proper sequential numbers in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly. There are no changes to Footnote 123, but it is shown below to complete the series of notes cited in the text. These revisions do not change any of the analyses or conclusions of the EIR.

[123] Francis, Clinton D., Catherine P. Ortega, and Alexander Cruz, Noise Pollution Changes Avian Communities and Species Interactions. *Current Biology* 19:1415–1419. August 25, 2009.

[123A] Typical experience requirements for a "qualified biologist" include a minimum of four years of academic training and professional experience in biological sciences and related resource management activities, and a minimum of two years of experience conducting surveys for each species that may be present within the project area.

[123B] Typical experience requirements for a "qualified biologist" are described in the previous footnote.

COMMENT BI-2: ADEQUATE COMPENSATION FOR PROJECT FILL OF BAY WATERS

"I am writing with a public comment on the Draft EIR for the Pier 70 Mixed Use District Project. I would like to comment on impacts to biological resources, especially BI-4, compensation for fill of jurisdictional waters. If the project results in fill of jurisdictional habitats, then a mitigation ratio of 1:1 is unreasonably low. The vacant nature of many of the facilities over the past decade may have resulted in this particular jurisdictional habitat having outsize habitat value along this portion of the shoreline. If compensatory mitigation measures for fill are implemented as off-site shoreline improvements, then mitigation should consider the onsite loss of biological resources and also the temporal loss associated with the fill occurring prior to mitigation. Further, removing pilings sounds woefully inadequate to offset the impact of the loss of jurisdictional habitat by filling the waters of the San Francisco Bay. I would prefer to see more substantial shoreline improvements that would enhance biological resources such as revegetation with regionally-appropriate native species and high-tide refuge islands for shorebirds. I expect that the regulatory agencies (RWQCB, BCDC, the Corps, and CDFW) would agree with more substantial mitigation ratios and compensatory measures as well." *(William H. Spangler, Email, January 30, 2017 [I-Spangler-1])*

RESPONSE BI-2: ADEQUATE COMPENSATION FOR PROJECT FILL OF BAY WATERS

The Proposed Project as evaluated in the EIR includes relatively small improvements below the high tide line that could be defined as potentially constituting fill of jurisdictional waters. These improvements include repairs to the existing 20th and 22nd Street CSD structures, the possible installation of a new 21st Street stormwater outfall in the shallow subtidal zone, and the repair of an existing concrete bulkhead with either a soldier or sheet pile wall in the intertidal zone. As described on EIR p. 4.M.10, these existing outfalls and concrete bulkhead provide artificial hard substrate habitat that supports marine species. Permanent impacts resulting from placement of San Francisco Bay fill associated with these improvements would occur only if the cumulative footprints of the repaired bulkhead and outfalls, and, if required, the newly constructed outfall, exceeded the current areal footprint of the existing structures. Additionally, the subtidal and intertidal areas potentially affected by outfall renovation and construction of the bulkhead repair are not expected to result in any substantive loss of marine habitat or habitat value, because the repairs to the outfalls and the concrete bulkhead would not remove any artificial hard substrate habitats from the Bay but would repair or replace it. The addition of a 21st Street stormwater outfall would, however, result in the loss of a small area of soft substrate subtidal habitat and replace it with hard substrate subtidal habitat. Hard substrate habitat in San Francisco Bay is considered an equally important and more limited subtidal habitat in the Bay and, given the extremely small area affected, the replacement of a small area of soft substrate with artificial hard substrate is not considered a substantial loss. As further discussed in EIR Section 4.M, Biological Resources, p. 4.M.66, the existing intertidal and subtidal hard substrate aquatic habitats that would be affected by the Proposed Project support marine algae and invertebrate species that recover rapidly following disturbance. The minimally disturbed subtidal habitats would recolonize with local Bay species. Habitat recovery to pre-disturbance conditions is expected within 6 to 18 months, with no remedial actions required.

Project-related actions within aquatic habitat would have no influence on the amount or quality of high-tide refuge for shorebirds. The comment suggests that the fill of jurisdictional waters could be mitigated by using more Bay fill to create shorebird islands. Creating in-water islands would not compensate for the loss of jurisdictional waters and would increase the amount of Bay fill beyond that currently proposed under the Proposed Project. The comment also recommends more substantial shoreline improvements be incorporated into the Proposed Project that would enhance biological resources habitat through revegetation with regionally appropriate native species. As discussed on EIR p. 4.M.6, existing conditions of upland areas along the project shoreline are paved or minimally vegetated with ruderal, non-native plant species typical of disturbed areas, which may be used by common, urban wildlife that are tolerant of human presence. Removal of such habitat does not constitute a significant impact that would require

compensatory mitigation (e.g., revegetation). Shoreline improvements under the Proposed Project facilitate public access to a multi-use open space for everyday passive uses and public outdoor events along the Waterfront Promenade and the Waterfront Terrace, discussed on EIR pp. 2.45-2.47, rather than restoration to increase or improve upland terrestrial habitat for biological resources. For these reasons, the comment's suggestions are not considered further.

Finally, once final engineering design for these potential components of the Proposed Project are completed, the project sponsors will need to obtain permits from the San Francisco Bay Conservation and Development Commission, the Regional Water Quality Control Board, and the U.S. Army Corps of Engineers. Mitigation Measure M-BI-4: Compensation for Fill of Jurisdictional Waters, EIR p. 4.M.71, establishes that mitigation is required for any fill of jurisdictional waters that might occur from Proposed Project components that occur below the high tide line and that the *minimum* ratio must be 1:1. The actual mitigation ratio may be higher, and will be set by the responsible State and Federal agencies as part of their permitting processes, but it cannot be less than 1:1.

COMMENT BI-3: PRESENCE OF LATE-BLOOMING SPECIAL-STATUS PLANT SPECIES ON IRISH HILL

"I would also like to comment on the rare plant surveys conducted of serpentine soils at Irish Hill. It appears that these surveys were conducted on two occasions in March and May of 2016. I applaud the general timeline of these surveys, and the fact that a follow-up survey was conducted. Did the surveyor conclude that late-blooming special-status plants were unlikely to occur? Many special-status species that are known to occur on serpentine soils bloom late in the summer, and may have been missed during these surveys." *(William H. Spangler, Email, January 30, 2017 [I-Spangler-2])*

RESPONSE BI-3: PRESENCE OF LATE-BLOOMING SPECIAL-STATUS PLANT SPECIES ON IRISH HILL

The comment questions the timing of the March and May 2016 rare plant surveys of Irish Hill and suggests that surveys conducted in late summer might have identified additional special-status plant species that bloom after the spring surveys were conducted. Special-status plants are discussed on EIR pp. 4.M.22-4.M.23 and listed in EIR Appendix E, Table E-1. As described in the *Pier 70 Mixed-Use Development Project: Results of the March 30, 2016 and May 3, 2016, Irish Hill Rare Plant Surveys, May 25, 2016*, the surveying botanist specifically timed the two surveys to coincide with periods when rare plant species determined to have potential to occur within the project site were in bloom. The following table lists the rare plant species for which

surveys were conducted, their California Rare Plant Rank[1] (CRPR), and their corresponding blooming season.

Rare Plant Species	CRPR	Blooming Period
Spring Flowering Species		
White-rayed pentachaeta	1B.2	March – May
San Francisco wallflower	4.2	March – June
San Francisco campion	1B.2	March – June
Santa Cruz microseris	1B.2	April – May
Mt. Diablo cottonweed	3.2	March – May
Summer Flowering Species		
Presidio clarkia	1B.1	May – July
Marin western flax	1B.1	April – July
Franciscan onion	1B.2	May – June

Following the two surveys, the surveying botanist concluded that while Irish Hill contains serpentine habitat, it is of limited and marginal quality due to historical placement of fill and cement capping over much of serpentine rock outcropping. Furthermore, the site is dominated by the non-native plant species Bermuda buttercup (*Oxalis pes-caprae*) and fennel (*Foeniculum vulgare*), which thrive in disturbed areas. This results in an inhospitable environment for many of the rare plants considered to have potential to occur on Irish Hill.

No rare plant species were observed during either the March or May 2016 survey, and the surveying botanist concluded that no further rare plant surveys of the project site were necessary.

COMMENT BI-4: PROJECT APPROACH TO CONTROL FERAL CATS

"I would also like to comment as to how the project intends to control feral cats, which are known to have a detrimental effect on nesting birds and bats. Will there be ongoing efforts to trap feral cats?" *(William H. Spangler, Email, January 30, 2017 [I-Spangler-3])*

RESPONSE BI-4: PROJECT APPROACH TO CONTROL FERAL CATS

Feral cats are discussed on EIR p. 4.M.7, which identifies them as a common urban wildlife species within the Developed/Landscaped/Ruderal terrestrial community and habitat type. While feral cats may be present within the Proposed Project area, build-out of residential and non-residential uses under the Proposed Project would not result in an increase in the number of feral cats in the area. Under CEQA, an EIR seeks to identify impacts caused by a project compared to

[1] CRPR rankings are defined in detail in "Regulatory Framework" on EIR p. 4.M.40. These include plants considered by the California Native Plant Society to be "rare, threatened or endangered in California" under the California Rare Plant Ranking system, which includes Rank 1A, 1B, 2A, and 2B, as well as Rank 3 and 4, plant species.

baseline conditions and, if the impact is significant, identify mitigation measures. The EIR did not find that the Proposed Project would exacerbate baseline conditions regarding feral cats. Therefore, the development of a specific plan to control the presence of feral cats on the project site is not warranted.

COMMENT BI-5: PROJECT CONSISTENCY WITH THE BAY PLAN POLICIES ON AQUATIC BIOLOGICAL RESOURCES

"• The FEIR should discuss and analyze the proposed project's consistency with Bay Plan policies on Fish, Other Aquatic Organisms and Wildlife, which state, in part, that "specific habitats are needed to conserve, increase or prevent the extinction of any native species, species threatened or endangered...[and that] any species that provides substantial public benefits should be protected. Furthermore, the Commission cannot "authorize projects that would result in the 'taking' of any plant, fish, other aquatic organism or wildlife species listed as endangered or threatened pursuant to the state or federal endangered species acts, or the federal Marine Mammal Protection Act, or species that are candidates for listing under the California Endangered Species Act, unless the project applicant has obtained the appropriate 'take' authorizations from the U.S. Fish and Wildlife Service, National Marine Fisheries Service or the California Department of Fish and Game." Pursuant to these policies, the Commission must find that sensitive habitat (e.g., marshes, mudflats, and subtidal habitat) would be "conserved, restored, and increased" to the greatest extent feasible." *(Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-23])*

"• The FEIR should discuss and analyze the proposed project's consistency with Bay Plan Subtidal Areas Policy No. 1, which requires that for any fill project, local and baywide effects are to be evaluated as to: "(a) the possible introduction or spread of invasive species; (b) tidal hydrology and sediment movement; (c) fish, other aquatic organisms and wildlife; (d) aquatic plants; and (e) the Bay's bathymetry." The FEIR should also discuss the requirement in the same policy that, "[p]rojects in subtidal areas should be designed to minimize and, if feasible, avoid any harmful effects." *(Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-22])*

RESPONSE BI-5: PROJECT CONSISTENCY WITH THE BAY PLAN POLICIES ON AQUATIC BIOLOGICAL RESOURCES

As discussed extensively in EIR Section 4.M, Biological Resources, the Proposed Project has limited potential project components that would occur below the high tide mark and within the waters of San Francisco Bay. These include the shallow subtidal reconstruction of the existing 20th and 22nd Street stormwater outfalls, the possible installation of a new 21st street stormwater outfall, and the repair of an existing concrete bulkhead in the intertidal zone with either a solider or sheet pile wall.

EIR pp. 4.M.59-4.M.68 further discusses the potential effects of the possible construction of these in-Bay improvements on subtidal and intertidal habitats and associated biological communities,

including special-status species. The environmental analysis of marine biological resources concludes that potential impacts to marine communities and habitats would be limited to short-term disturbances during construction activities, with naturally occurring full recovery quickly taking place after all construction work has stopped, both in the subtidal and intertidal habitats. Additionally, with implementation of Mitigation Measure M-BI-3: Pile Driving Noise Reduction for Protection of Fish and Marine Mammals, EIR pp. 4.M.67-4.M.69, the taking of any special-status species or the harassment of marine mammals should not occur. Consequently, no "take" permits or incidental harassment authorizations should be required for the Proposed Project from the National Oceanic and Atmospheric Administration–National Marine Fisheries Service, the U.S. Fish and Wildlife Service, and/or the California Department of Fish and Wildlife. If necessary, the Proposed Project would comply with requirements of those authorizations and/or permits. The repair and possible construction of the three stormwater outfalls and the repair of the one bulkhead, as discussed on EIR pp. 4.M.58-4.M.69, would not be expected to result in any substantive change in existing subtidal or intertidal habitats nor in the loss of any subtidal or intertidal plants, fish, or invertebrate species; alter subtidal bathymetry or tidal hydrology and sediment movement; nor introduce any non-native invasive species, either in the project area or San Francisco Bay.

Finally, the Proposed Project as designed and with implementation of mitigation measures identified in the EIR would not be expected to cause any harmful effects to marine habitats or associated marine biota. The Proposed Project's relatively small in-water footprint is the minimum size needed to replace or repair existing facilities and such in-water work would be consistent with *San Francisco Bay Plan* policies intended to protect fish, other aquatic organisms, and wildlife.

COMMENT BI-6: IMPLICATIONS OF POTENTIAL PROJECT BAT BUFFERS ON REMEDIAL ACTION EFFORTS AT THE ADJACENT POTRERO POWER PLANT

"2. The mitigation measures proposed must be implemented to avoid any conflicts with PG&E's ongoing remediation efforts within the Potrero Power Plant site as identified in the draft RAP being finalized between PG&E and the Water Board. In particular, bat buffers related to preconstruction surveys (M-BI-2) or any other mitigation measures that could conflict with RAP implementation cannot be implemented in any way that compromises PG&E's remedial action efforts on the adjacent parcels." *(Sara Sadler, Pacific Gas and Electric Company, Letter, February 21, 2017 [A-PGE-11])*

RESPONSE BI-6: IMPLICATIONS OF POTENTIAL PROJECT BAT BUFFERS ON REMEDIAL ACTION EFFORTS AT THE ADJACENT POTRERO POWER PLANT

The comment expresses concern that the possible establishment of protective buffers around potential active bat roosts within the Proposed Project site could conflict with remediation efforts at the Potrero Power Plant, which abuts the project site. Should active bat roosts be identified within the project site and require protective buffers, only activities associated with the Proposed Project would be restricted within the buffer(s), not activities that occur outside of the project site and within the radius of the buffer(s). Furthermore, any mitigation measure that might result in work restrictions would apply only to actions that are associated with the Proposed Project and that occur within the boundaries of the project site, not to actions that occur on parcels adjacent to the project site. If the roost of a special-status bat is identified during surveys, the California Department of Fish and Wildlife will expect that PG&E would comply with wildlife protection requirements defined in the Fish and Game Code.

N. GEOLOGY AND SOILS

The comments and corresponding response in this section relate to the topic of Geology and Soils, evaluated in EIR Section 4.N. The comments are further grouped according to the following issue:

- Engineering Challenges

A corresponding response follows the group of comments.

COMMENT GE-1: ENGINEERING CHALLENGES

"The following impact analyses are additional examples of inadequate effectivity as a CEQA Lead Agency:…

"The impact of GE-1, exposure of people or structures to potential substantial adverse effects, is significant. No buildings built to San Francisco codes have been physically tested at 1906 earthquake levels. This project is located in a liquidation and landfill zones. The Millenn[i]um Tower is built upon similar soils using the same codes as proposed in the EIR. The Millenn[i]um Tower has severe differential settlement from which one must deduce either San Francisco building codes or building code enforcement is inadequate to mitigate exposure of people or structures to potential substantial adverse effects. GE-1 mitigations should require an independent qualified evaluation of geotechnical and structural engineering and independent engineering-supervised inspections. The developer should be required to meaningfully indemnify and insure San Francisco and project residents from structural and geotechnical deficiencies." *(Clair and Don Clark, Letter, February 8, 2017 [I-C&DClark1-5])*

"• The impact of GE-1, exposure of people or structures to potential substantial adverse effects, is significant. No buildings built to San Francisco codes have been physically tested at 1906 earthquake levels. This project is located in a liquidation and landfill zones. These zones experienced some of the most severe initial damage in 1906. The Millenn[i]um Tower is built upon similar soils using the same codes as proposed in the EIR. The Millenn[i]um Tower has severe differential settlement which infers either San Francisco building codes or building code enforcement is inadequate. GE-1 should be mitigated with an evaluation of structural engineering performed independently from the designer by a qualified, licensed professional engineering firm and independent engineering supervised inspections. The developer should indemnify and insure San Francisco and project residents from structural deficiencies." *(Don Clark, January 17, 2017 [I-DClark4-2])*

"**Geotechnical – Exposure to Adverse Effects**
"In order to support a finding of no impact to GE-1, exposure of people or structures to potential substantial adverse effects, the Project's potential should be more thoroughly investigated. The Project site is acknowledged to contain liquefaction and landfill zones. The Millennium Tower is built upon similar soils and reliant upon the same building codes and safeguards as proposed in

this Draft EIR. The Millennium Tower's severe differential settlement was not mitigated by adherence to the building codes and was not adequate to mitigate exposure of people or structures to potential substantial adverse effects.

"As this is a "conceptual" Project, which lacks a stable finite project description that would enable a geotechnical report to be prepared, the Draft EIR fails to assess conditions for individual buildings. Detailed reports will be prepared after the EIR is published, after Project approval, and without public oversight. The Millennium Tower project failed to include a peer review of the technical studies for the particular site and none are required for the Project. The Draft EIR does not indicate that necessary anchoring of roads and sidewalks will be done. The condition of the nearby Mission Bay roads and sidewalks provides an example of what happens when sidewalks have not been properly anchored.

"Impacts of a Project should be determined at the earliest time so that there is genuine flexibility in altering the Project's design and environmental factors will influence project design. (CEQA Guidelines § 15004(b); *Mount Sutro Defense Committee v. Regents of the University of California* (1978) 77 Cal.App.3d 20, 34.) A public agency must conduct adequate CEQA review before making an irrevocable commitment to acquire land for a project or to build a project. (*McQueen v. Board of Directors* (1988) 202 Cal.App.3d 1136.) An agency may not commit to a project before CEQA review is complete: "[a] fundamental purpose of an EIR is to provide decision makers with information they can use in deciding whether to approve a proposed project, not to inform them of the environmental effects of projects that they have already approved. (*Laurel Heights Improvement Association v. UC Regents (Laurel Heights I*) (1988) 47 Cal.3d 376, 394.)" *(J. R. Eppler, President, Potrero Boosters Neighborhood Association, and Rachel Mansfield Howlett, Provencher & Flatt LLP, on behalf of Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association, Email, February 21, 2017 [O-DNA&PBNA-19])*

"**Geotechnical**
"Where is the final Geotechnical Report and when will it be published? Without a final design and the geotechnical report in hand there's no way to assess underlying conditions specific to locations for individual buildings. As this is a conceptual project, it appears that detailed reports will be prepared after the EIR is published. This is problematic given recent history with the Millen[n]ium project and the issue facing Mission Bay sidewalks that were not properly anchored and have now separated from building foundations. There is no indication in the EIR that there will be an independent peer review of future site-specific geotechnical reports or that anchoring of roads and sidewalks will be done. Given the uncertainty with phasing of development, both of these conditions should be included as mitigations." *(Alison Heath, Grow Potrero Responsibly, Email, February 22, 2017 [O-GPR2-23])*

RESPONSE GE-1: ENGINEERING CHALLENGES

As noted in the comments, both the Millennium Tower and the proposed Pier 70 Mixed-Use District Project are in areas underlain by fill materials and within a zone of potential liquefaction. The design of the Millennium Tower presented many engineering challenges. While the Millennium Tower has experienced substantial settlement, the buildings that would be constructed under the Proposed Project do not present the same engineering challenges as the

Millennium Tower. Implementation of the required geotechnical investigations and compliance with the requirements of the San Francisco and Port of San Francisco Building Codes would ensure that geologic impacts of the Proposed Project are adequately addressed, as discussed below. Independent geotechnical reviews of the geotechnical and structural aspects of the project, suggested by a comment, are not necessary. Nor is it necessary to indemnify or insure the City and County of San Francisco or project residents from structural and geotechnical deficiencies.

The Millennium Tower project consists of a 59-story tower and a 12-story building connected by a three-level podium structure. The tower opened in 2009 and has sunk 16 inches and tilted 2 inches to the north-northwest since opening.[1] While the cause of the settlement is under investigation, it is important to note that the tower is a unique structure because at 645 feet tall, it is the tallest reinforced concrete structure in a seismically active region.[2] Constructed of concrete, it is heavier than a similar building constructed of steel would be. The foundation of the Millennium Tower is a concrete slab built on 950 concrete friction piles.[3] These piles are 60 to 90 feet deep; they are driven into the underlying soil and rely on friction with the surrounding soil to provide support to the tower.[4] The use of friction piles, the weight of the Millennium Tower, and dewatering at the adjacent Transbay Transit Center site have all been alluded to as possible causes for the settlement at the Millennium Tower.

An alternative to using friction piles in a foundation system is to use end bearing piles that rest on a layer of especially strong soil or rock such as bedrock of the Franciscan Complex which underlies much of San Francisco. Using this type of pile, the load of the structure is transferred through the pile to the underlying strong soil or rock. Before the Millennium project, no major building in downtown San Francisco had piles driven into bedrock.[5] Since the Millennium project, four projects are being constructed with piles that reach bedrock, including 181 Fremont,

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1 San Francisco Chronicle, Sinking Millennium Tower's Developer Built Strictly to Code, accessed at http://www.sfchronicle.com/bayarea/article/Sinking-Millennium-Tower-s-developer-built-9278364.php on March 1, 2017.

2 Concrete Reinforcing Steel Institute, Millennium Tower Home, accessed at https://www.crsi.org/projects-responsive/project.cfm?articleID=EA730AAD-B098-BE14-D580ED9B65747C55 on March 1, 2017.

3 Concrete Reinforcing Steel Institute, Millennium Tower Home, accessed at https://www.crsi.org/projects-responsive/project.cfm?articleID=EA730AAD-B098-BE14-D580ED9B65747C55 on March 1, 2017.

4 San Francisco Chronicle, Sinking Millennium Tower's Developer Built Strictly to Code, accessed at http://www.sfchronicle.com/bayarea/article/Sinking-Millennium-Tower-s-developer-built-9278364.php on March 1, 2017.

5 San Francisco Chronicle, Sinking Millennium Tower's Developer Built Strictly to Code, accessed at http://www.sfchronicle.com/bayarea/article/Sinking-Millennium-Tower-s-developer-built-9278364.php on March 1, 2017.

Park Tower at 250 Howard Street, the Transbay Transit Center, and the Salesforce Tower (soon to be the City's tallest building).

Like the Millennium Tower, parts of the Proposed Project site are underlain by fill materials and are located within a potential liquefaction zone, as discussed in EIR Section 4.N, Geology and Soils (pp. 4.N.4 and 5 and 4.N.12 and 13). However, the Proposed Project does not pose the same engineering challenges as the Millennium Tower does. As stated on EIR p. 2.21, the new buildings would range in height from 50 to 90 feet, much shorter than the 645-foot Millennium Tower. Further, as discussed in Impact GE-1 (EIR p. 4.N.24), many of the buildings would be constructed in areas where competent bedrock is close to or at the ground surface. In accordance with preliminary geotechnical evaluations conducted for the Proposed Project, these buildings could be supported on spread footings or mat foundations, and would not be expected to experience substantial settlement because they would be supported on competent bedrock. Also, in accordance with the preliminary geotechnical evaluations, new buildings completed on fill materials and within a potential liquefaction zone would be supported on deep foundation systems using piles founded on the underlying bedrock along with structural slabs designed to accommodate total and differential settlement, as discussed in Impact GE-1 (EIR p. 4.N.24). Similarly, the historic structures would be supported on grade beams which would minimize the potential for total and differential settlement.

One comment suggests that the project is presented at a conceptual level in the EIR, lacking a stable and finite description, and therefore does not and cannot provide site-specific geotechnical information on a building-by-building basis. The Proposed Project is expected to be built out over a relatively long, approximately 11-year period involving up to five phases of construction (EIR p. 2.79). The EIR Project Description chapter presents considerable detail, including two development scenarios, each of which has a maximum amount of retail, commercial, and residential land uses presented in clear tables and text discussion; a description and maps of the proposed zoning, height limits, and land use controls for each of the scenarios; a description of the building design standards and guidelines in a proposed *Design for Development* document that include project-wide building massing standards; descriptions and mapping of a new street and circulation plan for the project site; a description of infrastructure upgrades and additions; and a discussion of proposed approaches to geotechnical stabilization and shoreline protection. Thus, the Project Description fulfills all of the elements in CEQA Guidelines Section 15124 related to the description of a project in an EIR. There is sufficient information in the Project Description, plus details presented in each environmental topic in Chapter 4, Environmental Setting and Impacts related to the topic being analyzed, for decision-makers to make an informed decision.

The Proposed Project has remained stable throughout the EIR process, with a few minor revisions and clarifications presented in Section 2, Revisions and Clarifications to the Project Description, in this Responses to Comments (RTC) document. These minor revisions do not change any of the key components of the Proposed Project. The minor revisions include, for example, a change to the dwelling unit mix of large and small units (RTC pp. 2.31-2.34); a clarification to the proposed *Design for Development* to provide for an option of "raised streets" as one way of providing the proposed shared public way on Maryland Street and to add an option of a raised street shared public way on 20th Street at the waterfront (RTC p. 2.39); a discussion and specific analysis of the potential for use of controlled rock fragmentation as one of the likely construction techniques for portions of the project site (RTC pp. 2.2-2.18); and a new variant to the Proposed Project that would create a view corridor to Irish Hill from Illinois Street by realigning the proposed 40-foot-wide passageway to the Irish Hill Playground north about 165 feet (RTC pp. 2.20-2.31). As concluded in RTC Section 2, none of the revisions and clarifications would result in new significant impacts or increase the severity of significant impacts already identified in the Draft EIR, and no new or modified mitigation measures would be required. Thus, the minor clarifications and revisions do not result in an unstable or unclear project description or limit the ability of the EIR to analyze environmental impacts related to geology and soils or any other topic.

As explained on EIR pp. 4.N.23-4.N.25, Section 1803.7 of the San Francisco and Port of San Francisco Building Codes requires that the site-specific geotechnical report (s) prepared for specific developments that would be constructed under the Proposed Project address the potential for liquefaction in accordance with the guidelines provided in Special Publication 117A of the California Department of Conservation.[6] Building Code Section 1803.5.12 provides further specifications for determining the potential for liquefaction and related hazards and assessing the potential consequences such as total and differential settlement, lateral soil movement, lateral soil loads on foundations, and reductions in the load-bearing capacity of the soil. Measures to address the effects of liquefaction must be recommended in the site-specific geotechnical report. Such measures must also address the appropriate foundation type and depths and selection of the appropriate structural systems to accommodate anticipated ground displacements and forces. If ground stabilization is used, the foundation and structural design would be based on stabilized conditions.

Use of foundations supported by the underlying bedrock, or grade beams for the historic buildings, would ensure that the proposed structures throughout the site would withstand differential settlement that could result from liquefaction. The recommendations must be

[6] California Department of Conservation, Guidelines for Evaluating and Mitigating Seismic Hazards in California, Special Publication 117A, 2008. Note that Special Publication is an update of the 1997 Special Publication 117 that is referenced in Section 1803.7 of the San Francisco Building Code.

incorporated into the project design and would be subject to review and approval by the Department of Building Inspection (DBI) or the Port as part of the building permit approval process. Appropriate design of the building foundations in accordance with the recommendations of the site-specific geotechnical report would ensure that impacts related to liquefaction and settlement would be less than significant.

Numerous buildings have been constructed in similar geologic settings in accordance with the San Francisco Building Code without experiencing substantial settlement or damage in the event of a major earthquake. Because the structures that would be constructed under the Proposed Project present no unique engineering challenges and there are no unique geologic conditions that would present engineering challenges, there is no reason to expect that compliance with the San Francisco Building Code would not ensure that impacts related to groundshaking and liquefaction would be less than significant. Similarly, no peer review of the project-specific geotechnical recommendations is required beyond what would be performed by the San Francisco Department of Building Inspection or the Port Building Permit Group. As a result, indemnification of the City and County of San Francisco is not required.

Adequacy of CEQA Analysis

One purpose of CEQA is to determine whether a project would have a significant effect on the environment. Section 15382 of the CEQA Guidelines defines a significant effect on the environment as one that would result in "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." Settlement of sidewalks and roads which causes them to separate from buildings would not be a significant impact under CEQA because such settlement would not result in adverse effects on the environment. Nevertheless, differential settlement between buildings and adjacent roadways and sidewalks can sometimes occur because the loads on the soil are substantially different. Further, the soils beneath a building have typically been compacted to provide uniform support to the building and would be less subject to settlement than soil beneath the streets if those soils have not received similar treatment. Substantial settlement of the streets and sidewalks can be avoided by compacting and preparing the subbase beneath the roadways and sidewalks and appropriately designing these features.

Site-specific geotechnical reports would include recommendations for preparation of the subgrade and design of the streets and sidewalks to avoid differential settlement, including the specification of anchors, if appropriate. The site-specific geotechnical investigations would be reviewed and approved by the DBI or Port's Building Permit Group, which are the expert agencies designated to ensure compliance with applicable building code requirements, as described on EIR pp. 4.N.17-4.N.19. Finally, note that much of the Pier 70 project site differs from Mission Bay.

While Mission Bay is underlain by thick layers of artificial fill and bay mud,[7] the majority of the project site is underlain by shallow bedrock, as discussed on EIR pp. 4.N.2-4.N.5. Because of this, the concerns of settlement are less applicable to the project site.

Project Description and Geotechnical Reporting

As noted by the comment, design of the buildings that would be constructed under the Proposed Project is conceptual at this stage of the Proposed Project. However, the project sponsors conducted preliminary geotechnical evaluations for the Proposed Project, described on EIR pp. 4.N.2-4.N.15, to evaluate geologic and seismic conditions at the project site that could result in impacts related to geology and soils, and describe how the Proposed Project would address those impacts. As described on EIR p. 4.N.1 and in the impact discussions on EIR pp. 4.N.20-4.N.35, site-specific geotechnical investigations would be required for individual development projects under the Proposed Project in accordance with Section 1803.7 of the San Francisco and Port of San Francisco Building Codes. The site-specific geotechnical investigations would identify the project-specific construction and design measures that would be incorporated into the final building design to alleviate geotechnical and seismic hazards. The recommendations must be incorporated into the project design, as discussed on EIR p. 4.N.25, and would be subject to review and approval by DBI or the Port as part of the building permit approval process. Thus, compliance with the existing building codes and recommendations in the site-specific geotechnical investigation provides substantial evidence that geologic and seismic impacts would be less than significant.

By suggesting that the site-specific geotechnical reports should be subject to public overview, the comments are requesting a level of information and analysis that goes far beyond what CEQA requires of EIRs, which are supposed to strike a balance between giving the interested public too little information and too much. The need to strike a balance regarding the amount of information to provide is evident from a number of provisions of CEQA. For example, CEQA Guidelines Section 15124 states that the project description portion of an EIR "should not supply extensive detail beyond that needed for evaluation and review of the environmental impact," and thus requires only a "general description of the project's technical, economic, and environmental characteristics, considering the principal engineering proposals if any and supporting public service facilities." CEQA Guidelines Section 15147 further states "The information contained in an EIR shall include summarized technical data, maps, plot plans, diagrams, and similar relevant information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public." Consistent with CEQA Guidelines, this section

[7] Goldman, H.B., 1969, Geology of San Francisco Bay, in Goldman, H.B., editor, Geologic and engineering aspects of San Francisco Bay fill: California Division of Mines and Geology Special Report 97

provides a full assessment of geologic impacts while achieving a balance between the technical accuracy of the EIR and the public information function of the document. While the site-specific geotechnical investigations would identify the project-specific construction and design measures that would be incorporated into the final building design to alleviate geotechnical and seismic hazards, these measures would not result in impacts beyond those analyzed in this EIR.

O. HYDROLOGY AND WATER QUALITY

The comments and corresponding responses in this section relate to the topic of Hydrology and Water Quality, evaluated in EIR Section 4.O. The comments are further grouped according to the following issues:

- HY-1: Sea Level Rise
- HY-2: PG&E Offshore Sediment Area

A corresponding response follows each group of comments.

COMMENT HY-1: SEA LEVEL RISE

"The following impact analyses are additional examples of inadequate effectivity as a CEQA Lead Agency:…

"• The project design and ensuing construction are dependent on the San Francisco Sea Level Action Plan and logically should not commence before final determinations of the San Francisco Sea Level Action Plan are completed." *(Clair and Don Clark, Letter, February 8, 2017 [I-C&DClark1-7])*

"• Any project work or design is [p]otentially dependent on the San Francisco Sea Level Action Plan and should not commence before final determinations of the San Francisco Sea Level Action Plan are completed in 2018." *(Don Clark, January 17, 2017 [I-DClark4-4])*

"I observed the ignored issues of insufficient prerequisite infrastructure to mitigate (1) bay water table rise due to global warming which will flood the Pier 70 location, (2) insufficient transportation infrastructure for +140,000 new daily trips to/from Pier 70, and (3) inadequate parks/recreations open space for new residents.

"1. FLOODING

"Sample from draft EIR: HY-4 FLOODING: "NONE REQUIRED"

"I'm opposed to all conclusions of "NONE REQUIRED" for the bayside elevation zero development at Pier 70.

"This EIR report is based on obsolete data as current neighbors observe the new and accelerating flooding along The Embarcadero and our bayside waterfront neighborhoods.

"I ask, "What world do San Franciscans live in surrounded on three sides by water? Was this draft EIR report written by incompetent out-of-state climate global warming denialist?"

"You, the planning officers, and the commissioners, need to decide now how to mitigate global warming impacts and to solve for imminent flooding at future development sites located along the sea level elevations. If you ignore the overwhelming scientific predictions of imminent rapid sea level rise --that will flood Pier 70-- you will negligently exposure San Francisco citizens to

predictable flooding, massive property losses and unfunded mitigation solutions. In this decision, I urge you to consider if you would be willing to accept your own personal financial responsibility to pay for future property losses due to predictable flooding at this bayside elevation zero flood zone. Luckily, you aren't personally responsible; however, you will expose all of us to an unnecessary imminent loss if a new development is approved at this future flood site without expensive prerequisite preparations to this site.

"I urge you to HALT this project until fresh studies can assess the impacts of future flooding based on new climate models." *(Sean Angles, Email, February 21, 2017 [I-Angles-2])*

"**Climate Change**

"• The Commission will review the proposed project's vulnerability to rising sea level, as well as proposed flood protection and adaptation measures. It would be helpful if the FEIR were to identify the Mean Higher High Water, the 100-year-flood elevation, anticipated site-specific information on flood risk, including from storm events and anticipating mid- and end-of-century sea levels. The FEIR should include a preliminary assessment of the proposed project's vulnerability to flooding and sea level rise." *(Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-31])*

RESPONSE HY-1: SEA LEVEL RISE

Analysis of Impacts Related to Sea Level Rise

Sea levels are currently rising as stated by the comment and acknowledged on EIR p. 4.O.10. Existing flooding along The Embarcadero and the City's bayside waterfront, referred to by the comment, is a result of rising sea levels in combination with other factors that contribute to coastal flooding such as extreme tides, storm surge, storm waves, and El Niño winter storms, as discussed on EIR pp. 4.O.8-4.O.12. The EIR also states on p. 4.O.10 that sea levels are expected to rise at an accelerated rate in the foreseeable future.

San Francisco's planning efforts related to sea level rise are described on EIR pp. 4.O.14-4.O.17 under the heading "Planning for Sea Level Rise in San Francisco." As described in that section, the City has convened an inter-agency Climate Adaptation Working Group and established two interdepartmental committees to identify ways to make sure that the City is prepared to adapt to effects of sea level rise. In March 2016, the SLR Coordinating Committee released the San Francisco Sea Level Rise Action Plan, with lead City staffing by the Planning Department and San Francisco Public Works, along with other City departments and a consultant team.[1] The next

[1] City and County of San Francisco, Sea Level Rise Action Plan, March 2016. Available online at http://default.sfplanning.org/plans-and-programs/planning-for-the-city/sea-levelrise/160309_SLRAP_Final_ED.pdf. Accessed March 13, 2017.

step will be preparation of the Citywide Sea Level Rise Adaptation Plan, which is expected to be complete in 2018.

While specific plans for Citywide adaptation to sea level rise are under development, the Proposed Project is not reliant on the City's broader planning efforts for sea level rise. Rather, the Proposed Project includes several flood protection and adaptation measures tailored to the site's location to address sea level rise, as described in EIR Chapter 2, Project Description, pp. 2.69-2.70. The vulnerability of the project site to future flooding as a result of sea level rise under existing conditions, and with the improvements proposed as part of the Proposed Project, are discussed in Impact HY-6, EIR pp. 4.O.66-4.O.67. The estimates of future sea level rise used in this analysis are obtained from the National Research Council's (NRC) 2012 report, *Sea Level Rise for the Coasts of California, Oregon, and Washington: Past, Present, and Future* (the NRC Report), which is discussed on EIR pp. 4.O.10-4.O.12. This report provides a scientific review of sea level rise for the West Coast and provides the most recent regional sea level rise predictions for 2030, 2050, and 2100, relative to the year 2000 sea level.

The projected amounts of sea level rise in the NRC Report are based on the current understanding of climate change, a moderate level of greenhouse gas emissions, and extrapolation of continued accelerating ice melt patterns. The report also includes ranges of sea level rise that could occur based on different estimates of greenhouse gas emissions and ice melt pattern. The upper range of sea level rise estimates provided in the NRC Report is based on the worst-case estimates of greenhouse gas emissions and ice melt patterns. The future Mean Higher High Water elevations associated with sea level rise for the mid-century and end of century projected level of sea level rise and the end of century upper range of sea level rise are presented in Table 4.O.2: Water Elevations Associated with Sea Level Rise Projections, on EIR p. 4.O.14. Elevations are provided for sea level rise with and without 100-year storm surge.

Based on the upper range of sea level rise estimates provided in the NRC Report (worst case), 100-year flood levels could reach 15 feet NAVD88 (104 feet project datum) by the year 2100. As described in Impact HY-6 (EIR p. 4.O.66), this amount of sea level rise would flood the entire 28-Acre Site to a maximum depth of 5 feet with the current site grade. However, as described in the Project Description (EIR pp. 2.69-2.70) and in Impact HY-6 (EIR pp. 4.O.66-67), the Proposed Project includes raising the interior portion of the 28-Acre Site to an elevation of 15 feet NAVD88 (104 feet project datum) to protect against this upper range of flooding estimated by the NRC. This would protect all buildings, including residential, and immovable facilities such as roadways from flooding, even if the upper range of sea level rise estimated by the NRC occurs.

As for existing conditions, the shoreline would continue to be subject to flooding and wave action as a result of sea level rise. However, the proposed shoreline protection improvements would include repair of existing revetments or construction of improved riprap revetments along the

entire waterfront of the project site to protect the waterfront from the damaging effects of wave action. The final slopes along the waterfront would be similar to existing conditions and would not redirect flood flows relative to existing conditions. Because construction of these improvements, proposed as part of the project, would protect the Proposed Project from damage as a result of sea level rise and the Proposed Project would not exacerbate future flooding conditions, the Proposed Project would not result in a significant hydrology and water quality impact related to sea level rise, as concluded on EIR p. 4.O.67. Measures to ensure continued public access along the shoreline are addressed in Response PD-X, RTC pp. 4.A.26-4.A.28.

The Planning Department considers the NRC Report to be the best science currently available on sea level rise affecting San Francisco for both CEQA and planning purposes. As discussed on EIR p. 4.O.11, the California Ocean Protection Council updated its 2010 Statewide sea level rise guidance in March 2013 to adopt the NRC Report as the current and best available science on sea level rise for California. The California Coastal Commission also supports the use of the NRC Report as the best science currently available in its *Sea Level Rise Policy Guidance*, which it adopted in 2015. The San Francisco Bay Conservation and Development Commission (BCDC) also considers the NRC Report to be the best available science-based prediction of sea level rise for San Francisco Bay.

Therefore, the Proposed Project does not ignore the issue of sea level rise as a result of climate change and the discussion presented in EIR Section 4.O, Hydrology and Water Quality, is based on the currently best available science. As demonstrated above, the Proposed Project includes features to be resilient to the most extreme estimates of sea level rise through the year 2100, including 100-year storm surge. No further analysis of flooding as a result of sea level rise is warranted under CEQA.

San Francisco Sea Level Rise Action Plan

San Francisco's Sea Level Rise Action Plan is described on EIR pp. 4.O.16-4.O.17. The Action Plan sets an agenda for further analysis of Citywide sea level rise impacts, adaptation planning, and implementation of adaptation measures. It also provides the foundation and guidance to develop a Citywide Sea Level Rise Adaptation Plan, which is expected to be completed in 2018. The process of developing the Adaptation Plan will include development and selection of Citywide adaptation strategies and a planning framework to help prioritize investments to best improve San Francisco's climate resilience while protecting economic and environmental values. The future Adaptation Plan will also identify potential funding sources, governance structures, and timelines. As discussed above, the Proposed Project includes features to be resilient to worst case estimates of sea level rise. These estimates assume that no area-wide measures such as waterfront protection structures would be constructed, as stated on EIR p. 4.O.13. The Proposed Project is not dependent on the construction of any Citywide improvements to be resilient to sea

level rise, as discussed above. Therefore, the Proposed Project is not dependent on implementation of the San Francisco's Sea Level Rise Adaptation Plan nor would it interfere with implementation of the plan; it is not necessary to delay the Proposed Project until the Adaptation Plan is completed.

Impact HY-4

Impact HY-4 is referred to by the comment in relation to flooding. This impact analyzes whether the Proposed Project would "substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion, siltation, or flooding on or off site." As described on EIR p. 4.O.65, compliance with San Francisco's Stormwater Management Requirements and Design Guidelines would require implementation of measures to either reduce or maintain existing stormwater runoff flow rates and volumes. Implementation of these requirements would ensure that impacts related to the alteration of drainage patterns would be less than significant, as also concluded on EIR p. 4.O.65.

Note that this impact does not address the water quality impacts of sea level rise. These impacts are addressed on EIR pp. 4.O.66 and 4.O.67 under Impact HY-6, as discussed above.

COMMENT HY-2: PG&E OFFSHORE SEDIMENT AREA

"• The FEIR's discussion on Hydrology and Water Quality and Hazards and Hazardous Materials should reference the role of the Commission and other resource agencies established in Bay Plan Water Quality Policy No. 4, which states in part, "[w]hen approving a project in an area polluted with toxic or hazardous substances, the Commission should coordinate with appropriate local, state and federal agencies to ensure that the project will not cause harm to the public, to Bay resources, or to the beneficial uses of the Bay." *(Ethan Lavine, Principal Regulatory and Permit Analyst, San Francisco Bay Conservation and Development Commission, Letter, February 23, 2017 [A-BCDC-24])*

"3. On p 2. 72, there is a figure that shows a schematic of the proposed shoreline improvements. There are four reaches (Reaches I, II, Ill and IV) identified along the project shoreline, of which Reaches II (partially) and Reaches Ill and IV overlap with the Potrero Power Plant Site Offshore Sediment Area Nearshore Zone remediation areas. On p 2.73, there is a detailed description of the proposed improvements including repair of the 100-foot-long retaining wall in Reach II, improving the revetment to raise the grade between slipways and adding cantilevered decks for viewing and public access in Reach Ill, and flattening the grade and improving revetments in Reach IV. The text of the Pier 70 EIR details specific improvement plans to the shoreline and associated impacts, as follows:

   "a. In the discussion on p 4.M.69, the Pier 70 EIR describes impacts to waters and biology due to the construction of soldier piles along Reach II, and new revetment in waters and decks to along Reaches Ill and IV of the proposed shoreline improvement plan. These

impacts to waters and biological resources due to the construction of shoreline improvements may overlap with the Potrero Power Plant Site Offshore Sediment Area, Nearshore Zone Segment 1 engineered cap or Segment 2 reactive cap described in PG&E's Draft Remedial Action Plan (RAP) (Haley & Aldrich, 2016).

"b. Starting on p 4.0.49, there is a detailed discussion of impacts to waters due to the construction of the shoreline improvement plan, which includes the use of armor stone to replace the riprap in Reach IV along the area known as the "northern revetment" just located to the north of the Interim Remedial Measure constructed by PG&E during 2010. Such impacts to waters due to construction of Pier 70 Redevelopment shoreline improvements may potentially overlap onto the Potrero Offshore Sediment Area, Nearshore Zone, Segment 2 reactive cap and underlying contaminated sediments.

"c. Starting on p 4.0.59, the Pier 70 EIR calls for the enlargement and extension of an existing combined sewer discharge line that currently transects the revetment area and discharges below MLLW (according to the SFPUC) into the Potrero Offshore Sediment Area, Nearshore Zone, Segment 2. Mitigation measures M-HY-2a and -2b require a pump station to handle discharges from Pier 70 Redevelopment.

"We understand that these shoreline improvements are due to be constructed in 2023. The Sediment remedy is planned to be constructed prior to the Pier 70 shoreline improvements. Any construction of shoreline improvements including soldier piles, revetments, decks, and new outfall pipe alignments should be designed and constructed to prevent interference with or repair the remedial elements constructed in the Offshore Sediment Area. Consideration and coordination with PG&E's sediment remediation design and construction will likely be necessary. Accordingly, impacts to waters resulting from construction of the shoreline improvements that are within a capped area in the Offshore Sediment Area, and/or may result in potential disturbance of underlying contaminated sediments should be considered, and mitigated as necessary. Please see the comment no. 3 under "Comments to Mitigation Measures" requesting that a new mitigation measure be added to provide for such potential impacts." *(Sara Sadler, Pacific Gas and Electric Company, Letter, February 21, 2017 [A-PGE-5])*

RESPONSE HY-2: PG&E OFFSHORE SEDIMENT AREA

As discussed in Response HAZ-3: PG&E Offshore Sediment Area, RTC pp. 4.P.9-4.P.12, the discussion of PG&E's Offshore Sediment Area on EIR pp. 4.P.34-4.P.35 was based on documents publicly available at the time the Draft EIR was published. After the Draft EIR was published, PG&E's February 2017 Draft Remedial Action Plan for the Offshore Sediment Area was received. This document provides more detail regarding the planned sediment remediation by PG&E. This response assesses the potential for Proposed Project activities to overlap with the sediment remediation and provides text edits to EIR Section 4.O, Hydrology and Water Quality, to incorporate the more detailed information provided in the remedial action plan. This information allows a more detailed analysis of potential conflicts with remediation of the Offshore Sediment Area but does not change the conclusions of the EIR. Further, as discussed in Response HAZ-1, a new mitigation measure requiring coordination with PG&E is not necessary because appropriate coordination with PG&E's remediation efforts would be achieved by

notification of the Regional Water Quality Control Board (RWQCB) in conformance with Section 6.3 of the Pier 70 Risk Management Plan (RMP), as required by Mitigation Measure M-HZ-3a: Implement Construction and Maintenance-Related Measures of the Pier 70 Risk Management Plan, EIR pp. 4.P.61-4.P.62.

Project-related activities that would be conducted within or near PG&E's Offshore Sediment Area include construction of the shoreline improvements in Reaches III and IV that are described on EIR pp. 2.71-2.74; in-bay construction activities for repairs to the 22nd Street combined sewer discharge (CSD) structure that are described on EIR pp. 4.O.49-4.O.52; relocation of the storage and detention pipe that is part of the existing combined sewer system as described on EIR p. 2.61; and permitted discharges of wastewater and stormwater via the 22nd Street CSD structure that are described on EIR pp. 4.O.59-4.O.62. A new pump station would also be constructed to the north of the 28-Acre site, as described on EIR p. 2.59. The following sections discuss the potential for each of these activities to conflict with PG&E's sediment remediation.

Shoreline Improvements

Only Reaches III and IV of the Proposed Project's shoreline improvements are located adjacent to PG&E's Offshore Sediment Area, as shown on (Revised) Figure 4.P.1: Sample Locations and Areas of Identified Impact, RTC p. 4.P.10. Reach I of the shoreline improvements is to the north of PG&E's Offshore Sediment Area. Reach II includes the bulkhead wall on the north of the slipway structures; this reach is to the west of PG&E's Offshore Sediment Area Segment 1. Reach III extends along the full length of Segment 1. All of Reach IV is located adjacent to the northern portion of PG&E's Offshore Sediment Area Segment 2 and also includes part of PG&E's Interim Remedial Measure implemented in 2010. However, there would only be a potential for overlap with the Offshore Sediment Area in Reach IV, as discussed below.

The proposed shoreline improvements in Reach IV would include improvements and repairs to the existing shoreline revetment above the high water line, which is at an elevation of 5.7 feet NAVD88 as discussed in Impact HY-1 on EIR p. 4.O.49. PG&E's planned revetment within Reach IV (Segment 2 of the Offshore Sediment Area) would extend from a maximum elevation of approximately 9 feet NAVD88 to a minimum elevation of -6 feet NAVD88.[2] Therefore, the shoreline improvements would overlap with PG&E's revetment between the elevations of approximately 9 feet NAVD88 and 5.7 feet NAVD88. The northern portion of PG&E's Interim Remedial Measure, shown on (Revised) Figure 4.P.1 (RTC p. 4.P.10), is also located within Reach IV of the shoreline improvements and PG&E's revetment would be installed over the entire area of the Interim Remedial Measure.

[2] Haley Aldrich, Draft Remedial Action Plan, Offshore Sediment Area, Potrero Power Plant Site, San Francisco, California, February 2017, Figure 17.

The proposed shoreline improvements in Reach III would not conflict with PG&E's remediation in Segment 2 of the Offshore Sediment Area because they would be conducted closer to the San Francisco Bay shoreline and at an elevation higher than PG&E's planned erosion protection cap in Segment 1. Project-related improvements in Reach III would include repairing the existing slope protection with armor stone and a crushed-rock leveling course above the high water mark, which is at an elevation of 5.7 feet NAVD88 (see Impact HY-1 on EIR p. 4.O.49). These improvements would also be constructed between the existing slipways and would not extend bayward (east) of the end of the existing slipway structures. In Segment 1, PG&E's remediation includes excavating the nearshore sediments that are bayward (east) of the slipway structures as shown on (Revised) Figure 4.P.1, and placing an erosion protection cap to a maximum elevation of approximately minus 1 foot NAVD 88,[3] which is about 7 feet below the depth of sediments that would disturbed for construction of the shoreline improvements. The western extent of the cap would be approximately 30 feet bayward (east) of the proposed shoreline improvements. Therefore, it is unlikely that the shoreline improvements in Reach III would overlap with Segment 1 of the Offshore Sediment Area.

The shoreline improvements would be constructed during Phases 4 and 5 of the Proposed Project, which would not start until approximately 2024, well after the planned implementation of the Offshore Sediment Area remediation in 2019.

Therefore, only the Proposed Project's construction activities in Reach IV could interfere with PG&E's offshore remediation, specifically with the proposed revetment in Segment 2 of PG&E's Off-Shore Sediment Area. However, improvements under the Proposed Project would be constructed approximately five years after PG&E's remediation efforts have been completed. To ensure that the proposed shoreline improvements would not adversely affect PG&E's completed remediation, the project sponsors would notify the RWQCB of construction activities in conformance with Section 6.3 of the Pier 70 RMP, as required by Mitigation Measure M-HZ-3a, EIR pp. 4.P.61-4.P.62.

In-Bay Construction Activities

In addition to the shoreline improvements, the in-bay construction activities that would be conducted under the Proposed Project include repairs to the 20th Street and 22nd Street CSD structures and construction of a new stormwater outfall if Stormwater and Wastewater Management Option 2 or 3 is implemented. The location of the CSD structures is shown on Figure 2.21: Option 1 – Combined Sewer System, EIR p. 2.60. The 22nd Street CSD structure would be located within Segment 2 of the Offshore Sediment Area, and repair of the CSD

[3] Haley & Aldrich, Draft Remedial Action Plan, Offshore Sediment Area, Potrero Power Plant Site, San Francisco, California, February 2017, Figure 15.

structure under the Proposed Project would occur within the area where the new revetment would be installed. These repairs would be conducted during Phase 2 of the Proposed Project, which would occur between 2018 and 2020. Therefore, they could potentially interfere with the Offshore Sediment Area remediation planned to begin in 2019. However, the project sponsors would notify the RWQCB of construction activities in conformance with Section 6.3 of the Pier 70 RMP, as required by Mitigation Measure M-HZ-3a, EIR pp. 4.P.61-4.P.62. This would ensure that construction activities associated with the CSD structure repairs are coordinated with PG&E's remediation efforts.

The 20th Street CSD structure is located at the northern end of the 28-Acre Site, well north of PG&E's Offshore Sediment Area. The location of the stormwater outfall that would be constructed under Wastewater and Stormwater Management Options 2 and 3 is shown on Figure 2.23: Option 2 – Separate Stormwater System, EIR p. 2.64. As shown on this figure, the proposed stormwater outfall would be located near the foot of 21st Street, which is to the north of PG&E's Offshore Sediment Area. Therefore, these construction activities would not interfere with implementation of PG&E's sediment remediation.

Relocation of Storage and Detention Pipe

The comment also states that an existing combined sewer line currently transects the Interim Remedial Measure and relocation of the line could overlap with the Offshore Sediment Area. As described on EIR p. 2.61, the Proposed Project includes replacement and relocation of the existing 900-foot-long, 54-inch storage and detention pipe that is part of the existing combined sewer system. The existing pipe connects the 20th and 22nd Street CSD structures and is located approximately 250 feet inland from the San Francisco Bay shoreline; it does not overlap with PG&E's Offshore Sediment Area. The pipe would not be enlarged or extended, but would be relocated to an area beneath the proposed Waterfront Terrace, Slipways Commons, and Waterfront Promenade, as shown on Figure 2.21, EIR p. 2.60. The southern terminus of the new pipe would be located within approximately 50 feet of the San Francisco Bay shoreline. It would be north of PG&E's Interim Remedial Measure, but immediately adjacent to the new revetment that would be installed by PG&E in Segment 2 of the Offshore Sediment Area.

The storage and detention pipe would be relocated during Phase 2 of the Proposed Project, which would occur between 2018 and 2020. Therefore, these construction activities could potentially interfere with the Offshore Sediment Area remediation planned in 2019. However, the project sponsors would notify the RWQCB of construction activities in conformance with Section 6.3 of the Pier 70 RMP, as required by Mitigation Measure M-HZ-3a, EIR pp. 4.P.61-4.P.62. This would ensure that construction activities conducted for the pipe relocation are coordinated with PG&E's remediation efforts.

New Pump Station

The comment states that Mitigation Measures M-HY-2a: Design and Construction of Proposed Pump Station for Options 1 and 3, EIR p. 4.O.60, and M-HY-2b: Design and Construction of Proposed Pump Station for Option 2, EIR p. 4.O.61, require construction of a pump station to handle discharges from the Pier 70 development. Note that construction of the new 20th Street pump station is part of the Proposed Project, as discussed on EIR p. 2.59. The referenced mitigation measures specify performance standards for the new pump station.

The pump station would be located to the north of the 28-Acre Site as shown on Figure 2.21, EIR p. 2.60. This is well to the north of PG&E's Offshore Sediment Area and construction of the pump station would not interfere with PG&E's sediment remediation. Discharges from the existing 22nd Street CSD structure are discussed below.

Combined Sewer Discharges

As occurs under existing conditions, the 22nd Street CSD structure would continue to discharge wastewater and stormwater during wet weather in accordance with the National Pollutant Discharge Elimination System (NPDES) permit for discharges from the "Southeast Water Pollution Control Plant, North Point Wet Weather Facility, Bayside Wet Weather Facilities, and Wastewater Collection System" (referred to as the Bayside NPDES Permit). The 22nd Street CSD structure is located within Segment 2 of PG&E's Offshore Sediment Area, within the area where a new revetment would be constructed. The elevation of the CSD structure is approximately equal to the top of the planned revetment.[4] The CSD structure is located outside of PG&E's Interim Remedial Measure area.[5]

As described on EIR pp. 4.O.5 and 4.O.6, discharges from the 20th and 22nd Streets CSD structures occur when the capacity of the pump station and associated sewer lines is exceeded due to the addition of stormwater runoff during wet weather. As specified by Mitigation Measures M-HY-2a and M-HY-2b, EIR pp. 4.O.60 and 4.O.61, respectively, the new pump station proposed as part of the Proposed Project would be designed to ensure that the number of wastewater and stormwater discharges through this structure does not exceed the long-term average of 10 CSD events per year as specified in the Bayside NPDES Permit. Therefore, the frequency of discharges would not increase substantially beyond what currently occurs and wet

[4] Haley Aldrich, Draft Remedial Action Plan, Offshore Sediment Area, Potrero Power Plant Site, San Francisco, California, February 2017, Figure 17.

[5] Haley Aldrich, Draft Remedial Action Plan, Offshore Sediment Area, Potrero Power Plant Site, San Francisco, California, February 2017, Figure 13.

weather discharges under the Proposed Project would not interfere with PG&E's sediment remediation.

Water Quality Effects of In-Bay Construction Activities

The water quality effects of in-bay construction activities are addressed in Impact HY-1 under the heading "Water Quality Effects of In-Bay Construction Activities," EIR pp. 4.O.49-4.O.51. As concluded on pp. 4.O.51-4.O.52, these impacts would be less than significant because the disturbance would be temporary and of limited area. In addition, implementation of water quality best management practices as would be required under the Section 10 and Section 404 permit from the U.S. Army Corps of Engineers (subject to water quality certification from the RWQCB in accordance with Section 401 of the CWA) would further limit any water quality impacts associated with in-bay construction activities.

Notification of the RWQCB in conformance with Section 6.3 of the Pier 70 RMP as specified in Mitigation Measure M-HZ-3a would ensure that any potential conflicts with PG&E's Offshore Sediment Area remediation would be identified and that Proposed Project improvements would be constructed in accordance with the approved risk management and monitoring plan for PG&E's Offshore Sediment Area. The EIR text shown below has been revised to describe PG&E's Offshore Sediment Area; to acknowledge potential conflicts with the sediment remediation, and the need to implement the requirements of PG&E's risk management plan for the offshore sediments; and to reference Water Quality Policy No. 4 of the San Francisco Bay Plan.

Figure 4.P.1: Sample Locations and Areas of Identified Impact, on EIR p. 4.P.3, has been revised to show the location of PG&E's Interim Remedial Measure and Reaches I through IV of the shoreline improvements proposed under the Pier 70 Mixed-Use District Project. The revised figure is shown on RTC p. 4.P.10.

The following text has been added following the last paragraph on EIR p. 4.O.7 (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> **PG&E OFFSHORE SEDIMENT AREA**
>
> As also discussed in Section 4.P, Hazards and Hazardous Materials (EIR pp. 4.P.34-4.P.35), investigations by PG&E have detected elevated polycylic aromatic hydrocarbon (PAH) concentrations in the sediments offshore of the Potrero Power Plant and 28-Acre Site in an area referred to as the Offshore Sediment Area, shown on Figure 4.P.1, p. 4.P.3. The PAHs are likely the result of the historical manufactured gas plant, power plant, and other industrial operations at the Potrero Power Plant; the investigation and remediation of the sediments is the responsibility of PG&E.
>
> In 2010, PG&E implemented an Interim Remedial Measure along the San Francisco Bay shoreline near the property boundary between Pier 70 and the Potrero Plant, as shown on

Figure 4.P.1.[12A] This measure included placement of a revetment to stabilize the sediments and limit erosion, and also to limit direct contact with the sediments by visitors to the site, including an armor layer of interlocked large stones underlain by filter rock to facilitate drainage. These improvements are anchored with toe protection to provide stability against scouring and undermining. As an additional protective measure, PG&E installed a reactive core mat between the sediments and the overlying armor consisting of reactive material (organoclay) encapsulated in a non-woven core matrix bound between two layers of geotextile fabric. The organoclay is designed to prevent potential migration of nonaqueous-phase liquid (NAPL), such as coal tar, and related organic constituents from the sediments and the geotextile fabric is designed to provide stability and physical separation between the surrounding materials and the organoclay.

Based on PG&E's investigations, the Offshore Sediment Area is divided into two zones requiring remediation: the Nearshore Zone and the Transition Zone. The Nearshore Zone extends approximately 50 to 75 feet east from the bayside of the former slipways at the 28-Acre Site. The Transition Zone extends another approximately 100 to 150 feet bayward from the Nearshore Zone. For remedial planning purposes, the Nearshore Zone is also divided into three segments. Segment 1 and the northern portion of Segment 2 are adjacent to the 28-Acre Site, as shown on Figure 4.P.1, p. 4.P.3. Reaches I and II of the Proposed Project's shoreline improvements are located to the north of the Offshore Sediment Area. Reach III is partially within Segment 1 and Reach IV of the shoreline improvements is within the northern portion of Segment 2.

PG&E prepared a remediation plan for the Offshore Sediment Area in February 2017.[12B] The planned remedial approach for the offshore sediments includes dredging up to several feet of sediment from all three segments of the Nearshore Zone to remove those sediments with the highest concentration of PAHs and placement of an engineered erosion protection cap or revetment over the entire Nearshore Zone.[12C] In Segment 1 (adjacent to the 28-Acre Site and Reach III of the shoreline improvements), the approach also includes using Enhanced Monitored Natural Recovery to enhance the natural recovery of contaminated sediments by accelerating natural sedimentation rates and encouraging the recolonization of benthic organisms that live in the sediments.

In Segment 2 (which includes Reach IV of the shoreline improvements), a 1-foot-thick reactive cap will be installed beneath the revetment to prevent the migration of dissolved PAHs in the pore water of the sediments through the revetment. PG&E's remedial action in Segment 2 will also include replacement of the revetment constructed as part of the Interim Remedial Measure. The new revetment will extend from a maximum elevation of approximately 9 feet NAVD88 to a minimum elevation of -6 feet NAVD88, about 4 feet below MLLW. PG&E anticipates implementing the offshore sediment remediation in the late spring of 2019.

In accordance with the February 2017 remedial action plan, PG&E will also prepare a risk management and monitoring plan specifying measures to be implemented after the offshore sediment remediation is completed to ensure that the remediation performs as intended, and that future actions do not compromise the integrity of the cap in the Nearshore Zone.[12D] The risk management and monitoring plan will specify requirements for:

- Long-term monitoring;
- Adaptive management activities including upkeep of cap elements, reapplication of treatment media within in situ treatment areas or implementation of other engineering controls;
- Conducting intrusive activities which may encounter impacted sediment and may require restoration of caps (e.g., notification, environmental oversight, and sediment management procedures);
- Handling and disposing potentially affected materials that may be encountered during future subsurface activities; and
- Submittals to the RWQCB for engineering controls, as necessary.

The RWQCB may also consider requesting land use restrictions to restrict access and certain activities that could disrupt the Offshore Sediment Area where residual contamination exists. These restrictions may require the maintenance of any remedial caps or remedial systems, may restrict certain types of activities (e.g., anchoring in the cap areas), and may require protection of caps and remedial systems.

Additional remediation is planned in the Transition Zone, 100 to 150 feet offshore. However, Proposed Project activities would not affect the sediments in this zone, so the planned remediation approach is not discussed.

New footnotes have been added to EIR p. 4.O.7 as part of this text change, as shown below (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR. The new footnotes will be assigned their proper sequential numbers in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly.

[12A] Haley & Aldrich, *Offshore Sediment Area Remediation Plan*, p. 10.

[12B] Haley & Aldrich, Draft Remedial Action Plan, Offshore Sediment Area, Potrero Power Plant Site, San Francisco, California, February 2017 (hereinafter referred to as "*Offshore Sediment Area Remediation Plan*").

[12C] Haley & Aldrich, *Offshore Sediment Area Remediation Plan*, Section 7.

[12D] Haley & Aldrich, *Offshore Sediment Area Remediation Plan*, p. 69.

The following revisions have been made to the text under the heading "Repairs to Shoreline Protection System" on EIR p. 4.O.50 (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

Repairs to Shoreline Protection System in Reaches I, III, and IV

The shoreline protection system in Reaches I, III, and IV would improve the shoreline protection above the high water mark, which is at an elevation of 5.7 feet NAVD88 (94.3 feet project datum). In Reach I, the existing riprap revetment would be repaired by removing the riprap and placing new geotextile fabric and riprap materials. Improvements in Reaches III and IV would include repair of the existing slope protection features with armor stone, which would also involve some rearrangement of existing riprap and associated soil disturbance. In addition, some concrete debris would be

removed from Reach III and replaced with engineered riprap between the craneways. Those activities conducted below the high tide line would be considered in-bay construction activities. The repairs in Reach IV would overlap with the new revetment to be installed in Segment 3 of PG&E's Offshore Sediment Remediation between the elevations of approximately 9 feet NAVD88 and 5.7 feet NAVD88, including the revetment over PG&E's Interim Remedial Measure.

The following revisions have been made to the text under the heading "Repair of Combined Sewer Discharge Structures and Construction of New Outfall" on EIR p. 4.O.51 (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

The existing 20th and 22nd streets CSD structures would remain in approximately the same locations and would be repaired. The repairs may include reconstruction or repair of the existing outfall pipe, foundation, adjacent rock slope, and headwalls. Flap gates to control intrusion of San Francisco Bay water would be constructed, if necessary, and any blockages would be removed. Repair of the structures may require a sheet pile cofferdam at each location to allow for dewatering of the construction area to facilitate construction. The 22nd Street Outfall is within Segment 2 of PG&E's Offshore Sediment Area. The extent of excavation has not been determined for construction of the proposed stormwater outfall that would be constructed under Options 2 and 3, but excavation would likely extend below the high tide line.

The following revisions have been made to the text under the heading "Impact Discussion and Conclusion for In-Bay Construction Activities" on EIR p. 4.O.51 (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

Excavation, fill, and construction activities for improvements to the shoreline protection system in Reaches I, III, and IV; the repairs or replacement of the bulkhead in Reach II; repairs to the two CSD structures; and construction of the stormwater outfall, would be considered in-bay construction and would result in short-term disturbance of localized San Francisco Bay sediments. The disturbance would temporarily re-suspend these sediments in San Francisco Bay waters, which could result in temporary adverse water quality effects including increased turbidity and suspended solids in the immediate vicinity of the construction activities. The sediments may also contain chemicals from historic activities, including those identified in the offshore sediments adjacent to Reaches III and IV from Pacific Gas and Electric Company (PG&E) activities (see description of PG&E's Offshore Sediment Area in the Setting on p. 4.O.7 ~~Section 4.P, Hazards and Hazardous Materials, pp. 4.P.34-4.P.35, for a description of PG&E's plans for remediation of the offshore sediments)~~. Turbidity is a condition in which the concentration of particles suspended in the water is increased, making the water appear cloudy. The suspended solids can lower the levels of dissolved oxygen levels in water, increase the salinity of the water, and decrease light penetration into the water. In addition, nutrient loading can occur as a result of resuspension of sediments. However, the overall water quality effect would be minor because of the very small area that would be disturbed and the temporary nature of the disturbance.

Two elements of this in-bay construction would overlap with PG&E's Offshore Sediment Area: the shoreline improvements planned in Reach IV would overlap with the new revetment installed in Segment 2 of PG&E's Offshore Sediment Area between the elevations of approximately 9 feet NAVD88 and 5.7 feet NAVD88, and repairs to the 22nd Street CSD structure would be conducted within the limits of the revetment constructed in Segment 2. However, water quality impacts associated with these construction activities would be minimized with implementation of the requirements of PG&E's risk management and monitoring plan as required by the RWQCB. Such coordination with the remediation would be ensured through the project sponsors' notification of the RWQCB of construction activities in conformance with Section 6.3 of the Pier 70 Risk Management Plan (RMP), as required by Mitigation Measure M-HZ-3a (see p. 4.P.61).

~~Further, these~~ All of the in-bay construction activities would be subject to the requirements of a Section 10 and Section 404 permit from the Corps that would receive water quality certification from the RWQCB in accordance with Section 401 of the CWA. Further, placement of fill below the high water mark could be subject to a permit from the BCDC, which would ensure that the water quality policies of the Bay Plan are implemented, including Water Quality Policy 4 which requires coordination with the appropriate local, State, and Federal agencies when a project is located within an area polluted with toxic or hazardous substances. The permits would specify BMPs for the protection of water quality such as use of floating booms and/or silt curtains to control the dissipation of bottom sediments during pile and rock installation. Implementation of water quality control measures as part of compliance with the Section 10 or Section 404 permit requirements, subject to water quality certification by the RWQCB, along with the requirements of the BCDC permit and PG&E's risk management and monitoring plan, would ensure that the anticipated temporary water quality impacts related to construction activities in San Francisco Bay would be less than significant. No mitigation is necessary.

P. HAZARDS AND HAZARDOUS MATERIALS

The comments and corresponding responses in this section relate to the topic of Hazards and Hazardous Materials, evaluated in EIR Section 4.P. The comments are further grouped according to the following issues:

- HZ-1: Applicability of Solid Waste Regulations
- HZ-2: PG&E Responsibility Area
- HZ-3: PG&E Offshore Sediment Area
- HZ-4: Well Protection Requirements

A corresponding response follows each group of comments.

COMMENT HZ-1: APPLICABLITY OF SOLID WASTE REGULATIONS

"Thank you for allowing the San Francisco Department of Public Health (SFDPH) Local Enforcement Agency (LEA) staff to provide comments on the proposed project and for your agency's consideration of these comments as part of the California Environmental Quality Act (CEQA) process.

"This letter serves as the LEA's notification that this site may be subject to the requirements of Title 27, California Code of Regulations (CCR).

"1. If during your investigation, development, or any other activities, you discover waste, notify LEA immediately.

"2. Comply with 27 CCR for solid waste disposal site.

"3. Development or land-use of any type may require, but are not limited to, Post Closure Land-Use Plan to be approved by the LEA as per 27 CCR Section 21190."

(Beronica Lee, REHS, Senior Environmental Health Inspector, Solid Waste Program/Local Enforcement Agency, Environmental Health Branch, Population Health Division, San Francisco Department of Public Health, Email, February 21, 2017 [A-SFDPH-1])

RESPONSE HZ-1: APPLICABLITY OF SOLID WASTE REGULATIONS

The code referred to by the San Francisco Department of Public Health (DPH) is Title 27 of the California Code of Regulations, Division 2, Chapter 3, Subchapter 5, Section 21190. This section of Title 27 addresses closure and post-closure maintenance standards applicable to solid waste management units. Subsequent to submitting this comment letter, DPH consulted with CalRecycle (formerly the California Integrated Waste Management Board, or CIWMB), the State agency responsible for compliance with solid waste facility regulation and delegation of enforcement to Local Enforcement Agencies such as DPH. Based on this consultation, DPH has determined that the portion of the 28-Acre Site referred to as the Former Solid Waste Disposal Site on EIR p. 4.P.16 had formerly been regulated by the Regional Water Quality Control Board,

but had not previously been regulated as a solid waste management facility by CIWMB or CalRecycle.[1]

As discussed on EIR pp. 4.P.16 – 4.P.17, the Regional Water Quality Control Board (RWQCB), acting as lead agency for the Site, issued Waste Discharge Requirements for the landfill in 1987 (WDR 87-060). After ten years of monitoring activities which demonstrated that water quality had not been adversely affected by the former disposal site, the RWQCB issued WDR Order 00-030 in 2000 that rescinded order 87-060. This order stated that the former disposal site did not require additional characterization or management as a landfill, and that the former disposal site was no longer subject to waste discharge requirements.

DPH has concluded that no additional post-closure land use plan is warranted because the existing Pier 70 Risk Management Plan requires notification of DPH prior to excavation, post-closure monitoring of the cap, and other environmental risk management measures. Therefore, no changes to EIR Section 4.P, Hazardous Materials, are required.

COMMENT HZ-2: PG&E RESPONSIBILITY AREA

"Pacific Gas and Electric Company (PG&E) has reviewed the Pier 70 Redevelopment Project Draft Environmental Impact Report (DEIR) prepared by the San Francisco (SF) Planning Department (2016) and offers the following comments for consideration. By way of background, PG&E continues to prepare for environmental remediation of manufactured gas plant (MGP) related impacts to soil on the former Potrero Power Plant (PPP) and the Pier 70 property in addition to the offshore area sediments. PG&E prepared a remedial action plan for the Northeast Area of the PPP and a portion of the Southeast Area of Pier 70 (Northeast Area Remediation Project), which was approved by the Regional Water Quality Control Board (Water Board) and certified under CEQA in July 2015 (RAP, Haley & Aldrich 2015). The Northeast Area Remediation Project is scheduled to commence construction in second quarter of 2017."
(Sara Sadler, Pacific Gas and Electric Company, Letter, February 21, 2017 [A-PGE-1])

"7. The description of PG&E's remediation efforts on p 4.P.64 state the following: "PG&E anticipates completing these remediation activities by 2017, prior to construction of the Proposed Project beginning in 2018. However, implementation of the remediation activities in the PG&E Responsibility Area is outside of the project sponsors' control. If PG&E's remediation activities are delayed, construction of the proposed development on Parcels H1, H2, and E3 could preclude implementation of the planned remediation and the presence of DNAPL would continue to threaten water quality, a significant impact.

> "a. The remediation schedule is subject to a number of factors that are also outside of PG&E's control, including issuance of discretionary construction permits from various resource agencies. However, there is no regulatory scenario that precludes the remediation of

[1] Port of San Francisco, email from Carol Bach to Melinda Hue, San Francisco Planning Department, RE: Pier 70 – Applicability of Title 27 of the CCR, March 7, 2017.

Pier 70. PG&E is continuing to plan and pursue the necessary agency approvals with the intent of commencing the remediation work as quickly as possible in 2017. The remediation work should not be considered as a delay to the Pier 70 redevelopment project, but rather its completion provides a net environmental benefit. Its completion is also required in accordance with PG&E agreements documented in the Northeast Area of the PPP and a Portion of the Southeast Area of Pier 70 Remedial Action Plan (RAP) approved and certified under CEQA by the Water Board (Haley & Aldrich, 2015).

"b. Furthermore, the statement that the "presence of DNAPL would continue to threaten water quality, a significant impact" is not correct. The removal of DNAPL from the subsurface at Pier 70, according to the RAP, does not pose a threat to water quality. Thus, please confirm that description of potential impacts to the environment are accurately based on the RAP (Haley & Aldrich, 2015).

"c. Thus, the need for the Pier 70 Redevelopment Project to accommodate this required remediation remains, but is not due to an impending threat to water quality, but rather is required by agreements with the Water Board. Therefore, the remediation must be incorporated into the schedule of work activities required to implement the Pier 70 Redevelopment Project. See suggested revised text for M-HZ-5 below."

(Sara Sadler, Pacific Gas and Electric Company, Letter, February 21, 2017 [A-PGE-7])

"5. Mitigation Measure M-HZ-5: Delay Development on Proposed Parcels H1, H2, and E3 Until Remediation of the "PG&E Responsibility Area" is Complete. Please revise this mitigation measure to reference PG&E's Draft RAP, which outlines the remediation efforts that PG&E plans to undertake on the Potrero site. Specifically, we would suggest the following revision: <u>The project sponsors shall not start construction of the proposed development or associated infrastructure on proposed Parcels H1, H2, and E3 until PG&E's remedial activities in the PG&E Responsibility Area within and adjacent to these parcels have been completed to the satisfaction of the RWQCB, consistent with the terms of the RAP prepared by PG&E and approved by RWQCB.</u>" *(Sara Sadler, Pacific Gas and Electric Company, Letter, February 21, 2017 [A-PGE-14])*

RESPONSE HZ-2: PG&E RESPONSIBILITY AREA

Remedial Action Plan and Remedial Action Implementation Schedule

The draft remedial action plan for the Pacific Gas & Electric (PG&E) Responsibility Area that was subject to review under the California Environmental Quality Act (CEQA) is dated January 2016, and the San Francisco Bay Region RWQCB adopted the Initial Study/Mitigated Negative Declaration for the remediation plan on July 7, 2016, not in July 2015 as noted in the comment.[2]

[2] California Regional Water Quality Control Board, San Francisco Bay Region, Resolution No. R2-2016-0027, Approval of the Remedial Action Plan for: Potrero Power Plant Northeast Area and a Portion of the Southeast Area of Pier 70, Potrero Power Plant Site, 1201 Illinois Street, City and County of San Francisco, July 7, 2016.

EIR Section 4.P, Hazards and Hazardous Materials, discusses the earlier July 2015 draft remediation plan for the Northeast Area of the Potrero Power Plant and a portion of the Southeast Area of Pier 70, RWQCB approval of the remediation approach, and the anticipated schedule for implementation of PG&E's remedial action plan (see EIR pp. 4.P.15-4.P.16). Text revisions to reflect the updated and approved remedial action plan are provided below. According to the implementation schedule provided as Figure 14 of the approved remedial action plan, remediation of the PG&E Responsibility Area is scheduled to begin in the fourth quarter of 2017.

The following revisions have been made to the text under the heading "PG&E Responsibility Area," on EIR pp. 4.P.15-4.P.16 (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> PG&E RESPONSIBILITY AREA
>
> Hydrocarbon-based dense non-aqueous phase liquid[40] (DNAPL) has been identified within some portions of the fill material adjacent to and beneath the pier which forms the edge of the three southernmost slipways in the southern portion of the 28-Acre Site (Parcels H1 and the southernmost part of the Waterfront Terrace), adjacent to the former Potrero Power Plant.[41] The DNAPL is associated with former manufactured gas plant operations in the northern portion of the power plant property. Site investigations conducted by the Port and PG&E identified two localized areas within the Pier 70 area where the accumulated DNAPL ~~is at least~~ ranges in thickness from 1 to 4 feet ~~foot thick~~ as well as additional areas of discontinuous DNAPL.[42] The area where DNAPL is present within the 28-Acre Site is referred to as the PG&E Responsibility Area and is shown on Figure 4.P.1, p. 4.P.3.
>
> As approved by the RWQCB on ~~December 27, 2012~~ July 7, 2016,[43] PG&E's remediation of the DNAPL area within the 28-Acre Site will include excavating the continuous DNAPL areas at the southernmost slipway to a depth of about ~~23~~ 25 feet, approximately two feet below the top of the young bay mud layer, and backfilling the excavations with clean fill.[43] [44] Durable cover(s), consisting of pavement, hardscape, or clean fill ~~and vegetation~~ over a demarcation layer, will be installed over the excavated and backfilled areas. With future development of the site, concrete slabs, asphalt, or new buildings may also act as a durable cover. Areas of discontinuous DNAPL will remain at the project site and ~~PG&E will prepare an RMP for controlling exposure to chemicals left in place during future use of the PG&E Responsibility Area. The RWQCB has also required a deed restriction be imposed on this property, limiting future land uses.~~ PG&E will conduct long-term groundwater monitoring to monitor for potential off-site migration of chemicals left in place. Some of the concrete ~~structures~~ top slab associated with the slipways may be demolished during excavation of the continuous DNAPL. If this occurs, the slab will be replaced with a reinforced concrete slab spanning the slipway walls to re-establish a self-supported load bearing concrete slab of similar strength and dimension as the existing concrete slab. At least a portion of the excavated soil would be considered a California hazardous waste based on the presence of naturally occurring asbestos and soluble concentrations of chromium, nickel, and lead. PG&E anticipates beginning these remediation activities at Pier 70 in the fourth quarter of 2017, prior to development under the Proposed Project.[44] ~~Based on sampling of the in-place soil in 2014, at least a portion~~

~~of the excavated soil would be considered a California hazardous waste based on soluble concentrations of chromium, nickel, and lead.~~[45] Once remediation of the PG&E Responsibility Area is completed, construction activities within this area and future use of this area will be governed by the Pier 70 RMP.

The following revisions have been made to the footnotes cited in this text (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR. Subsequent footnotes will be renumbered accordingly in the consolidated Final EIR. There are no changes to Footnotes 40 or 42, but they are shown below to complete the series of notes cited in the text.

[40] Many common contaminants are liquids that, like oil, are not soluble in water and do not readily mix with water. These are referred to as non-aqueous phase liquids. A dense non-aqueous phase liquid (DNAPL) is a liquid that is denser than water and can sink through the groundwater and accumulate on underlying layers of fine geologic materials such as clay.

[41] Haley & Aldrich, Draft Remedial Action Plan, Northeast Area of the Potrero Power Plant Site and a Portion of the Southeast Area of Pier 70, Potrero Power Plant Site, San Francisco, California. ~~July 7, 2015~~ January 2016, pp 12 and 13.

[42] Discontinuous DNAPL refers to DNAPL that is present as isolated droplets adhering to the soil matrix. These isolated droplets are not interconnected and there is no possibility for the DNAPL to flow.

[43] ~~Haley & Aldrich, Report on the Northeast Area of the Former Potrero Power Plant and a Portion of the Southeast Area of Pier 70 Feasibility Study, Potrero Power Plant Site, San Francisco, California. December 20, 2012, Section 5.~~ California Regional Water Quality Control Board, San Francisco Bay Region, Resolution No. R2-2016-0027, Approval of the Remedial Action Plan for: Potrero Power Plant Northeast Area and a Portion of the Southeast Area of Pier 70, Potrero Power Plant Site, 1201 Illinois Street, City and County of San Francisco, July 7, 2016.

[44] Haley & Aldrich, Draft Remedial Action Plan, Northeast Area of the Potrero Power Plant Site and a Portion of the Southeast Area of Pier 70, Potrero Power Plant Site, San Francisco, California. January 2016, p. 32.

~~[44] Pacific Gas & Electric web site, Potrero Power Plant, Cleanup Areas and Recent Activities. Available online at http://www.pge.com/en/about/environment/taking-responsibility/mgp/Potrero/cleanup-andactivities/index.page. Accessed December 11, 2015.~~

~~[45] Haley & Aldrich, Upland Remediation Pre-Design Investigation Report, Northeast Area of the Potrero Power Plant and a Portion of the Southeast Area of Pier 70, Potrero Power Plant Site, San Francisco, California. June 18, 2014, p. 25.~~

Delays in Development and Mitigation Measure M-HZ-5

The analysis presented in Impact HZ-5, EIR pp. 4.P.64-4.P.65, is not intended to state that the PG&E remediation could delay the Proposed Project, rather that in order to avoid adverse effects on future site occupants, project-related construction should not proceed on Parcels H1, H2, and E3 until PG&E's remediation is complete. While construction at these parcels is not anticipated to begin until 2024, well after the PG&E remediation should be complete, Mitigation Measure M-HZ-5: Delay Development on Proposed Parcels H1, H2, and E3 Until Remediation of the

PG&E Responsibility Area is Complete, on EIR p. 4.P.65, would ensure that development under the Proposed Project would not interfere with PG&E's remedial activities in the unlikely event that the remediation is delayed.

The following revisions have been made to Impact HY-5 and Mitigation Measure M-HZ-5 on EIR pp. 4.P-64-4.P.65 (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> **Impact HZ-5: Operation of the Proposed Project within the PG&E Responsibility Area would expose residents, site workers, and site visitors to hazardous materials in the soil, creating a significant hazard to the public or the environment. (Less than Significant with Mitigation)**
>
> As described in the Environmental Setting on pp. 4.P.15-4.P.16, site investigations conducted by the Port and PG&E identified two localized areas in the southeast portion of the 28-Acre Site where the accumulated DNAPL ~~is at least~~ ranges in thickness from 1 to 4 feet ~~foot thick or has accumulated~~ in areas where ~~of~~ discontinuous DNAPL have accumulated.[89] The area of both continuous and discontinuous DNAPL, referred to as the PG&E Responsibility Area, is shown on Figure 4.P.1, p. 4.P.3. Parcel H2, the eastern portion of Parcel H1, and the southeast corner of Parcel E3 of the project site are included within this area. As discussed in the Project Description, Parcel E3 would be developed during Phase 4 of the Proposed Project which would commence in 2024 (see Table 2.5). Parcels H1 and H2 would be developed during Phase 5, which would commence in 2027.
>
> As the responsible party for the contamination, PG&E will be conducting site remediation with regulatory oversight by the RWQCB that involves excavating the continuous DNAPL areas at the southernmost slipway to a depth of about ~~23~~ 25 feet and backfilling the excavations with clean fill.[90] Durable cover(s), consisting of pavement, hardscape, or clean fill ~~and vegetation~~ over a demarcation layer, will be installed over the excavated and backfilled areas and the entire area containing discontinuous DNAPL to prevent exposure to chemicals in the subsurface soil. ~~An RMP will be prepared for controlling exposure to chemicals left in place during future use of the property and a deed restriction restricting future land uses will be issued.~~ The existing pavement throughout the PG&E Responsibility Area will serve as the durable cover in the unexcavated areas until improvements constructed under the Proposed Project are completed. Once constructed, the project improvements would provide a durable cover in accordance with the Pier 70 RMP.
>
> PG&E anticipates completing these remediation activities by ~~2017~~ 2018,[91] ~~prior to~~ well before construction ~~of the Proposed Project beginning in 2018~~ would commence in Parcels H1, H2, and E3. However, implementation of the remediation activities in the PG&E Responsibility Area is outside of the project sponsors' control. In the unlikely event that ~~If~~ PG&E's remediation activities are delayed, construction of the proposed development on Parcels H1, H2, and E3 could preclude implementation of the planned remediation and future construction workers and site occupants could be exposed to health risks if the existing pavement were removed from this area and development commenced prior to implementation of PG&E's remediation ~~the presence of DNAPL would continue to threaten water quality~~, which would be considered a significant

impact. This impact would be reduced to a less-than-significant level with implementation of Mitigation Measure M-HZ-5: Delay Development on Proposed Parcels H1, H2, and E3 Until Remediation of the PG&E Responsibility Area is Complete, requiring the project sponsors to ensure that project construction on Parcels H1, H2, and E3 does not begin until remediation activities in the PG&E Responsibility Area have been completed to the satisfaction of the RWQCB, consistent with the terms of the remedial action plan prepared by PG&E and approved by RWQCB. Implementation of this measure would ensure that future site occupants and workers would not be exposed to residual DNAPL or associated vapors at levels that would cause substantial health risks.

Mitigation Measure M-HZ-5: Delay Development on Proposed Parcels H1, H2, and E3 Until Remediation of the "PG&E Responsibility Area" is Complete

The project sponsors shall not start construction of the proposed development or associated infrastructure on proposed Parcels H1, H2, and E3 until PG&E's remedial activities in the PG&E Responsibility Area within and adjacent to these parcels have been completed to the satisfaction of the RWQCB, consistent with the terms of the remedial action plan prepared by PG&E and approved by RWQCB. During subsequent development, the project sponsors shall implement the requirements of the Pier 70 RMP within the PG&E Responsibility Area, as enforced through the recorded deed restriction on the Pier 70 Master Plan Area.

The following revisions have been made to the footnotes cited in this text (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR. Subsequent footnotes will be renumbered accordingly in the consolidated Final EIR. There are no changes to Footnote 89, but it is shown below to complete the series of notes cited in the text.

[89] Discontinuous DNAPL refers DNAPL that is present as isolated droplets adhering to the soil matrix. These isolated droplets are not interconnected and there is no possibility for the DNAPL to flow.

[90] ~~Haley & Aldrich, Report on the Northeast Area of the Former Potrero Power Plant and a Portion of the Southeast Area of Pier 70 Feasibility Study, Potrero Power Plant Site, San Francisco, California. December 20, 2012, Section 5.~~ Haley & Aldrich, Draft Remedial Action Plan, Northeast Area of the Potrero Power Plant Site and a Portion of the Southeast Area of Pier 70, Potrero Power Plant Site, San Francisco, California. January 2016.

[91] ~~Pacific Gas & Electric web site, Potrero Power Plant, Cleanup Areas and Recent Activities. Available online at http://www.pge.com/en/about/environment/taking-responsibility/mgp/Potrero/cleanup-and-activities/index.page. Accessed December 11, 2015.~~ Ibid.

COMMENT HZ-3: PG&E OFFSHORE SEDIMENT AREA

"A feasibility study of the Offshore Sediment Area located in the nearshore zone adjacent to the PPP and Pier 70 properties has been through numerous investigations and studies resulting in a draft remedial action plan submitted to the Water Board in October of 2016 (Draft Offshore Sediment Area RAP; Haley & Aldrich 2016) to address contaminated sediment in the adjacent

nearshore portion of the San Francisco Bay. Remediation of the Offshore Sediment Area is planned to commence in second quarter of 2019." *(Sara Sadler, Pacific Gas and Electric Company, Letter, February 21, 2017 [A-PGE-2])*

"4. On p 4.P.15-16, please add a subsection called "PG&E OFFSHORE SEDIMENT REMEDIATION PROJECT" and include a description of the remediation based on the revised Draft RAP for the Offshore Sediment Area dated February 2017 (pending submittal week of Feb 27, 2017); originally submitted in Oct 2016).

"5. Starting on p 4.P.17 through p 4.P.26, the DEIR lists all of the Pier 70 RMP requirements including notifications and completion reports under the Water Board's oversight. On p 4.P.20, in the section "RISK MANAGEMENT MEASURES DURING CONSTRUCTION AND MAINTENANCE" in the paragraph on p 4.P.23 called "Shoreline Improvements." The last sentence says, "The Port and RWQCB must be contacted during the planning phase of any shoreline construction to obtain information concerning the nature of the sediments to be disturbed where known, requirements for work plans, and other specific requirements." As a part of the Water Board process requirements, there will be a Risk Management and Monitoring Plan, as stated in the Draft RAP (Haley & Aldrich, 2016) associated with the Sediment Remedy that requires the prevention of damage to the remedial elements (engineered caps) due to intrusive activities. Measures should be taken to avoid damage to the remedial elements in the Potrero Offshore Sediment Area from construction of this project. Suggest addition of M-HZ-3b (see Mitigation Measures below).

"6. Starting on p 4.P.34-35, there is a discussion of the "Offshore Sediment Area" under the general section "SOIL AND WATER MANAGEMENT MEASURES". The last sentence in this section says: "The draft remedial action plan was expected to be submitted to the RWQCB by mid-2016, but had not yet been submitted as of November 2016." This statement is not correct. The Draft RAP was submitted by Haley & Aldrich Inc to the RWQCB, with a copy to the Port of San Francisco, and Forest City on October 13, 2016. The revised Draft RAP for the Offshore Sediment Area is planned to be provided by the end of February 2017." *(Sara Sadler, Pacific Gas and Electric Company, Letter, February 21, 2017 [A-PGE-6])*

"3. Please add mitigation measure M-HZ-3b, as follows: Implement Construction and Maintenance Related Measures of the Overlapping Areas of the PG&E Offshore Sediment Area Remedial Action Plan - PG&E requests to receive the same notification in advance of planning, design, and construction for overlapping areas or related areas to the Offshore Sediment Area that would involve ground disturbing activities. Any ground disturbance in the Offshore Sediment Area would need to be consistent with any clean up remediation efforts planned to be completed by PG&E." *(Sara Sadler, Pacific Gas and Electric Company, Letter, February 21, 2017 [A-PGE-12])*

RESPONSE HZ-3: PG&E OFFSHORE SEDIMENT AREA

Offshore Sediment Remediation Plan

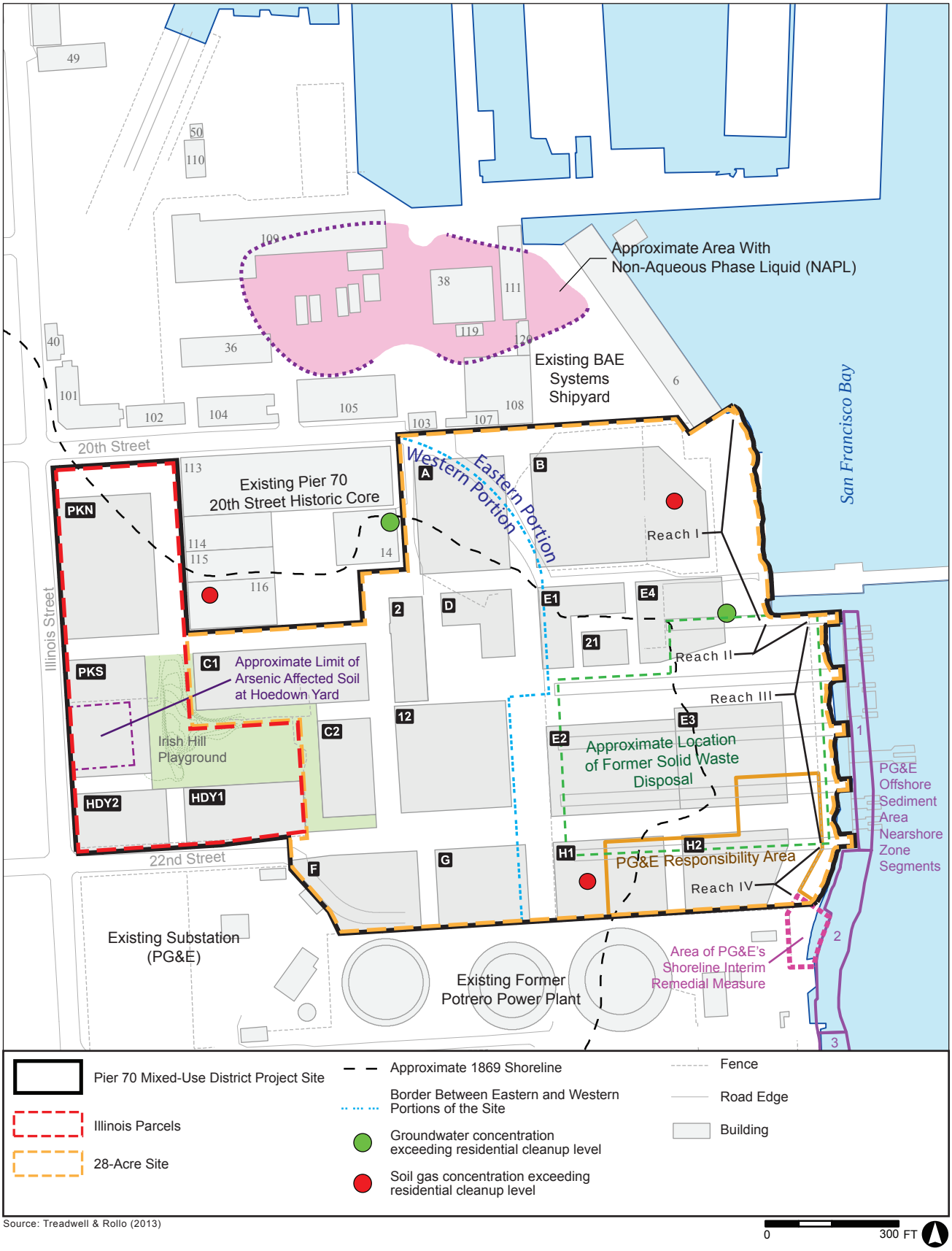
EIR pp. 4.P.15-4.P.16 discuss the PG&E Responsibility Area that is located within the 28-Acre Site. The Offshore Sediment Area is located offshore of the 28-Acre Site. Plans for remediation of the offshore sediments are discussed on EIR pp. 4.P.34-4.P.35, which also describe how the reaches of the Proposed Project's shoreline improvements overlap with the segments of PG&E's Offshore Sediment Area. Therefore, it is not necessary to add a new subsection to describe PG&E's offshore sediment remediation.

The discussion on EIR pp. 4.P.34-4.P.35 is based on documents publicly available at the time the EIR was published. As presented below, this text has been revised to more clearly state how the shoreline improvement reaches overlap with PG&E's remediation segments; to reflect implementation of the Interim Remedial Measure noted by Comment A-PGE-5 (see RTC p. 4.O.6); and to describe the February 2017 remediation plan for the offshore sediments which was subsequently received from PG&E. Figure 4.P.1: Sample Locations and Areas of Identified Impact, on EIR p. 4.P.3, has also been revised to show the location of the Interim Remedial Measure, and Reaches I through IV of the shoreline improvements proposed under the Pier 70 Mixed-Use District Project. The revised figure is shown on the following page.

Please see Response HY-2: PG&E Offshore Sediment Area, in RTC Section 4.O, Hydrology and Water Quality, RTC pp. 4.O.6-4.O.15, for more detailed text additions that incorporate information from the February 2017 remedial action plan.

The text under the heading "Offshore Sediments" on EIR pp. 4.P.34-4.P.35 has been revised, as shown below (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> **PG&E Offshore Sediments ~~Area~~**
>
> Investigations by PG&E have detected elevated PAH concentrations in the sediments offshore of the Potrero Power Plant and 28-Acre Site in an area referred to as the Offshore Sediment Area shown on Figure 4.P.1, p. 4.P.3. The PAHs are likely the result of the historical manufactured gas plant, power plant, and other industrial operations at the Potrero Power Plant; the investigation and remediation of the sediments is the responsibility of PG&E.
>
> Based on PG&E's investigations, the PG&E Offshore Sediment Area is divided into two zones requiring remediation:[58A]
>
> - The Nearshore Zone which extends approximately 50 to 75 feet east (bayward) from the edge of ~~shoreline and includes areas within~~ the former slipways at the 28-Acre Site. The sediments in this zone contain construction debris, remnants of wooden and concrete pilings, and similar debris associated with former



Source: Treadwell & Rollo (2013)

PIER 70 MIXED-USE DISTRICT PROJECT

(REVISED) FIGURE 4.P.1: SAMPLE LOCATIONS AND AREAS OF IDENTIFIED IMPACT

industrial operations. This zone exhibits the highest PAH concentrations found in surface sediments within the Offshore Sediment Area.

- The Transition Zone which extends another approximately 100 to 150 feet bayward from the Nearshore Zone. The sediments in this zone contain PAHs at concentrations that are much lower than in the Nearshore Zone, but greater than the Central San Francisco Bay ambient sediment concentrations.

For remedial planning purposes, the ~~Offshore Sediment Area~~ Nearshore Zone is also divided into three segments. Segment 1 and the northern portion of Segment 2 are adjacent to the 28-Acre Site, as shown on Figure 4.P.1, p. 4.P.3. Reaches I and II of the Proposed Project's shoreline improvements are located to the north of the Offshore Sediment Area. Reach III is partially within Segment 1 and Reach IV of the shoreline improvements is within the northern portion of Segment 2. T~~t~~he southern portion of PG&E's Segment 2 and all of Segment 3 are located to the south of Pier 70 and are adjacent to the Potrero Power Plant. ~~and o~~Only a portion of Segment 3 is included on ~~the f~~Figure 4.P.1.

PG&E prepared a remediation plan for the Offshore Sediment Area in February 2017.[58B] The ~~preferred~~ planned remedial approach ~~alternative~~ for the offshore sediments includes dredging up to several feet of sediment from all three segments of the Nearshore Zone to remove those sediments with the highest concentration of PAHs and placement of an engineered erosion protection cap over the entire Nearshore Zone.[58C] In Segment 1 (adjacent to the 28-Acre Site and Reach III of the shoreline improvements), the approach also includes using Enhanced Monitored Natural Recovery to enhance the natural recovery of contaminated sediments by accelerating natural sedimentation rates and encouraging the recolonization of benthic organisms that live in the sediments. In Segment 2 (which includes Reach IV of the shoreline improvements), a 1-foot-thick reactive cap will also be installed beneath a new revetment to prevent the migration of dissolved PAHs in the pore water of the sediments through the revetment. PG&E anticipates implementing the offshore sediment remediation in the late spring of 2019.

In 2010, PG&E implemented an Interim Remedial Measure along the Bay shoreline near the property boundary between Pier 70 and the Potrero Plant, as shown on Figure 4.P.1.[58D] This measure is described in Section 4.O, Hydrology and Water Quality (p. 4.O.7).

In accordance with the July 2017 remedial action plan, PG&E will also prepare a risk management and monitoring plan specifying measures to be implemented after the offshore sediment remediation is completed to ensure that the remediation performs as intended, and that future actions do not compromise the integrity of the cap in the Nearshore Zone. The risk management and monitoring plan is described in more detail on p. 4.O.7).

Additional remediation is planned in the Transition Zone, 100 to 150 feet offshore. However, project activities would not affect the sediments in this zone so the planned remediation approach is not discussed.

~~The RWQCB approved this remedial approach on December 11, 2015, and PG&E is currently preparing a remedial action plan for implementation of the selected remedy.[59] The draft remedial action plan was expected to be submitted to the RWQCB by mid-2016, but had not yet been submitted as of November 2016.~~

Footnote 59 on EIR p. 4.P.35 has been deleted as part of this text change, and new footnotes have been added (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions are shown below. These revisions do not change any of the analyses or conclusions of the EIR. The new footnotes will be assigned their proper sequential numbers in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly.

[58A] Haley & Aldrich, Draft Remedial Action Plan, Offshore Sediment Area, Potrero Power Plant Site, San Francisco, California, February 2017 (hereinafter referred to as "*Offshore Sediment Area Remediation Plan*"), p. 3.

[58B] Haley & Aldrich, *Offshore Sediment Area Remediation Plan.*

[58C] Haley & Aldrich, *Offshore Sediment Area Remediation Plan*, Section 7.

[58D] Haley & Aldrich, *Offshore Sediment Area Remediation Plan*, p. 10.

~~[59] San Francisco Bay Regional Water Quality Control Board, Approval of October 9, 2015, Draft Feasibility Study Report, Offshore Sediment Area, Protrero Power Plant, City and County of San Francisco. December 11, 2015.~~

Coordination with PG&E

The potential overlap between the Proposed Project's shoreline improvements and specific segments of PG&E's Offshore Sediment Area is discussed in Response HY-2: PG&E Offshore Sediment Area, RTC pp. 4.O.6-4.O.15. As noted in that response, construction of the Proposed Project's shoreline improvements in Reach IV could interfere with the proposed revetment in Segment 2 of PG&E's Off-Shore Sediment Area. However, the improvements under the Proposed Project would be constructed approximately five years after PG&E's remediation efforts have been completed. The RWQCB is the lead agency with oversight for both PG&E's Offshore Sediment Area and the Pier 70 Risk Management Plan (RMP) implementation, and would require construction activities under the Proposed Project to conform to any risk management and monitoring requirements specified in PG&E's RMP, once it has been prepared and approved. This would be ensured by notification of the RWQCB in conformance with Section 6.3 of the Pier 70 RMP as required by EIR Mitigation Measure M-HZ-3a: Implement Construction and Maintenance-Related Measures of the Pier 70 Risk Management Plan, EIR pp. 4.P.61-4.P.62. In accordance with this mitigation measure, the project sponsors must provide notice to the RWQCB, DPH, and Port in advance of ground-disturbing activities that would disturb an area of 1,250 square feet or more of native soil, 50 cubic yards or more of native soil, more than 0.5 acre of soil, or 10,000 square feet or more of durable cover. This required notification would ensure appropriate coordination with PG&E's remediation efforts, and separate notification of PG&E is not necessary. A new mitigation measure requiring coordination with PG&E is not necessary.

COMMENT HZ-4: WELL PROTECTION REQUIREMENTS

"4. Mitigation Measure M-HZ-3b (suggest change to M-HZ-3c): Implement Well Protection Requirements of the Pier 70 Risk Management Plan. Any changes to existing monitoring wells related to PG&E's remediation efforts need to be reviewed and approved by PG&E in addition to the resource agencies cited." *(Sara Sadler, Pacific Gas and Electric Company, Letter, February 21, 2017 [A-PGE-13])*

RESPONSE HZ-4: WELL PROTECTION REQUIREMENTS

The project sponsors are committed to coordinating fully with the RWQCB, DPH, and the Port to avoid damage to any groundwater monitoring wells during development of the Proposed Project. The RWQCB is the lead agency for both the PG&E Responsibility Area and implementation of the Pier 70 RMP. Notification of the RWQCB in conformance with Section 6.3 of the Pier 70 RMP would ensure that any wells installed by PG&E within the project area would be identified and protected. Separate notification of PG&E is not warranted.

The following revisions have been made to Mitigation Measure M-HZ-3b on EIR p. 4.P.62 (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR:

> **Mitigation Measure M-HZ-3b: Implement Well Protection Requirements of the Pier 70 Risk Management Plan**
>
> In accordance with Section 6.11 of the Pier 70 RMP, the project sponsors shall review available information prior to any ground-disturbing activities to identify any monitoring wells within the construction area, including any wells installed by PG&E in support of investigation and remediation of the PG&E Responsibility Area within the 28-Acre Site. The wells shall be appropriately protected during construction. If construction necessitates destruction of an existing well, the destruction shall be conducted in accordance with California and DPH well abandonment regulations, and must be approved by the RWQCB. The Port shall also be notified of the destruction. If required by the RWQCB, DPH, or the Port, the project sponsor shall reinstall any groundwater monitoring wells that are part of the ongoing groundwater monitoring network.

Q. OTHER CEQA CONSIDERATIONS

The comments and corresponding response in this section relate to EIR Chapter 5, Other CEQA Considerations.

COMMENT OC-1: COMMENTS ON OTHER CEQA CONSIDERATIONS

"With this demand for housing and existing housing in the Pier 70 DEIR what are the issues of Gentrification, Demolition and Evictions? What are the issues for Gentrification, Demolition and Eviction under all three plans (Central SOMA, Eastern Neighborhoods and Pier 70) combined?" *(Georgia Schuttish, Email, February 21, 2017 [I-Schuttish-6])*

"Another concern is the high rate of development in Potrero and Dogpatch. Recently, 1010 16th St opened with over 400 units; there are 91 units soon to be completed at 22nd and Texas; I do not know how many units at 23rd and Third St or the 2 rather large developments on Indiana. Then there are several smaller developments, such as the one on Missouri near 17th. The basic nature of Potrero and Dogpatch is changing rapidly – the unique sense of a compact community is threatened – some development is good and desirable but such a rapid pace with large units is not desirable.

"I urge that the Pier 70 project be reconsidered with community input on these matters be given great weight." (*Gary Horowitz, Email, February 20, 2017 [I-Horowitz-2]*)

RESPONSE OC-1: COMMENTS ON OTHER CEQA CONSIDERATIONS

Comments express concern over the rapid pace of development in the Central SoMa and the Eastern Neighborhoods, which include the Central Waterfront, the Mission, Showplace Square/Potrero Hill, and East SoMa, and how the proposed changes to the Pier 70 project site area could combine with these changes to spur gentrification and displace residents and businesses through evictions and demolitions. One comment expresses concern over the rise of multi-family buildings with many residential units in the Dogpatch and Potrero Hill neighborhoods and how these cumulative changes contrast with the compact community character of these neighborhoods.

Gentrification and Displacement

Concerns related to gentrification and displacement are not limited to the Central SoMa, the Eastern Neighborhoods, or Pier 70 project site area. Gentrification is often defined as the residential and commercial transformation of a working-class neighborhood through the in-migration of higher income households and out-migration (or displacement) of the original lower income residents. However, gentrification can also occur with minimal displacement when underutilized or vacant areas of a city are transformed through changes in zoning, as is the case

with the Proposed Project. In these cases, displacement effects are not direct, e.g., evictions through the demolition of existing housing, but are characterized as secondary, or indirect, effects experienced by existing residents and businesses in adjacent areas, e.g., property value increases resulting in higher costs to remain in place and shifts in consumer demand. Thus, displacement effects are typically determined over the long term through changes in the socio-demographic characteristics of the gentrifying neighborhood, i.e., level of education, income, employment status, race, marital status, total number of persons living in household.

Gentrification and displacement that could result from the development of the Proposed Project and other past, present, or probable future projects in the Central SoMa, the Eastern Neighborhoods, and across the City and Bay Area are socioeconomic issues rather than physical environmental issues. CEQA does not require analysis of socioeconomic issues such as gentrification and environmental justice; thus, these issues are generally beyond the scope of the CEQA environmental review process.[1] The focus of CEQA is to address whether and how a proposed project's physical change to the environment could result in adverse physical impacts to the environment, such as impacts of a project on air quality, water quality, or wildlife habitat. CEQA Guidelines Section 15360 defines "environment" for the purposes of CEQA as "the *physical* conditions which exist within the area which will be affected by the proposed project…" (*emphasis added*). As stated in CEQA Guidelines Section 15131(a),

> "Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes."

Thus, the CEQA Guidelines provide that social or economic impacts may not be treated as significant effects on the environment.

Evidence of social or economic impacts (e.g., property value increases, rent level increases, changing neighborhood demographics) that do not contribute to, or are not caused by, adverse physical changes to the environment is not substantial evidence of a significant effect on the environment. However, a social or economic change related to a physical change may be considered in determining whether the physical change is a significant impact. Additionally, an EIR or other CEQA document must consider the reasonably foreseeable indirect environmental consequences or physical changes resulting from a project's economic or social changes. In

[1] California Environmental Quality Act (CEQA), Public Resources Code Section 21000 *et seq* and CEQA Guidelines Section 15131(a).

short, social and economic effects are only relevant under CEQA if they would result in or are caused by an adverse physical impact on the environment.

Displacement under CEQA refers specifically to the direct loss of housing units that would result from proposed demolition of existing housing. This is because demolition of existing housing could displace substantial numbers of people, necessitating the construction of replacement housing elsewhere. Thus, the direct and indirect physical change to the environment to be evaluated in an EIR would be associated with demolition and construction activities and new operational impacts of displaced populations. However, as discussed under Impact PH-2 in EIR Section 4.C, Population and Housing, pp. 4.C.31-4.C.34, the Proposed Project would not result in the direct displacement of residents because there are no existing residential units on the project site.

The existing commercial tenants on the project site are currently operating under short-term leases controlled by the Port of San Francisco, and implementation of the Proposed Project would result in the displacement of up to 70 on-site employees. However, as described on EIR p. 2.24, the Port will prepare a tenant relocation plan that will identify suitable Port property that could accommodate existing larger-scale tenants. Also, as described on EIR p. 2.25, in accordance with the Term Sheet between the Port and Forest City[2] and Proposition F (November 2014), the tenants of the Noonan Building would be provided on-site space that is affordable, functional, and aesthetic. Tenants of the Noonan Building would be continuously accommodated. If new space is not yet constructed on the project site prior to the demolition of the Noonan Building, the Port or Forest City would offer the tenants (most of whom are on month-to-month leases) replacement space elsewhere within the Pier 70 area.

As discussed under Impact PH-1 in EIR Section 4.C, Population and Housing, pp. 4.C.22-4.C.31, the direct and indirect effects of population and employment growth under either the Maximum Residential or Commercial Scenarios would be less than significant because the existing and planned utilities, infrastructure, and public services on the project site and in this area of the City would accommodate the projected growth and would be consistent with the City's and the Association of Bay Area Government's ongoing planning efforts to focus future growth in the City's Priority Development Areas: Port of San Francisco, Mission Bay, Eastern Neighborhoods, and Bayview/Hunters Point/Candlestick. As further discussed in EIR Chapter 5, Other CEQA Considerations, pp. 5.1-5.7, the projected residential and employment growth attributable to the Proposed Project and build-out of the area plans in this area of the City (e.g., Eastern Neighborhoods, Central SoMa, Mission Bay, Rincon Hill, and Transit Center), and the proposed improvements to infrastructure and public services would not result in unplanned growth that had

[2] *Term Sheet for Pier 70 Waterfront Site*, between the Port Commission and Forest City, June 11, 2013.

not already been accounted for in this area of the City, or at the Citywide and Bay Area regional levels.

The cumulative analysis for population and housing considered the development potential in the areas encompassed by the Mission Bay Redevelopment Area, the Eastern Neighborhoods Rezoning and Area Plans, the Central SoMa Plan, and the Western SoMa Community Plan, as well as past, present, and reasonably foreseeable future projects located in the immediate vicinity of the project site. See EIR Section 4.A, Introduction, pp. 4.A.5-4.A.18, for a detailed discussion of the approach to the project-level and cumulative analysis in this rapidly transforming area of the City. As discussed under Impact C-PH-1, pp. 4.C.34-4.C.38, the impacts of the Proposed Project, when considered in the Citywide and regional context, would not contribute to a significant cumulative population and housing impact because the projected population and employment growth is focused in the City's Priority Development Areas, as anticipated and planned for by the City and the Association of Bay Area Governments as part of the integration of local planning efforts into the larger Plan Bay Area.

The comments do not present any evidence that the creation of new market-rate housing on the site, together with the on-site affordable housing units, would result in any significant environmental impacts not disclosed in the Draft EIR or lead to any economic or social changes that would in turn result in a significant adverse physical environmental impact. There is no evidence presented by the comment that the Proposed Project in combination with other past, present, or reasonably foreseeable future projects would result in displacement of residents or businesses necessitating new construction elsewhere that could have significant environmental effects. Furthermore, although San Francisco's neighborhoods have distinct physical characteristics that set them apart from one another, neighborhoods evolve over time, but that is not, in and of itself, a significant physical environmental impact on the environment. This evolution can be driven by the need to respond to changing economic or social conditions. It is the role of City decision-makers to decide what type of change is appropriate for a particular neighborhood, whether that change is presented in the form of a single building or as a larger comprehensive effort to revise existing land use plans, policies, or regulations, as is the case with the Pier 70 Master Plan, the Eastern Neighborhoods, and Central SoMa.

Community Character

The proposed zoning and height changes for the Pier 70 Special Use District would allow for the redevelopment of the existing underutilized industrial land uses into a new neighborhood characterized by high-density residential uses and a mix of commercial, retail, and light industrial uses. The Proposed Project would provide 3,025 residential units, 1,102,250 gsf of commercial uses, and 479,980 gsf of retail, arts, and light industrial uses under the Maximum Residential Scenario (see Table 2.3: Project Summary – Maximum Residential Scenario, EIR p. 2.29), and

1,645 residential units, 2,262,350 gsf of commercial uses, and 486,950 gsf of retail, arts and light industrial uses under the Maximum Commercial Scenario (see Table 2.4: Project Summary – Maximum Commercial Scenario, EIR p. 2.31).

CEQA does not require analysis of a project's effects on the character of a neighborhood because this is considered to be a socioeconomic issue, similar to gentrification and environmental justice; thus, as with those issues, community character is beyond the scope of the CEQA environmental review. Physical changes related to the development of the new land uses, i.e., the newly built environment, are considered in the CEQA analysis as they relate to physical effects on the environment, e.g., housing, the transportation network, ambient noise levels, air quality, wind, shadow, public services, and utilities and service systems. Visual character, which addresses visual changes that may be related to various land uses, is typically addressed under the topic of Aesthetics; however, as stated in EIR Chapter 4.A, Introduction, pp. 4.A.3-4.A.4, the impact analysis for the Proposed Project does not need to consider aesthetics in determining the significance of project impacts under CEQA because it meets the criteria under CEQA Section 21099(d) – it is a mixed-use residential development located on an infill site within a transit priority area.

The proposed changes to the Pier 70 project site area (combined with past, present, and probable future projects) would continue the trend of transforming commercial and industrial uses in the SoMa, Central Waterfront, and other Eastern Neighborhoods (including the Dogpatch and Potrero Hill neighborhoods) into mixed-use neighborhoods with medium- to high-density residential uses through rezoning strategies developed in response to market conditions and the demand for housing. To the extent that comments express opposition to the anticipated population increase and its resulting contribution to the change in community character, this concern is addressed in Response ME-1: Comments on the Merits of the Proposed Project, RTC pp. 4.T.9-4.T.10. Such comments may be considered and weighed by the decision-makers as part of their decision to approve, modify, or disapprove the Proposed Project. This consideration is carried out independent of the environmental review process. Comments regarding the EIR's approach to analyzing the effects of population increase are addressed in Response PH-2: Population Growth and Plan Inconsistencies, RTC pp. 4.E.5-4.E.9.

Conclusion

In summary, the purpose of this EIR is to analyze the physical environmental impacts of the Proposed Project. Changes to the physical environment as a result of the projected population and employment growth attributable to the Proposed Project, and in a cumulative context, are addressed in the appropriate environmental topics in this EIR. Social and economic effects related to housing affordability and gentrification are beyond the scope of this EIR.

The Planning Department acknowledges that gentrification and displacement (i.e., tenant displacement, rising commercial rents, and the impact of proposed market-rate housing units on housing demand and affordability) has affected many of San Francisco's neighborhoods. In response, the Planning Department is devoting substantial resources outside of the CEQA process to focus on the affordability and displacement crisis facing many San Francisco residents. The Planning Department is exploring how to undertake a broader socioeconomic analysis of displacement and gentrification issues Citywide, with a focus on equity. The Planning Department is also working with affected communities, the Planning Commission, elected leaders, and City partners to undertake a series of policy and implementation efforts aimed at pursuing this goal.

City decision-makers may consider information contained in the EIR to determine whether the Proposed Project is appropriate for the neighborhood. They may consider this issue as part of their deliberations on the merits of the project and whether to approve, modify, or disapprove the Proposed Project. This consideration is carried out independent of the environmental review process. Since the comments do not raise any specific issues about the adequacy or accuracy of the EIR's analysis of physical environmental impacts, no further response is required in this RTC document.

R. ALTERNATIVES

The comments and corresponding responses in this section relate to the topic of Alternatives, evaluated in EIR Chapter 7.

COMMENT AL-1: ADEQUACY OF ALTERNATIVES

"**Alternatives Analysis**
"The following provides the legal and practical bases for an EIR's review of alternatives when considering methods that will avoid or substantially reduce a project's impacts.

"An EIR must identify a "range of reasonable alternatives … which would feasibly attain *most* of the basic objectives of the project …" (Guideline § 15126.6 (a), emphasis added.) The EIR's "statement of objectives" includes "the underlying purpose of the project." (Guideline § 15124 (b).) Necessarily, alternatives to the project will look outside the blueprint of project objectives to fairly consider alternatives that reduce project impacts to the greatest degree feasible. "Under CEQA, a public agency must … consider measures that might mitigate a project's adverse environmental impact and adopt them if feasible. (Public Resources Code §§ 21002, 21081." (*Mountain Lion Foundation v. Fish & Game Commission* (1997) 16 Cal.4th 105, 124; *Sierra Club v. Gilroy City Council* (1990) 222 Cal.App.3d 30, 41, italics added.) It is unnecessary for alternatives to *fully* meet the Project's objectives, and alternatives may not be rejected for this reason. Increased costs of an alternative do not equate to economic infeasibility: "[t]he fact that an alternative may be more expensive or less profitable is not sufficient to show that the alternative is financially infeasible. What is required is evidence that the additional costs or lost profitability are sufficiently severe as to render it impractical to proceed with the project." (*Citizens of Goleta Valley v. Board of Supervisors* (1988) 197 Cal.App.3d 1167, 1181; *see also Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 736; *City of Fremont v. San Francisco Bay Area Rapid Transit District* (1995) 34 Cal.App.4th 1780.) The range must be sufficient "to permit a reasonable choice of alternatives so far as environmental aspects are concerned." (*San Bernardino Valley Audubon Society v. County of San Bernardino*, supra, 155 Cal.App.3d at 750-751; Guidelines §§ 15126.6(c), (f).)

"The Draft EIR acknowledged that the impacts identified for the two alternatives that were considered, aside from the No Project alternative, are similar to the Project's impacts. (DEIR pgs. S-116 – S-119.) The Draft EIR therefore failed to review a reasonable range of alternatives that would avoid or substantially lessen the Project's environmental impacts, as required by CEQA; the range does not permit a reasoned choice nor does it foster an informed decision as to feasible means for reducing the Project's impacts." *(J. R. Eppler, President, Potrero Boosters Neighborhood Association, and Rachel Mansfield Howlett, Provencher & Flatt LLP, on behalf of Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association, Email, February 21, 2017 [O-DNA&PBNA-10])*

"Relative to the designated environmentally superior alternative, the Code Compliant alternative, the Draft EIR's asserts the alternative may not be feasible because it would not result in a market rate of return or fully meet the Project's objectives but it does not support the allegations regarding rate of return by substantial evidence contained in the report regarding whether the loss

of profit is sufficiently severe as to render it impractical to proceed. (DEIR pg. S-120.)"
(J. R. Eppler, President, Potrero Boosters Neighborhood Association, and Rachel Mansfield Howlett, Provencher & Flatt LLP, on behalf of Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association, Email, February 21, 2017 [O-DNA&PBNA-11])

"**Considering the Project's potentially significant impacts to the Union Iron Works Historic District, the Draft EIR should review an alternative that did not demolish the contributing historic resources.**

"As noted, when considering an alternative's feasibility, an alternative need not meet every Project objective and claims of increased costs do not rebut its feasibility. Consistently, in *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, the court found that if there is evidence of one or more potentially significant impacts, the report must contain a meaningful analysis of alternatives or mitigation measures which would avoid or lessen such impacts and the Court rebuffed the assertion that there is a lower standard of sufficiency with regard to information about and analysis of alternatives when the EIR concludes the project will not result in significant impacts. A major function of the EIR is to ensure thorough assessment of all reasonable alternatives to proposed projects by those responsible for the decision. And because demolition is a significant environmental impact, approval of demolition violates CEQA unless alternatives to demolition are infeasible. (*Preservation Action Council v. City of San Jose* (2006) 141 Cal.App.4th 1336; *Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4th 587.) Here, given the importance of the Union Iron Works Historic District, the Preservation Alternative should have been considered in the Draft EIR and was not." *(J. R. Eppler, President, Potrero Boosters Neighborhood Association, and Rachel Mansfield Howlett, Provencher & Flatt LLP, on behalf of Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association, Email, February 21, 2017 [O-DNA&PBNA-12])*

"Additionally, given the location of the Project within a congested area underserved by bus and BART service and with admitted impacts to transit, a zero-parking alternative should be studied and further consideration should be given to enhanced funding of public transit." *(J. R. Eppler, President, Potrero Boosters Neighborhood Association, and Rachel Mansfield Howlett, Provencher & Flatt LLP, on behalf of Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association, Email, February 21, 2017 [O-DNA&PBNA-13])*

"Alternative scenarios:
"The plan argues against the Environmentally Superior (Code-Compliant) alternative on the grounds that "This alternative would not construct a high-quality, public-private development project that could attract sources of public investment, equity, and debt financing to fund site and infrastructure costs, and ongoing maintenance, and produce a market rate return investment that allows the Port to further its Public Trust mandate and mission." The first part of the sentence is an unsupported falsehood. Any project on the proposed parcel would attract investors, as has any scrap of developable land in the city. The second part says, in effect, that above all else, the purpose of the project is to maximize the Port's profits.

"The Code-Compliant alternative would produce less than half the vehicle trips of the proposed project, with a similar reduction in carbon emissions and pollution (The 2010 Pier 70 Master Plan Alternative would be similar in this regard.) If the Port intends to maximize its profits by increasing vehicle emissions, it should be explicit about its policy. Otherwise, a sensible starting point for a plan for the site would be the Code-Compliant Alternative, modified to exclude all off-street residential parking." (*Yoram Meroz, Email, February 20, 2017 [I-Meroz-4])*

RESPONSE AL-1: ADEQUACY OF ALTERNATIVES

A number of comments express dissatisfaction with the range of alternatives considered in the EIR. Under CEQA Guidelines Section 15126.6, an EIR is required to analyze a reasonable range of alternatives that could feasibly attain most of the basic project objectives, and would avoid or substantially lessen one or more of the significant environmental effects of the proposed project. "[T]he discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly" (CEQA Guidelines Section 15126.6(b)).

Accordingly, the role of the alternatives analysis in this EIR is to reduce the intensity and/or severity of impacts that have been determined to be significant. The EIR identifies the following significant and unavoidable impacts: Impact TR-5 and Impact C-TR-4 (project and cumulative impacts on capacity of Muni bus line 48); Impact TR-12 (delays caused by loading activities); Impact NO-2 (temporary construction noise from pile driving); Impact NO-5 and Impact NO-7 (permanent project and cumulative increases in noise levels along roadways in the vicinity); Impact AQ-1 (construction emissions); Impact AQ-2 (criteria air pollutants at build-out); and Impact C-AQ-1 (cumulative regional air quality). In addition to the No Project Alternative, the EIR analyzes two alternatives that would reduce some of the significant impacts of the Proposed Project by substantially reducing the intensity and duration of new construction on the project site and the population of residents and employees on the project site after build-out. These alternatives present a reasonable range of alternatives that would lessen significant impacts of the Proposed Project.

The CEQA Guidelines recognize that the range of conceivable alternatives to a proposed project, and variations thereto, is potentially vast. The range of alternatives in an EIR is governed by a "rule of reason":

> Rule of Reason: An EIR need not consider every conceivable alternative to a proposed project. The range of alternatives required in an EIR is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the

> project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project. The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision making. CEQA Guidelines Section 15126.6(f).

As required by CEQA Guidelines, Section 15126.6 (c), the EIR describes the rationale for selecting the alternatives discussed. The EIR compares the ability of each of the three alternatives to meet project objectives, as shown on Table 7.16: Ability of Alternatives to Meet Project Objectives, on EIR pp 7.92-7.95. Except for the No Project Alternative, both the Code Compliant Alternative and the 2010 Pier 70 Master Plan Alternative were found to meet most of the basic objectives of the Proposed Project, to a greater or lesser extent (like provision of waterfront access and open space, adaptive reuse of contributing buildings to the UIW Historic District, and creation of housing to help the City meet its fair share of regional housing needs). Neither alternative would fully meet the project sponsors' objectives to attract sources of funding for site and infrastructure costs, ongoing maintenance and operation costs, and to produce a market rate of return. Thus, the alternatives in the EIR present a reasonable range of alternatives that would meet most of the project sponsors' objectives.

One comment states that the EIR should include a zero-parking alternative, and another requests a modified Code-Compliant Alternative to exclude all off-street residential parking. Commenters specified that these reduced parking alternatives are suggested to reduce transportation and air quality impacts. Both the Code Compliant Alternative and the 2010 Pier 70 Master Plan Alternative would reduce overall development and include substantially less parking than the Proposed Project. The vehicle trips generated by the Code Compliant Alternative would be approximately 36 to 41 percent of the amount generated by the Proposed Project, and the vehicle trips generated by the 2010 Pier 70 Master Plan Alternative would be approximately 44 to 48 percent of the amount generated by the Proposed Project, as shown in Table 7.4: Vehicle Trip Generation - Code Compliant Alternative and Table 7.12: Vehicle Trip Generation, 2010 Pier 70 Master Plan Alternative on EIR on EIR p. 7.15 and p.7.66, respectively. Similarly, as shown in Table 7.10: Average Daily and Maximum Annual Operational Emissions for the Code Compliant Alternative at Buildout (2030) with Mitigation, on EIR p. 7.44, under the Code Compliant Alternative, NOx and PM_{10} emissions would be reduced to below their respective significance thresholds during operation after full buildout of the Alternative, although emissions of ROG would remain significant and unavoidable. As explained on EIR pp. 7.77-7.78, the 2010 Master Plan Alternative would have similar operational emissions reductions but would result in more vehicle trips than the Code Compliant Alternative, would generate more emissions, and would also result in operational ROG emissions that would be significant and unavoidable with mitigation. These alternatives would, therefore, reduce the significant and unavoidable operational transportation and air quality impacts, although not to a less-than-significant level.

These alternatives are consistent with CEQA Guidelines Section 15126.6 requiring that an EIR describe and analyze a reasonable range of alternatives that could feasibly attain most of the basic project objectives and that would avoid or substantially lessen one or more of the significant environmental effects of the Proposed Project; therefore, the commenters' suggestion of additional alternatives that provide reduced parking or no parking are not necessary.

It is important to note that, as stated on RTC p. 4.G.37, the traffic demand model analysis conducted is generally applicable regardless of how much parking is proposed or where parking would be located on the site. Whether parking is provided off-street, as accessory to individual uses, or in separated, shared parking structures, the forecasts of travel behavior and associated impacts would not be affected. In addition, the trip generation calculations used to quantify vehicle trips from the Proposed Project in the Travel Demand Analysis on EIR pp. 4.E.58-4.E.70 are based on land use types and square footage only and do not account for the amount of parking proposed.

The decision-makers could approve the Proposed Project with minor modifications such as a reduction in on-site parking, if desired. Mitigation Measure M-AQ-1f: Transportation Demand Management, described on EIR pp. 4.G.47-4.G.50, involves implementing a Transportation Demand Management (TDM) Plan to achieve the goal of reducing vehicle trips through a selection of measures defined in the TDM Program Standards that includes, among others, parking provisions such as unbundled parking, short-term daily parking, parking cash-out offers, and reduced off-street parking supply. The project sponsors are responsible for identifying the components of the TDM Plan that could reasonably be expected to achieve the reduction goal for each new building associated with the Proposed Project, and for making good faith efforts to implement them. As detailed in Mitigation Measure M-AQ-1f, if monitoring and reporting demonstrates that measures within the TDM Plan are not achieving the reduction goal, adjustments to the plan shall be made in consultation with the Planning Department.

A comment suggests that the EIR should include an alternative that would avoid demolition of contributing resources within the Union Iron Works Historic District. CEQA Guidelines Section 15126(a) provides that an EIR shall describe a range of reasonable alternatives that would "avoid or substantially lessen any of the *significant* effects of the project" [*emphasis added*]. As discussed in Section 4.D, Cultural Resources, on EIR pp. 4.D.4.86-4.D.92, the proposed demolition of contributing buildings would not result in a significant impact on the UIW Historic District, and therefore no evaluation of an alternative that would retain contributing resources is necessary. (See Response CR-2: Demolition of Contributing Buildings, on RTC pp. 4.F.8-4.F.15.)

A comment suggests that the EIR include an alternative that would enhance funding for public transit. If "enhanced" funding would be beyond what would be required to address the impact of

the Proposed Project on public transit and transportation, such funding would conflict with the legal requirements that limit the amount of mitigation a project can be required to provide. Mitigation imposed on a project to address the project's impacts must meet two tests: the "nexus" test and the "rough proportionality" test.[1] In other words, any mitigation imposed (e.g., funding) must actually be designed to address the impact caused by the project (this is the nexus) and it must be roughly proportional to the level of the impact. The mitigation measures identified in the EIR for the Proposed Project were designed to meet both of these required tests.

One comment states that the EIR asserts that the Code Compliant Alternative may not be feasible because it would not result in a market rate of return or fully meet the project's objectives. The EIR does not assert this. The EIR on p. 7.92 states that the "Code Compliant Alternative and the 2010 Pier 70 Master Plan Alternative *are* potentially feasible options" [*emphasis added*] that would likely meet most but not all of the Proposed Project objectives. The alternatives that were considered and rejected as infeasible include the Maritime USE Alternative, the No Hoedown Yard Alterative, and the Noise Compatibility Alternative, which are discussed on EIR pp. 7.95- 7.97.

One comment states that it is unnecessary for alternatives to fully meet the Proposed Project's objectives, and alternatives may not be rejected solely for this reason. This is correct. The EIR does not and need not reject the three alternatives analyzed in EIR Chapter 7 for this or any other reason; it simply identifies those project sponsors objectives that would not be fully met by the alternatives. Neither the Code Compliant Alternative nor the 2010 Pier 70 Master Plan Alternative are rejected in the EIR. In fact, the EIR identifies the Code Compliant Alternative as the "Environmentally Superior Alternative" in that it would substantially reduce the number of residential units and the amount of commercial and RALI space (EIR pp. 7.997-7.98) and thereby lessen (but not avoid) most of the significant adverse impacts identified for the Proposed Project. In their decision to approve, modify, or disapprove the Proposed Project, the decision-makers will weigh the adverse environmental consequences identified for the Proposed Project and those of the alternatives against their relative benefits.

One comment suggests that the EIR should contain substantial evidence supporting a statement that the Code Compliant Alternative or the 2010 Pier 70 Master Plan Alternative would result in a severe loss of profit, rendering the alternative impractical to proceed. Substantial evidence will be needed in the overall record in order for decision-makers to reject an alternative should they choose to approve the Proposed Project, but this information is not required in the EIR itself.

[1] CEQA Guidelines Section 15126.4(a)(4)(A), (B), citing *Nollan v. California Coastal Commission* (1987) 483 U.S. 825, 837; *Dolan v. City of Tigard* (1994) 512 U.S. 374, 391; and *Ehrlich v. City of Culver City* (1996) 12 Cal.4th 854, 866-877.

Comments suggesting that additional development schemes be analyzed in the EIR may express a preference for such schemes over the Proposed Project. To the extent that comments suggesting an additional alternative be included in the EIR, or preference for an alternative analyzed in the EIR, can be construed as comments expressing opposition to the Proposed Project, a response to such comments is found in Response ME-1: Comments on the Merits of the Proposed Project, RTC pp. 4.T.94.T.10.

S. CUMULATIVE IMPACTS

The comments and corresponding responses in this section relate to general comments regarding cumulative impacts.

COMMENT CU-1: BASELINE AND REASONABLY FORESEEABLE FUTURE PROJECTS

"**Cumulative Impacts**
"Cumulative impacts" refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The Draft EIR should include the following projects in its cumulative analysis: UCSF Psych Center and Student Housing projects, UCSF parcels 33 and 34, Associate Capital's Potrero Power Plant of 21 acres (x-NRG site) to the south, and the current three new multi-unit buildings - ABACA-SF at 1201 Tennessee (263 units), Avalon Bay Dogpatch at 800 Indiana (360 units), and OM at 650 Indiana (116 units). The Draft EIR states the Warriors Arena was not considered in the baseline because it was "approved subsequent to the completion of transportation analysis." (DEIR pg. 4.E.29.) This is not true; the transportation analysis was completed in December of 2016 after the Warriors arena had been approved." *(Bruce Kin Huie, President, Dogpatch Neighborhood Association, Email, February 21, 2017 [O-DNA-5])*

"**Cumulative Impacts**
"Cumulative impacts" refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. (CEQA Guidelines § 15355.) The Draft EIR should include the following projects in its cumulative analysis: UCSF Psych Center and Student Housing projects, UCSF parcels 33 and 34, ABACASF - 1201 Tennessee (263 units), Avalon Bay Dogpatch - 800 Indiana (360 units), and OM - 650 Indiana (116 units). The Draft EIR states the Warriors Arena was not considered in the baseline because it was "approved subsequent to the completion of transportation analysis." (DEIR pg. 4.E.29.) This is not true; the transportation analysis was completed in December of 2016 after the Warriors Arena had been approved.

"**What are the Project's cumulative impacts when considering these projects in the analysis?**" *(J. R. Eppler, President, Potrero Boosters Neighborhood Association, and Rachel Mansfield Howlett, Provencher & Flatt LLP, on behalf of Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association, Email, February 21, 2017 [O-DNA&PBNA-20])*

"3. **Foreseeable Projects (Cumulative Land Use Chart or current adjacent Projects to this Central Waterfront:** (not sure what guidelines are used to show what projects need to be shown in a Project Vicinity Map). Here are a few to consider, maybe some of these are already in the DEIR:

"a. Dog-patch Street Space Plan.
"b. Eastern Neighborhoods Street and Open Space Plan/s.

"c. Mission Action Plan
"d. Potrero Hill
"e. Miraposa Park
"f. UCSF Plan
"g. 19th Street Parking Site.
"h. Other building projects not listed here." *(Dennis Hong, Email, February 23, 2017 [I-Hong-11])*

"Another point about this section is that very little discussion occurs regarding the effects of the UCSF expansion, the presence of the Warriors, The Giants' Mission Rock development, the development of the space next door at the Potrero Power plant site or even the Orton Historic project happening right next door. So, it seems we are looking at this development in isolation. That needs to be fixed." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-10])*

"4. Can a chart / table include a construction time table with this project and the foreseeable projects - only because this project will take a number of years to build out?" *(Dennis Hong, Email, February 23, 2017 [I-Hong-12])*

RESPONSE CU-1: BASELINE AND REASONABLY FORESEEABLE FUTURE PROJECTS

Comments assert that the EIR should have considered certain projects and plans in its baseline setting, cumulative setting, and EIR impact analyses. EIR Section 4.A, Introduction to Section 4, explains the EIR's general approach to baseline setting and cumulative analysis and several of the projects mentioned in comments are included in these approaches, as explained on pp. 4.A.5-4.A.18. The remaining projects mentioned in comments are not provided in the EIR's approach because they did not meet the established criteria for consideration under baseline or cumulative analysis. These criteria and the projects listed in comments, whether included in the baseline or cumulative analysis or not considered, are further discussed below.

As discussed in the EIR on p. 4.A.5, environmental analysis typically compares the existing condition of the area to the proposed project and to reasonably foreseeable (or "cumulative") development. However, in this case, the EIR also defines a separate "baseline" project list to account for developments likely to be constructed prior to construction of the Proposed Project, acknowledging that the Central Waterfront, Mission Bay, and Dogpatch neighborhoods are currently undergoing rapid changes and development.

> The Proposed Project is likely to be constructed well after a number of approved transportation improvements and land use development projects are implemented. These projects were under construction as of the date of the publication of the NOP or are approved and are reasonably likely to be

> completed and occupied or in operation when the Proposed Project is expected to be implemented. The adjusted "existing conditions" that include these development projects form an appropriate baseline against which the Pier 70 Mixed-Use Project should be measured for many of the analysis topics in the EIR, rather than using the existing conditions as of the time the NOP was published.

The EIR's baseline setting includes several projects mentioned in the comments, specifically the 20th Street Historic Core, UCSF Medical Center Hospital and Mission Bay Hall, Mariposa Park, 650 Indiana Street, 800 Indiana Street, and 1201 Tennessee Street (project numbers 1, 4, 7, 8, 9, and 10, respectively, in the list of development projects on EIR pp. 4.A.9-4.A.11). The baseline setting was used where relevant in the analyses of the Proposed Project's impacts in EIR Sections 4.B, Land Use; 4.E, Transportation and Circulation; 4.F, Noise; 4.G, Air Quality; 4.I, Wind and Shadow; 4.J, Recreation; and 4.M, Biological Resources (EIR p. 4.A.11).

Two comments state that the Warrior's Arena transportation analysis was completed in December 2016 and therefore should be considered a baseline project. As noted on EIR p. 4.E.29, the proposed Warriors Arena is not assumed to be in place under baseline conditions, as it was not yet approved when the Notice of Preparation of the EIR was issued. Nonetheless, the project had an application on file as of publication of the NOP, and is discussed in the cumulative projects list on pp. 4.A.14-4.A.15 and analyzed in the EIR. Thus, the Warriors Arena is considered in the EIR's analysis of cumulative impacts.

As stated on EIR p. 4.A.13, cumulative impact analysis in San Francisco generally may employ a list-based approach or a projections approach, depending on which approach best suits the individual resource topic being analyzed. The EIR defines its list-based approach based on "projects for which the Planning Department had an application on file as of publication of the NOP for the Proposed Project (May 6, 2015), but for which construction had not commenced as of NOP publication and/or projects that the Planning Department has otherwise determined are reasonably feasible" (EIR p. 4.A.13). However, other local jurisdictions do not necessarily apply for project CEQA review with the City as lead agency, and in such circumstances would not submit City environmental evaluation applications for projects located within the City and County of San Francisco. Rather, these jurisdictions, such as University of California, serve as their own lead agencies and publish their initiation of the environmental review process with a project NOP. To clarify the procedures of other CEQA lead agencies, the second sentence of the second paragraph under the heading "List-Based Approach" on EIR pp. 4.A.13 has been revised, as shown below (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> Generally, these are projects for which the Planning Department had an application on file or for projects in San Francisco where another lead agency has published a NOP as of publication of the NOP for the Proposed Project (May 6, 2015), but for which

> construction had not commenced as of NOP publication and/or projects that the Planning Department has otherwise determined are reasonably ~~feasible~~ foreseeable.

To clarify the procedures of other CEQA lead agencies, the fourth sentence of the third paragraph under the heading "Approach to Baseline Setting" on EIR p. 4.A.6 has been revised, as shown below (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> Figure 4.A.1 also corresponds to the locations of projects for which the Planning Department had an application on file or for projects in San Francisco where another lead agency has published a NOP, but for which construction had not commenced as of NOP publication of the Proposed Project. Such projects are considered additional reasonably foreseeable future projects and are discussed in cumulative impact analysis below in the "Approach to Cumulative Analysis" on pp. 4.A.12- 4.A.18. Cumulative, "foreseeable future" projects are shown in yellow on the figure.

The reasonably foreseeable future projects considered in the EIR's list-based cumulative analysis are shown on EIR pp. 4.A.14-4.A.17. The list includes the 20th Street Historic Core Building 40 and 117, Seawall Lot 337/Pier 48 (Mission Rock Development), and the Golden State Warriors Event Center and Mixed Use Development mentioned in the comments (project numbers 16, 19, and 20, respectively, in the list). Topics employing a projections approach, such as Population and Housing and Transportation and Circulation, rely on local/regional growth projections, such as population forecasts defined by the Association of Bay Area Governments in *Projections 2013* and the SF-CHAMP travel demand model (EIR p. 4.A.17). These projections take into account known projects as well as an anticipated increment of additional growth.

Comments request that the Potrero Power Plant be considered in the project analysis. No Environmental Evaluation Application was filed for the Potrero Power Plant at the time the Pier 70 EIR was published in December 2016. The Potrero Power Plant site was sold in September 2016, and particular development plans are not yet specified and no development applications are currently on file. This project is therefore not included in the baseline or cumulative list nor incorporated into EIR analysis and is not considered reasonably foreseeable at this time.

Comments request that the UCSF Psych Center and Student Housing Projects be considered in project cumulative analysis. No NOPs were published for the UCSF Psych Center and Student Housing Project at the time the Pier 70 NOP was published in May 2015.[1,2] These projects are

[1] University of California San Francisco, Notice of Preparation for the *UCSF Child, Teen, and Family Center and the UCSF Department of Psychiatry Building*, dated May 23, 2016.

[2] University of California San Francisco, Notice of Preparation for the *UCSF Minnesota Street Student and Trainee Housing*, dated August 1, 2016.

therefore not included in the baseline or cumulative list nor incorporated into EIR analysis and are not considered reasonably foreseeable at this time.

Comments request that the UCSF Parcels 33 and 34 be considered in project cumulative analysis. As stated on EIR pp. 4.A.17-4.A.18, several area plans are incorporated into the EIR's projections-based approach to cumulative analysis. Development of Blocks 33 and 34 (the "East Campus") was included in the 2014 UCSF Long Range Development Plan (LRDP) and EIR at a program level, and is therefore included in the EIR projections-based cumulative analysis (see Section 4.C, Population and Housing, pp. 4.C.34-4.C.38, and Section 4.E, Transportation and Circulation, pp. 4.E.108-4.E.124). An addendum to the 2014 LRDP EIR was proposed on January 9, 2017 (Addendum 2) to formally revise the functional zone map of the East Campus, well after the Pier 70 NOP was published.[3] Revisions to the UCSF Parcel 33 and 34 project as proposed in Addendum 2 are not considered reasonably foreseeable, and therefore are not included in the baseline or cumulative list nor incorporated into EIR analysis.

Comments express concern over other developments in general terms such as UCSF and Potrero Hill. One comment refers to a 19th Street Parking Site. These comments do not provide sufficient information or specific project examples that would provide evidence regarding the adequacy or accuracy of the EIR.

One comment requests consideration of the Eastern Neighborhoods Street and Open Space Plan(s). The Eastern Neighborhoods Streets and Open Space Concept, adopted by the Planning Commission in August 2008, identifies areas to be considered for acquisition and development of open space or neighborhood parks, planned open space, civic boulevards and green connector streets, and potential living streets.[4] The EIR discusses these design concepts on an individual basis insofar as these efforts are realized in further development plans and are within the established one-half-mile radius from the project site, such as the future Crane Cove Park, Irish Hill open space as provided by the Proposed Project, the recently developed Bayfront Park and

[3] The 2014 LRDP's functional zone map for the Mission Bay campus site shows the East Campus functionally zoned for "Research" and "Parking" use, and notes that when the locations of specific uses on the parcel are identified, the functional zones for the East Campus will be updated accordingly. Addendum 2 proposes to revise the functional zone map of Parcel 33 to "Research", while the remainder of the East Campus (Parcel 34) would continue to be shown as functionally zoned for "Research" and "Parking" use until the specific footprints for the development of the balance of the parcel are known. Addendum 2 determines that the East Campus functional zone map revision would not result in any new or substantially more severe significant environmental effects that were not examined in the 2014 LRDP EIR.

[4] San Francisco Planning Department, Eastern Neighborhoods Community Planning: Streets and Open Space Concept. Adopted August 2008. Available online at: http://default.sfplanning.org/Citywide/Dogpatch_CtrlWaterfront/EN_OpenSpaceConcept_Map2008.pdf. Accessed April 2017.

Mariposa Park, and others. The comment does not provide substantial evidence that new significant cumulative impacts would result or that identifying these additional planning efforts would change any of the conclusions in the EIR or is otherwise necessary for the adequacy of the EIR under CEQA. Streetscape and park improvements in the Concept, in part, are further realized by the Central Waterfront / Dogpatch Public Realm Plan, as discussed below.

One comment requests consideration of the Eastern Neighborhoods Street and Open Space Plan(s) and the "Dogpatch Street Space Plan" (known as the Central Waterfront / Dogpatch Public Realm Plan [Public Realm Plan]). EIR Section 4.E, Transportation and Circulation, pp. 4.E.98-4.E.99, describes transportation-related improvements proposed by the Public Realm Plan and notes that development of the Plan is ongoing.

> … [A]s part of a separate and ongoing planning effort, the City is conducting a planning process, led by the Planning Department, to improve the public realm in the Central Waterfront and Dogpatch neighborhoods, known as the Central Waterfront/Dogpatch Public Realm Plan. The Plan area includes the blocks between Illinois Street, Cesar Chavez Street, I-280, and Mariposa Street. This planning process is generally designed to improve sidewalks, pedestrian crossings, and lighting in the area, as well as enhance streetscape features. Upon completion, the Plan will consist of a comprehensive set of smaller projects, prioritized so that as funding becomes available, the individual components of the plan may be constructed over time.

The Public Realm Plan and related City projects are also discussed in RTC Section 4.K, Recreation, pp. 4-K.23-4.K.26, as they particularly relate to recreational resources and open space planning in the Dogpatch neighborhood.

Regarding including the Public Realm Plan as a cumulative project, at the time of NOP publication (May 2015) the results of these Public Realm Plan planning efforts were speculative. The petition to formally establish the Dogpatch and Northwest Potrero Hill Green Benefit District (GBD) was still underway and the City had just initiated the Public Realm Plan process in order to perform initial scoping and development of cost estimates for capital projects proposed through formation of the Dogpatch and Northwest Potrero Hill GBD and related City plans.[5] Accordingly, the Public Realm Plan does not meet the criteria necessary to be considered in cumulative project analysis methodology established in the EIR as described above. The comment does not provide substantial evidence that new significant cumulative impacts would

[5] San Francisco Planning Department, Dogpatch Neighborhood Association Meeting Handout, March 10, 2015. Available online at: http://default.sfplanning.org/Citywide/Dogpatch_CtrlWaterfront/2015.03.10_DNA_Mtg_Handout.pdf. Accessed April 2017.

result or that identifying these additional planning efforts would change any of the conclusions in the EIR or is otherwise necessary for the adequacy of the EIR under CEQA.

One comment suggests consideration of the Mission Action Plan. As stated on EIR p. 4.A.6, for most environmental topics, projects included in the baseline or cumulative analysis are no greater than an approximate one-half-mile radius from the project site. The Mission Action Plan pertains to the area generally bounded by Market and 13th streets to the north, Cesar Chavez Street to the south, Dolores Street to the west, and U.S. 101 to the east, which is approximately 1 mile from the project site. The Mission Action Plan does not apply to the Central Waterfront area or the Proposed Project site and is therefore not included in the EIR or in the baseline or cumulative lists.

The comments discussed above suggesting additional projects that should be included in the EIR's cumulative analysis do not provide substantial evidence that new significant cumulative impacts would result, or that identifying these additional planning efforts would change any of the conclusions in the EIR or is otherwise necessary for the adequacy of the EIR under CEQA. Since the Pier 70 NOP was published, environmental review of these projects (including the Potrero Power Plant, UCSF Psych Center and Student Housing Projects, functional zone map revisions to UCSF Parcels 33 and 34, Eastern Neighborhoods Street and Open Space Plans, and Dogpatch Public Realm Plan, as mentioned in comments) has been initiated or is yet to be initiated by the Planning Department or the University of California. To the extent that ongoing or future environmental review of projects in San Francisco will occur, the effects of each of these projects on the surrounding transportation network would be evaluated as part of that project's environmental review, which would include consideration of growth and changes proposed by the Pier 70 Mixed-Use District Project.

One comment states that the EIR should include a figure that includes cumulative projects in relation to the Proposed Project. Figure 4.A.1: Location of Baseline and Foreseeable Future Projects, EIR p. 4.A.7, shows this information.

Foreseeable Construction Timeline

One comment requests a chart or table illustrating the construction timeline with the Proposed Project and reasonably foreseeable projects. Construction phasing for the Proposed Project is laid out in Table 2.5: Project Construction and Rehabilitation Phasing for the Maximum Residential Scenario, and Table 2.6: Project Construction and Rehabilitation Phasing for the Maximum Commercial Scenario (EIR pp. 2.80 and 2.83, respectively). Phasing is also illustrated in Figure 2.26: Proposed Phasing Plan – Maximum Residential Scenario, and Figure 2.27: Proposed Phasing Plan – Maximum Commercial Scenario (EIR pp. 2.82 and 2.85, respectively). Regarding the request for construction timing for cumulative projects, the particular start times for some of

these projects are unknown at this time and would be subject to numerous factors. As such, providing this information in the EIR would be speculative. Where such information is known, it has been accounted for in the cumulative analysis, including Impact C-TR-1 in EIR Section 4.E, Transportation, p. 4.E.110; Impact C-NO-1 in EIR Section 4.F, Noise, pp. 4.F.75-4.F.76; and Impact C-HZ-1 in EIR Section 4.P, Hazards and Hazardous Materials, pp. 4.P.74-4.P.76.

T. MERITS OF THE PROPOSED PROJECT

The comments and corresponding response in this section relate to the merits of the Proposed Project.

COMMENT ME-1: COMMENTS ON THE MERITS OF THE PROPOSED PROJECT

"And then on the deferred -- on the design document, I think that would be critical. You show great renderings in the presentation of how the design kind of fits with the industrial esthetic and the landscape does too.

"You know, I think that's important as we move forward. Pier 70 is a pretty special place, and keeping that kind of authenticity, I think is important, and that will come through in the design document." *(President Rich Hillis, San Francisco Planning Commission, DEIR Hearing Transcript, February 9, 2017 [A-CPC-Hillis-2])*

"I'm the senior business representative for Operating Engineers Local Union No. 3. I'm also a delegate for the San Francisco Building and Construction Trades Council. We are in full support of this project.

"This is a project the basic outlines of which was overwhelmingly approved by city voters. Forest City is a responsible developer, and we are confident that the DEIR is a careful and thought- -- thorough effort, and that Forest City will adequately address any concerns.

"This is a neighborhood that has waited a long time for its transformation and revival, and that revival will -- will be another important step in bringing the life of the City back to the shores of the -- of the Bay.

"This project will also bring good-paying jobs to our local community, local hire, and local apprenticeship hire as well." *(Michael Ginter, DEIR Hearing Transcript, February 9, 2017 [O-OE-1])*

"Needless to say, this had been ten years in the making. It is certainly a planning process that speaks volumes to what we have in San Francisco, but it is, absolutely, a nice milestone, and we are happy to be here speaking in support.

"With regards to the residential impact, we will take every opportunity to encourage everybody to maximize the amount of housing we can get in the project itself, both with the market-rate aspect and the subsidized/affordable.

"Also want to mention that with so much going on in this part of the city, that this project will generate millions of dollars of impact fees that will go to the improvements that we have been talking about that will be desperately needed and one of the wonderful benefits we have of private development.

"So speaking in support, again, thank you very much." *(Corey Smith, San Francisco Action Coalition, DEIR Hearing Transcript, February 9, 2017 [O-SFAC-1])*

"I'm an architect and member of the AIA. I have seen the plans, the development plans, and I think it's really a shame that we're not going to take advantage, from what it looks like, of the particular spot of Irish Hill.

"I think that if it were a more open space, many cities have public parks, open areas, which give character to the neighborhood. Here is an opportunity to make this a special spot in the neighborhood, and from what I've seen, they are going to wall it off on three sides.

"So I – I'd like to say that I'd like to see the City and the Port request alternate development plans for this particular area. I'm sure there are alternates. We have very talented architects and landscape architects working on this project. We could have a park with a playground with a cafe. It could be a very commendable and wonderful asset to the neighborhood.

"And the -- I just want to say that I think it's wonderful that we're saving and developing Pier 70. I think it's about time, and I hope that -- it -- it is -- I have studied Pier 70 as a cultural landscape. It's important historically, and it's very sensitive, so let's try to get the developer on board with that vision." *(Philip Anasovich, DEIR Hearing Transcript, February 9, 2017 [I-Anasovich1-1])*

"Twelve years ago, Friends of the River warned the Federal Energy Regulatory Commission and others that our nation's tallest Dam was a clear and present danger.

"Last week, Governor Jerry Brown recognized that it's time for commissioners to start listening to citizens; not just hearing (and ignoring) valid local neighbor concerns.

"Today, the longtime neighbors for Potrero Hill and Dogpatch urgently warn you and the SF Planning Commissioners of imminent severely negative impacts due to accelerating overdevelopment in the Eastern Neighborhoods, including Pier 70.

"I am opposed to the current proposal for Pier 70, and I disagree with findings of the Draft Environmental Impact Report published December 21, 2016." *(Sean Angles, Email, February 21, 2017 [I-Angles-1])*

"(3) PARKS and RECREATION
"I strongly believe the Pier 70 would be better suited for OPEN SPACE and PUBLIC PARKS AND RECREATION as a natural extension to fulfill the promised benefits of the Eastern Neighborhood Plans." *(Sean Angles, Email, February 21, 2017 [I-Angles-4]*

"I urge the Planning Department to order a 'time out' halt to this poor proposal and all future projects around Dog Patch and Potrero Hill until the cumulative negative impacts caused by current projects that are already rapidly deteriorating our neighborhood's quality of life are assessed and mitigated." *(Sean Angles, Email, February 21, 2017 [I-Angles-7]*

"We are writing in support of pier 70 plans. Please do all you can to expedite development of pier 70 and know there is strong support from the community despite a few loud naysayers." *(Nabeela Baig, Email, February 21, 2017 [I-Baig-1])*

"As a frequent visitor to the Potrero Hill area and an avid photographer, I would like to express my dismay and opposition to the proposed height recommendations. Allowing this to happen negates the intrinsic beauty of the neighborhood – destroying the beautiful views afforded those who live on the hill. In my opinion this does not serve the citizens of San Francisco. I recommend that the height limits be maintained at a maximum of four (4) floors." (*Gordon Brown, Email, February 20, 2017 [I-Brown-1])*

"I am a resident and small business owner on Potrero Hill. I love that we're finally redeveloping Pier 70 into something the City will use and enjoy. That said, I am against removing the height restrictions. 9 stories is too tall for the area. We were forced to go through this with the 8 Washington Street situation. Let me repeat that point here: We do NOT want a wall on our waterfront! We don't want a wall on the waterfront at 8 Washington or at Pier 70." *(Audrey Cole, Email, February 8, 2017 [I-Cole-1])*

"I am a resident of Potrero Hill (565 Connecticut St.) and I am writing to express my disapproval and disappointment with the proposed height of the buildings contemplated for the Pier 70 project between 20th and 23rd Streets. Even though the renderings shown in the draft misleadingly depict buildings of six stories, the text and tables make it clear that a 90 ft. height limit is permitted under the project plan.

"In my opinion, this is poor planning. I understand the developer's desire to maximize its return on investment and the City's desire to provide more housing but the waterfront is a community resource that shouldn't be walled off from view. The place for taller buildings is in the center of the city, not the waterfront edge. It simply isn't appropriate to create a visual barrier of the magnitude allowed in this version of the plan.

"I strongly suggest that you request the developer to come back with a revision showing a maximum height of 65 feet." *(Jeffrey Fleeman, Email, February 21, 2017 [I-Fleeman-1])*

"I am rapidly approaching my 20th year at my current address on 22nd Street in Dogpatch and have lived on and off in Potrero Hill since I was a teenager in the 1980s. Let me start by saying that I'm not a NIMBY, however, I've become a NEIMBY (Not EVERYthing In My Backyard.) It isn't just the new high density housing, the Warriors Stadium, UCSF, the homeless navigation center or Pier 70 individually, it is the collective impact of all of these projects happening simultaneously and with seemingly no relationship to each other or acknowledgement of the totality of the impact on what was once a sleepy little neighborhood.

"Until there is an environmental, congestion, and traffic study that addresses the combined impacts of these projects, with Pier 70 having by far the biggest, longest lasting impact, there should be no approval of anything. How are residents going to get in and out of our own homes

with literally tens of thousands of workers and shoppers flooding into our already overburdened neighborhood every working day? How are we going to get in and out of our homes when the streets are already blocked by construction vehicles and infrastructure projects? Transit is insufficient for our needs now, what about 2 years from now?

"These projects cannot be permitted and approved individually as though each exists in a vacuum. The impact to the existing residents and businesses must be taken into consideration in light of whatever projects are already in process, before others are added. Dogpatch is currently saddled with the unfair burden of being the dumping ground for literally dozens of separate projects. We are seen as the solution for housing, retail, homelessness, student housing for UCSF, the list is seemingly endless. Pier 70 cannot exist as currently planned without adequately addressing the impact to both current residents and those thousands that will be added while the project is in development.

"I urge the city to look at the projects being proposed and make decisions based on the combined impacts of the projects, not each project individually." *(Kayleigh Henson, Email, February 21, 2017 [I-Henson-1])*

"d. I believe that Supervisor Norman Yee (currently) is proposing some Family Friendly + children housing legislation #170112 and then some for the Planning Department to draft up / consider. Would it be possible to implement some of these thoughts?" *(Dennis Hong, Email, February 23, 2017 [I-Hong-15])*

"7. **Project Aesthetics and Architectural Design:**
"a. I like unique design and the master plan for this site.

"b. The plans does an excellent job with communicating what this will look like, vs black and white elevations. (Just a simple CEQA issue. I believe this issue is being currently reviewed with CEQA and may soon be a requirement down the road).

"c. The Sponsor has done an excellent job with the public open space issue." *(Dennis Hong, Email, February 23, 2017 [I-Hong-17])*

"9. **In Conclusion:** As I mentioned earlier, I fully support this project. This semi blighted area needs this project so developers can continue to develop in this area and across the City. Let's call it another new gateway to further develop this part of town." *(Dennis Hong, Email, February 23, 2017 [I-Hong-19])*

"I am a resident of Potrero (588 Missouri St, SF 94107). I also need to say that I am not opposed to development but I feel that it needs to be compatible to the community. Thus, I have concerns about the proposed Pier 70 development.

"My primary concern is that the height of the buildings will cut off the current views of the bay for so many residents including myself. The view from Missouri and 20th is nothing short of

spectacular – I think it is one of the best views in many urban settings. To block that view with buildings is wrong and hurtful to the community.

"I currently have an excellent view of the bay from my residence that is broad and extensive. One joy is being able to count ships each day waiting to dock for unloading and loading. Most days I can count 6 or 8 ships and maybe one day a week there are 10 ships in the bay. The proposed development will wipe out that view." (*Gary Horowitz, Email, February 20, 2017 [I-Horowitz-1]*)

"I oppose the expansion of development rights for Pier 70 due to the negative impacts to traffic, pollution and GHG emissions, and to Irish Hill." (*Karen Kinser, Email, February 21, 2017 [I-Kinser-1])*

"Please do not go ahead with the proposed Pier 70 plan - where will all those cars go? this will create horrid traffic issues worse than we already have in Potrero Hill.

"Think SMALL not BIG!!" *(Christine Kristen, Email, February 20, 2017 [I-Kristen-1])*

"I have lived in the Dogpatch since 1993 when only a few hundred people lived here.

"I am opposed to the huge Pier 70 Development. It is too big, too many offices, there are way too many parking spaces for commuters and we don't and will not have enough public transportation for all these people.

"I moved to the Dogpatch because it was nice and quiet, off the beaten path. Now there is not enough parking for my car, Esprit Park is run over with hundreds of dogs and feces, and there are traffic jams even on the residential streets, not just the main arteries.

"Pier 70 needs to be scaled back considerably in size now that we have Chase Stadium also being built, along with all the other UCSF buildings suddenly going into our neighborhood!

"Too much development happening without a care from City Hall about the consequences!" (*Mark Leuthold and Nelson Jim, Email, February 21, 2017 [I-Leuthold&Jim-1])*

"**Figures 2.5, 2.7 and 2.8: Proposed Land Use Plans**
"The plans should show a complex mix of uses at ground level and streets, which assure activation of the entire site and all its uses.

"To increase the chances of social and economic vibrancy, a certain degree of "chaos" should happen at the ground. Mixed-use should be shown vertically as well as horizontally, by example, housing above retail, commercial, services, art studios, and light manufacturing." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-3])*

"Generally, given the recent emphasis for much more housing, other variables to be added are residential sizes and types. This large project can work with neighborhoods, housing advocates,

Board, Mayor and Planning to create a flexible plan, allowing for many more housing units within the same envelope. Throughout the world, housing innovations include micro-units, cooperative housing, shared housing, prefabricated dwellings, and floating units." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-5])*

"**Pedestrian Passageway Option**
"Be cautious about the imagery of a mall. There are many bad examples of passageways, especially when unnecessary in moderate climates. Neighborhood character may be better served with colorful awnings and canopies that mesh with prototypical SF neighborhoods."
(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-6])

"**Proposed Open Space Plan**
"Emphasize that streets themselves are vital open space. Well-designed and unique streetscapes seamlessly connect people, stores, homes, architecture, neighborhoods, and waterfronts."
(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-7])

"**Parking**
"Off-street parking could be concealed in mid-blocks, surrounded by buildings with active uses. Also, green walls have been very successful on parking structures." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-8])*

"**4D: Cultural Resources**
"Figure 4.D.3 Viewpoint Location Map [and other site plans]
"The shape and proportions of Slipways Common, which reside in the heart of the project, seem a bit odd. From a "Jane Jacobs" planning perspective, the space seems more like a corridor---not a habitable space that embraces people. It may also be a windy corridor. Consider studying great plazas and piazzas around the world---superimposing them onto the site plan. Ideas include a series of connected spaces, a central focal point like a clock tower, grade changes (like the sloped Project Variant)…." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-11])*

"**4J: Recreation**
"Generally, emphasize streets as open space too. Like in Mediterranean towns, streets/pizzas/ parks merge seamlessly with people, neighborhoods and waterfronts." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-26])*

"**CHAPTER 6: PROJECT VARIANTS**
"Generally, sloped streets, spaces and Slipways Commons could create a San Francisco hill-like ambience. It is important to design the site in three dimensions, giving Pier 70 even greater

complexity and depth." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-38])*

"I am a long time resident, (40 years), of Potrero Hill and of course have watched our once sleepy neighborhood change drastically. I voted for the changes to the Pier 70 Project in good faith that the buildings would only be ten stories tall and the density would not be overwhelming. I hear that there are many changes that the public did not sanction and I object to this. I do not want to look out at buildings instead of our bay. I know that views are not guaranteed but the voters gave Pier 70 a bit of leeway because we believed their pitch in good faith. I hope they are not taking advantage of us." *(Jean Makanna, Email, February 21, 2017 [I-Makanna-1])*

"As a long time resident and a walker of Potrero Hill, I am extremely concerned about the proposed height of the Pier 70 development.

"San Francisco Bay belongs not only to San Franciscans, but also to the thousands that visit here every year. It is a natural wonder that should not be blocked by a ninety foot wall of buildings. Numerous times, while out walking, I have been asked by tourists to take their picture with the Bay as the background. Visual access to the Bay and its natural beauty is becoming rare in the development of the central waterfront, but a five or six floor limit would not be an impediment and should be kept in this area. Keep San Francisco beautiful." *(Celeste McCarthy, Email, February 20, 2017 [I-McCarthy-1])*

"…I'm speaking in support of the Pier 70 development plan.

"I'm one of about 40 working artists in Pier 70's Noonan Building. We are printmakers, sculptors, painters, photographers, filmmakers and writers. We have small creative businesses such as an illustrator, web designer, letterpress operation, fabric -- fabric and clothing designers. Our claim to fame is that, well, -- the well-known Bay Area painter, Frank Lobdell had his studio in the Noonan Building for many years and worked from his third-floor studio well into the 1990s.

"We all talk a lot about what's happening to artists in San Francisco in the Bay Area. So many new developments displace artists and small businesses. I just don't think it can be said enough that for San Francisco to continue to be a vibrant hub of art and culture, artists must be protected.

"While our beloved Noonan Building will be torn down as part of the Pier 70 development, we are very pleased to be included in the future. We trust and believe in Forest City's commitment to replace our studio space within the Pier 70 project. And equally important, a rent schedule that will ensure space continues to be affordable.

"Yes, I'm looking out for my own interests, but more importantly, the future generations of artists looking to work and live in San Francisco. Forest City recently presented the conceptual plans for the development to the Noonan Building artists. We were quite impressed. We look forward to being part of this exciting new development that preserves us, historical buildings, open space, and access to the Bay combined with the residential, commercial, retail and light-industrial components.

"Again, we commend Forest City to their -- for their commitment to protecting working artists and incorporating us into the future." *(Marti McKee, DEIR Hearing Transcript, February 9, 2017 [I-McKee-1])*

"I am writing against the approval of the Pier 70 Mixed-Use District Project DEIR." (*Yoram Meroz, Email, February 20, 2017 [I-Meroz-1])*

"**4B: Land Use and Land Use Planning**
"Pier 70 (on the waterfront between 20th and 22nd) is allowed a generous amount of building right now. The developers would like it doubled. In numbers, the project would, by one scenario, include offices employing 10,000 people, and house 3,700 people. In other words, SF will have 6,000 more people to house. It would add 3,400 private car parking spaces, which will be occupied by cars, which their owners will use for commuting. By the plan's own calculations, that will double delays, pollution and carbon dioxide over the already generous limits of the current area plans.

"My wife and I went to the neighborhood meetings that the developer hosted and all seemed well and good. Now they're getting greedy and abusing the trust that they had with the community. They've got to be controlled." *(Gary Schoofs, Email, February 21, 2017 [I-Schoofs-1])*

"We say NO to construction that would allow a 9-story building between 20th and 22nd. This building would block views from our house at Missouri st and is completely out of character for the area. We understand the housing crisis but please find another and better way to extend affordable housing to all who need it. Thx

"I have CC'd my neighbors in case were not aware of this project which is being planned at the water front. Fellow neighbors - Lisa needs to hear our views by today that we're NOT ok with a 9-story monstrosity being built on the waterfront which among other could block views of the bay. Please let her know it's not ok to build this type of building." (*Mike Shuang, Email, February 21, 2017 [I-Shuang-1])*

"I'm no nimby but what the developers are currently proposing is way out of line with the neighborhood. I firmly object and recommend they go back to the drawing board. Now." (*Peter Walbridge, Email, February 21, 2017 [I-Walbridge-1])*

"**CHAPTER 2: PROJECT DESCRIPTION**
"2B. Project Sponsors' Objectives
"Two other urban design goals that have been emphasized over the years include:

- "• Activation of the entire ground level and streets of the project.
- "• Integrating seamlessly with adjoining streets and neighborhoods---by design and character."

(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-2])

"I am a 26-year SF/15-year Potrero Hill resident raising two public school kids here in the city. We are active members of the Potrero Hill/Dogpatch community, part of Friends of Jackson Park, one of the first families of PKDW preschools, part of the pioneering families keeping Daniel Webster Elementary open and thriving, and our children have attended the Jackson Park Afterschool program for years. We had a business office on 16th and Kansas and then 8th and Townsend for years. We've seen a lot of exciting growth and change over the years and live with the impacts daily." *(Elain Sprague Stuebe, Email, February 21, 2017 [I-Stuebe-1])*

RESPONSE ME-1: COMMENTS ON THE MERITS OF THE PROPOSED PROJECT

A number of comments express support for, opposition to, or concern about the Proposed Project (or particular aspects thereof) based on its merits. Comments include suggestions for modifying the Proposed Project, such as altering the architectural design, reducing the scale of development, and reducing proposed building heights, and general comments on the nature of the project, including project objectives.

These comments, in themselves, do not raise any specific environmental issues about the adequacy or accuracy of the EIR's coverage of physical environmental impacts that require a response in this Responses to Comments document under CEQA Guidelines Section 15088. However, to the extent that they may be based on concerns about impacts related to the topics of land use and neighborhood impacts, housing, Irish Hill as a historical resource, traffic and transit, air quality, wind, recreation, or cumulative projects, responses to such comments are also found in RTC Sections 4.D, Land Use; 4.E, Population and Housing; 4.F, Cultural Resources; 4.G, Transportation and Circulation; 4.I, Air Quality; 4.J, Wind and Shadow; 4.K, Recreation; and 4.S, Cumulative Impacts, respectively. Comments and corresponding responses related to the Project Description are presented in RTC Section 4.A, Introduction and Project Description.

Although comments on the merits of the Proposed Project do not raise issues concerning the adequacy or accuracy of the EIR's coverage of environmental impacts under CEQA, such comments, including recommendations for modifications to the Proposed Project, may be considered and weighed by the decision-makers as part of their decision to approve, modify, or disapprove the Proposed Project. This consideration is carried out independent of the environmental review process.

Aesthetics

Comments express support for and opposition to the design and aesthetic of the Proposed Project. As noted on EIR pp. 1.2 and 1.3 and as further discussed in RTC Section 3.B, Senate Bill 743, the Planning Department determined that the Pier 70 Mixed Use District Project was eligible for the

CEQA streamlining afforded by Public Resources Code Section 21099, and thus this EIR does not consider aesthetics in determining the significance of project impacts under CEQA. However, the Planning Department recognizes that the public and decision-makers nonetheless may be interested in information pertaining to the aesthetic effects of a proposed project and may desire that such information be provided as part of the environmental review process.

For informational purposes, EIR Chapter 2, Project Description, presents three renderings (Figure 2.10, EIR p. 2.36; Figure 2.11, EIR p. 2.37; and Figure 2.12, EIR p. 2.38) that show views of the Proposed Project.

While photosimulations of building massing are presented in Section 4.D, Cultural Resources, on EIR pp. 4.D.72-4.D.79, they are not presented for analysis of aesthetics impacts but as part of the analysis of effects of new infill construction on existing historic architectural resources. Six simulated views illustrating the maximum potential volume of infill construction on the project site under the proposed maximum height within the context of photographic views of the project site are presented in EIR Section 4.D, Cultural Resources, to demonstrate any effects on historic architectural resources (Figure 4.D.4, EIR p. 4.D.74; Figure 4.D.5, EIR p. 4.D.75; Figure 4.D.6, EIR p. 4.D.76; Figure 4.D.7, EIR p. 4.D.77; Figure 4.D.8, EIR p. 4.D.78; and Figure 4.D.9, EIR p. 4.D.79).

Comments about the design of the Proposed Project continue to be issues that may be considered by the decision-makers as part of their decision to approve, modify, or disapprove the Proposed Project. This consideration is carried out independent of the environmental review process.

Private Views

A comment expresses concern for the impact of the Proposed Project on private views. Changes to private views resulting from the Proposed Project would not be considered to substantially degrade the existing visual character of the environment as CEQA is applied in San Francisco. This was so even before enactment of Public Resources Code Section 21099(d).

U. GENERAL ENVIRONMENTAL COMMENTS

The comments and corresponding response in this section relate to general environmental issues.

COMMENT GC-1: GENERAL ENVIRONMENTAL COMMENTS

"And with that, I think otherwise, again, I think this is a great job. I think for the majority of the analysis, I feel that it is adequate to move forward with the EIR, and I'm looking forward to seeing the responses to some of the comments today and also what people will receive in writing." *(Commissioner Christine D. Johnson, San Francisco Planning Commission, DEIR Hearing Transcript, February 9, 2017 [A-CPC-Johnson-6])*

"I also want to just say one last thing about the -- some of the comments that we heard from the public today, and sort of prefacing, probably, some of the responses that will be -- that we'll get based on those.

"So for EIRs, I think it's important for people to realize that they are based on the project sponsor's project, and the mitigations are based on things that the -- the project sponsor can do." *(Commissioner Christine D. Johnson, San Francisco Planning Commission, DEIR Hearing Transcript, February 9, 2017 [A-CPC-Johnson-7])*

"And I just want to add -- I think -- I think, you know the document is -- is well done and thorough. Some of the concerns that came up with active recreation, I think, we have heard on other projects like Sea Wall Lot 337 in -- in, kind of, where those uses will be.

"I know the Port's got some issues about putting active recreation on its land because of the State limits, but it would be good to see more of that along the waterfront or other projects inside this city." *(President Rich Hillis, San Francisco Planning Commission, DEIR Hearing Transcript, February 9, 2017 [A-CPC-Hillis-1])*

"Given the size of this project and the length of time people have worked on it, the DEIR comments are relatively sparse in comparison to other projects of similar size where we sat here for hours and hours.

"I attribute that to the thoroughness of the work that has already gone into the planning and into the many questions that enormous numbers of people in various working groups have brought to the project, which makes equation of clearly-structured EIR, I think, significantly easier." *(Commissioner Kathrin Moore, San Francisco Planning Commission, DEIR Hearing Transcript, February 9, 2017 [A-CPC-Moore-1])*

"Generally, I am comfortable with it. I commend Forest City for all the work that has gone into this for so long, and I look forward for this to bring forward to comments which -- by which we

can all support this EIR." *(Commissioner Kathrin Moore, San Francisco Planning Commission, DEIR Hearing Transcript, February 9, 2017 [A-CPC-Moore-3])*

"I don't have any prepared comments, but I would like to just follow up and second what both J.R. and Alison -- Alison said.

"But maybe just to also add my little piece, which is always, you know, about pacing. And that is, you know, getting the infrastructure in in time for what's -- what comes as the project is built.

"You know, it takes like -- it seems to take like 30 years to put in a new subway. And you know, God knows it takes -- it seems to take forever -- even with -- when SFMTA has money, for them to spend it. I think there's a recent article on that.

"So what I would -- what I would ask, and I will add my, you know, comments to the formal comments that come in. But just to raise your attention to the issue of pacing and the fact that we've got -- as far as I'm concerned, a wasted asset down there with the T Line." *(Rick Hall, DEIR Hearing Transcript, February 9, 2017 [I-Hall-1])*

"Thank you very much to the staff. As always, you guys do a fantastic job on -- on your environmental analysis and whether people agree with certain sections or not, it's always a heroic effort to do this type of work for -- for these size of projects, so I definitely appreciate the efforts of both the project sponsor and the staff and those who have already contributed thus far to this Draft EIR.

"I'll be looking forward to seeing the response document because I do believe that there are a number of things that we have heard today -- that maybe commissioners will have to say, and that we'll see in the future in some of the written comments that are substantial, and they may even result in changes to the analysis.

"So for that reason, I will actually also be presenting some written comments, but today, just a couple things I want to highlight up here at the hearing." *(Commissioner Christine D. Johnson, San Francisco Planning Commission, DEIR Hearing Transcript, February 9, 2017 [A-CPC-Johnson-1])*

"Our overarching concerns include inaccurate population growth assumptions, the project's inconsistencies with the objectives of several established land use plans, transportation impacts, impacts to historic resources, potential geotechnical issues and shadowing of open space." *(Alison Heath, Grow Potrero Responsibly, Email, February 22, 2017 [O-GPR2-1])*

"As a resident of San Francisco - for more than 70 Plus years, but, (not related to Pier 70). I still visit the Show Place Square and the Design Center often.

"As requested I'm making my thoughts and comments to this most exciting Pier 70 Mixed Use District Project. Both the Sponsor, Planning Department and the community has worked together and has done an excellent job with this report. With that said, I will focus in on this DEIR #2014.001272ENV of December 21, 2016.

"First of all I fully support this project. This DEIR is very comprehensive and addresses just about all the issues and has done an excellent job with this Document. The project has took in to account the other adjacent mini-master plans." *(Dennis Hong, Email, February 23, 2017 [I-Hong-1])*

"8. **CONSTRUCTION:** One of my major concerns with these projects is the use of "Best Practices" with the construction work. All to[o] often this fails and is hard to enforce. For example all the work being done with the Transit Center; Dust control, hours of construction operation, noise, vibration, control of vehicle traffic, pedestrian safety, staging of material, the list goes on has been very disruptive to the neighborhood. The construction issues needs to be better controlled/monitored. Small business's daily struggle on this issue and all to[o] often have to close their business because of issues like this. I think this construction issue must be monitored more closely." *(Dennis Hong, Email, February 23, 2017 [I-Hong-18])*

"Attached please find comments from a number of residents, experts, and business owners who are intimately familiar with the Pier 70 Project and surrounding neighborhoods. We are connected via our membership in the Port's Central Waterfront Advisory Group (CWAG), but we are not submitting these comments on behalf of that group. That information is solely to let you know how we are all connected.

"We have tried to combine our comments in to one document for your perusal. This document is not entirely consistent in writing style and format because of the number of contributors. At the same time, we want the authors to be able to express themselves as individuals.

"We hope you will see how familiar we are with the details of this proposed project and how much we care that it be developed in the right way. Thank you for your thorough review.

"We look forward to the future implementation of this project." (Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-1])

"This chapter is extremely detailed covering archeological resources, tribal cultural resources and historic architectural resources as well as considerable geotechnical information about the soil, sub soils and much more. The section is very interesting, covering a minutia of details, and proscribing important rules and regulations to govern the discovery of important artifacts and in general how to deal with a site that has so much history attached to it. The developer will be held to considerable reporting standards, particularly since Pier 70 is national historic center." *(Toby Levine and Katy Liddell, Email, February 21, 2017 [I-Levine&Liddell-12])*

"I am a Potrero Hill residents and am writing in regards to the DEIR for the Pier 70 project. Like so many of my neighbors, I have been following the Pier 70 plans for years, and I am excited about the potential of this historically significant site and the plans for some adaptive reuse of the significant structures. However, this DEIR is a far rougher and disappointing "draft" than what I would have expected after all the discussions and years of work that have been committed to this development." *(Ruth Miller, Email, February 21, 2017 [I-Miller-1])*

"In the interest of brevity, I will highlight just a few important deficiencies, and it is my hope that it will be apparent to city planners that this DEIR needs more work. The draft is vague in many areas, and I would hope that the city would demand more specificity in order to provide useful commentary. How can one provide meaningful input regarding environmental impacts when the uses in many areas of the project are as of yet undetermined? These insufficiencies need to be addressed, clearer illustrations need to be provided so that the community and city officials can better see the planned structures, and studies should be included that acknowledge the many developments underway or on the way in this area. Even with the examples and details provided, it is clear that the proposal grossly exceeds the infrastructure of this area, and this project, like so many already being developed or in the pipeline for our neighborhood, will deepen an already unacceptable divide between infrastructure and growth, particularly in relation to traffic / transit issues." *(Ruth Miller, Email, February 21, 2017 [I-Miller-2])*

"As currently proposed, the development threatens the unique potential of its waterfront setting with its cluster of outsized structures. Residents and visitors deserve better, and city planners must be vigilant in protecting our public vistas and avoiding unnecessary shadowing. The unique topography of Potrero Hill and the city's many visible hills are not only enjoyed by those who live in the area, but such vistas are viewable from the water and across the bay. The development should take care to not obstruct public vistas or unnecessarily cast shadows on the bay and surrounding parcels, and much more open space should be protected in this large area." *(Ruth Miller, Email, February 21, 2017 [I-Miller-3])*

"I respectfully ask that this DEIR be sent back to the drafting table. This site is far too important and impactful for such an inappropriate proposal." *(Ruth Miller, Email, February 21, 2017 [I-Miller-5])*

"I believe the Draft EIR report presents false conclusions." *(Sean Angles, Email, February 21, 2017 [I-Angles-6]*

RESPONSE GC-1: GENERAL ENVIRONMENTAL COMMENTS

Some comments note that the EIR is thorough and well-written, and offer general support for the document and for the Proposed Project. Others disagree with the conclusions reached in the EIR and ask for more specific information and clearer illustrations. A number of comments express general concerns about environmental impacts of the Proposed Project, mentioning transportation impacts, impacts on historic resources, air quality impacts, potential geotechnical issues, shadow impacts on open space, and cumulative effects, as well as inconsistencies with land use plan objectives, general construction impacts, and effects on public views. Where commenters express disagreement with the EIR's conclusions, they have not provided substantial evidence in support of their statements.

One comment notes the importance of using and monitoring general best management practices (BMPs) and mitigation measures related to air quality, noise and vibration, water quality, pedestrian and vehicle traffic, and staging of material. Impacts and mitigation measures, including required construction BMPs, related to these environmental resource topics are discussed in their respective EIR sections: 4.G, Air Quality, 4.F, Noise and Vibration, 4.O, Hydrology and Water Quality, and 4.E, Transportation and Circulation. Air and water quality BMPs are part of regulatory permits, which the Department of Building Inspection and San Francisco Public Utilities Commission have oversight of. Various other City agencies, including the Port of San Francisco, Department of Building Inspection, SFMTA, San Francisco Police Department, and the Department of Public Health, would inspect for compliance with noise, dust, and traffic measures. A public notice would be posted at the construction site. The notice would provide information about filing complaints related construction activities.

Environmental impacts are analyzed in EIR Chapter 4, Environmental Setting and Impacts. In addition, this RTC chapter presents responses to comments related to the EIR Project Description and to EIR topics pertinent to these comments (see RTC Sections 4.A, Introduction and Project Description; 4.C, Plans and Policies; 4.D, Land Use and Land Use Planning; 4.E, Population and Housing; 4.F, Cultural Resources; 4.G, Transportation and Circulation; 4.I, Air Quality; 4.J, Wind and Shadow; 4.K, Recreation; and 4.N, Geology and Soils).

The Planning Department determined that the Pier 70 Mixed-Use District Project meets the criteria set forth in Public Resources Code Section 21099(d), and thus this EIR does not consider aesthetics in determining the significance of project impacts under CEQA. Public Resources Code Section 21099(d) and its implications on CEQA are discussed on EIR pp. 1-2 and 1-3 and in RTC Sections 4.B, Senate Bill 743, and 4.T, Merits of the Proposed Project.

V. AUTHORS AND PERSONS CONSULTED

The comments and corresponding response in this section relate to EIR Chapter 8, Authors and Persons Consulted.

COMMENT AU-1: REVISIONS TO THE AUTHORS AND PERSONS CONSULTED LIST

"2) Chapter 8, Authors and Persons Consulted, p. 8.2. Please add my name to the list of report preparers under *Environmental Science Associates*, specifically. Having worked on the DEIR for over two years, I would like my name to be associated with this important document. I also suggest removing the name Sheila McElroy, as she did not prepare the Cultural Resources Section or any other section of the DEIR, and was only an employee at ESA for three months.

"Thank you for the opportunity to comment on the DEIR, and I look forward to seeing these changes in the adopted version of the Final EIR." *(Brad Brewster, Principal, Brewster Historic Preservation Consulting, Email, February 16, 2017 [I-Brewster-2])*

RESPONSE AU-1: REVISIONS TO THE AUTHORS AND PERSONS CONSULTED LIST

As an historian with ESA, a subconsultant to Turnstone Consulting/SWCA on the Pier 70 Mixed-Use Development Project EIR, the commenter provided professional services drafting the historic cultural resources section of the EIR, as did Sheila McElroy. The following revision has therefore been made to EIR p. 8.2 (new text is underlined):

> **Environmental Science Associates, Inc.** (*Air Quality, Biological Resources, Cultural Resources, and Hydrology and Water Quality*)
> 550 Kearny Street, Suite 800
> San Francisco, CA
>
> Karl Heisler
> Chris Sanchez
> Rachel Danielson
> Robert Battalio
> Louis White
> Sheila McElroy
> Brad Brewster

5. DRAFT EIR REVISIONS

Chapter 5, Draft EIR Revisions, presents text changes for the *Pier 70 Mixed-Use District Project Draft Environmental Impact Report* initiated by Planning Department staff. Some of these are staff-initiated text changes identified in Chapter 2, Revisions and Clarification to the Proposed Project, others are from the responses in Chapter 3, Comments and Responses, and others are staff-initiated text changes that add minor information or clarification related to the Proposed Project and correct minor inconsistencies and errors. The text revisions clarify, expand, or update the information presented in the Draft EIR. The revised text does not provide new information that would result in any new significant impact not already identified in the EIR or any substantial increase in the severity of an impact identified in the EIR, and recirculation of the EIR is not required. In addition to the changes called out below, minor changes may be made to the consolidated Final EIR to correct typographical errors and small inconsistencies.

Throughout the text and table revisions in this section, new text is underlined and deletions are shown in ~~strikethrough~~. Staff-initiated text changes are distinguished from changes noted in the responses by an asterisk (*) in the left margin. EIR figures and tables included in this section are marked with "(New)" or "(Revised)" before the figure or table title, and revisions are explained.

A. REVISIONS AND CLARIFICATIONS TO THE PROPOSED PROJECT

This section presents the staff-initiated text changes identified in RTC Section 2, Revisions and Clarification to the Proposed Project. This discussion follows the order of that section, with revisions organized into four groups:

- Proposed Grading and Stabilization Plan – Controlled Rock Fragmentation
- Irish Hill View Variant
- Mix of Bedroom Units on the Project Site
- Design for Development

Within each group, revisions are presented in sequential order by EIR chapter, section, and page number.

PROPOSED GRADING AND STABILIZATION PLAN – CONTROLLED ROCK FRAGMENTATION

Chapter 2, Project Description

* The discussion under the heading "Proposed Grading and Stabilization Plan," on EIR pp. 2.67-2.68 has been revised, as follows (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

PROPOSED GRADING AND STABILIZATION PLAN

SITE GRADING

The Proposed Project would involve excavation of soils for grading and construction of the 15- to 27-foot-deep basements planned on Parcels A, B, C1, C2, D, E1, E2, E3, E4, F, G, H1, H2, PKN, PKS, HDY1 and HDY2. No basement levels are planned for existing Buildings 2, 12, or 21. Portions of the project site where basements and below-grade infrastructure are planned, specifically west of the historic shoreline, are underlain by shallow Franciscan Complex bedrock having rock hardness densities which are considered unrippable[51A] by conventional excavation equipment. Therefore, the project would likely require bedrock removal by controlled rock fragmentation techniques. Controlled rock fragmentation technologies may include pulse plasma rock fragmentation, controlled foam or grout injection, and controlled blasting. In some scenarios it may be necessary to utilize a combination of these techniques. It is estimated that up to 110,000 cubic yards would need to be removed by controlled rock fragmentation, which would occur during all five phases of the project. The removal process would include rock fracturing and rock crushing activities. These techniques are used to break down resistant rock on portions of the site where very hard bedrock would be encountered. It is estimated that the cumulative duration of controlled rock fragmentation would be about 30 days per each phase of the project. During controlled rock fragmentation activities, up to five controlled rock fragmentation events (up to 30 seconds in duration) would occur daily, with a rock drilling event lasting roughly one hour prior to each controlled rock fragmentation event. Rock crushing activities would occur on the project site east of Louisiana Street over a one month period towards the end of each project phase.

The Proposed Project would raise the grade of the 28-Acre Site and the southern, low-lying portions of the Illinois Parcels by adding up to 5 feet of fill in order to help protect against flooding and projected future sea level rise, as described below, and as required for environmental remediation.

A portion of the northern spur of the remnant of Irish Hill would be removed for construction of the new 21st Street. The remnant of Irish Hill stands approximately 35 feet tall. Retaining walls would be necessary along the sides of the new 21st Street to protect the adjacent Building 116 in the Historic Core as well as the remnant of Irish Hill and along the reconfigured 22nd Street, to account for the proposed elevation difference between the streets and adjacent ground surfaces.[52]

While the grading plan assumes some on-site reuse of the excavation soil, which would be stockpiled and reused as fill throughout the project site, a substantial amount of soil

and rock export may be required. The Proposed Project would result in a net export total of approximately 340,000 cubic yards of soil and rock, inclusive of rock material removed by controlled rock fragmentation, and an import of about 20,000 cubic yards of clean fill, which would be phased over the duration of the planned construction activities.

* The following new footnote has been added to EIR p. 2.67 as part of this revision (new text is underlined). The new footnote will be assigned its proper sequential number in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly. There is no change to Footnote 52 on p. 2.68, but it is shown below to complete the series of notes cited in this text.

[51A] Rippability of an earth material is a measure of its ability to be excavated with conventional excavation equipment, such as bulldozers or backhoes.

[52] The areas on the 28-Acre Site and Illinois Parcels directly adjacent to the 20th Street Historic Core would conform to existing grades; fill would not be placed in these adjacent areas.

Section 4.F, Noise

* The first full paragraph on EIR p. 4.F.33, under Impact NO-1, has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

Table 4.F.8: Typical Construction Noise Levels, shows typical noise levels associated with a range of construction equipment. As indicated in this table, operation of jackhammers, ~~and~~ concrete saws, controlled rock fragmentation (CRF) equipment, rock drills, and a rock/concrete crusher would have the potential to exceed the 86 dBA at 50 feet or 80 dBA at 100 feet noise limit for construction equipment (as specified by the Police Code) by 2 to 4 dBA. While jackhammers with approved acoustic shields as well as rock drills and pile drivers with approved intake and exhaust mufflers are exempt from this ordinance limit,[23] concrete saws and rock/concrete crushers would not be exempt. Therefore, operation of concrete saws, a rock/concrete crusher, or any other equipment not exempt from the Police Code that exceeds 86 dBA (L_{eq}) at 50 feet would be a significant noise impact.

[Footnote 23 on EIR p. 4.E.33]

[23] See Section 2907(b) of the Police Code.

* The second and fourth bulleted items under Mitigation Measure M-NO-1 on EIR p. 4.F.33 and p. 4.F.35, respectively, have been revised, as follows (new text is underlined):

- Require the general contractor to locate stationary noise sources (such as the rock/concrete crusher or compressors) as far from adjacent or nearby sensitive receptors as possible, to muffle such noise sources, and to construct barriers around such sources and/or the construction site, which could reduce construction noise by as much as 5 dBA. To further reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, to the maximum extent practicable.
- Include noise control requirements for construction equipment and tools, including concrete saws, in specifications provided to construction contractors to the maximum extent practicable. Such requirements could include, but are not limited to, erecting temporary plywood noise barriers around a construction site, particularly where a site

adjoins noise-sensitive uses; utilizing noise control blankets on a building structure as the building is erected to reduce noise levels emanating from the construction site; the use of blasting mats during controlled blasting periods to reduce noise and dust; performing all work in a manner that minimizes noise; using equipment with effective mufflers; undertaking the most noisy activities during times of least disturbance to surrounding residents and occupants; and selecting haul routes that avoid residential uses.

* Table 4.F.8: Typical Construction Noise Levels, on EIR p. 4.F.34, has been revised (new text is underlined). The revised table is shown on the following page.

* The following text has been added after the second paragraph on EIR p. 4.F.36 under Impact NO-2; the last paragraph on that page, which continues on p. 4.F.37, has been revised, and a new paragraph has been added to follow it (new text is underlined and deletions are shown in ~~strikethrough~~):

Controlled rock fragmentation (CRF) technologies include pulse plasma rock fragmentation (PPRF), controlled foam or grout injection, and controlled blasting. Depending on subsurface conditions, one or more of these techniques could be employed. CRF would occur for a cumulative total of approximately 30 days per phase. During controlled rock fragmentation activities, up to five CRF events would occur daily with one drilling event lasting up to one hour before each CRF event. Oversized material (>12 inches) removed from the excavation would be transported to the eastern portion of the site and stockpiled. A rock/concrete crusher would operate for up to one month toward the end of each phase to crush the stockpiled oversized material. The rock/concrete crusher would be located on the eastern margin of the site (Parcel E4 during Phases 1 and 2 and on the shoreline east of Parcel B during Phases 3, 4, and 5) and a minimum of 200 feet away from any existing or future sensitive receptors.

Because the project would be constructed in phases over an 11-year period, multiple construction activities could be occurring on different parcels within the project site at any given time (i.e., demolition could occur on one parcel while pile driving occurs on another) so that some of the noisier construction activities, such as pile driving, on one project parcel could overlap with other noisier construction phases, such as demolition, CRF, or rock crushing on other parcels. If pile drivers operated on one parcel while a mounted impact hammer or concrete saw (for demolition) occurred on another parcel at the same time (worst-case condition), the combined noise level from these two noisiest pieces of equipment would be 89 dBA (L_{eq}) at 50 feet.[25] When compared to the FTA daytime threshold of 90 dBA (L_{eq}) at residential uses, the maximum combined L_{eq} noise level would not exceed this ~~these~~ threshold~~s~~ because it is expected that both types of equipment would not operate simultaneously closer than 50 feet to any existing residential or commercial uses. It is noted that while pile driving and demolition activities could occur at any given time over the 11-year construction duration, they would not occur continuously over this time period and it is unlikely that pile drivers and either impact hammers or concrete saws would operate simultaneously at closer than 50 feet from any existing residential or commercial uses for any sustained period of time.

(Revised) Table 4.F.8: Typical Construction Noise Levels

Construction Equipment	Noise Level (dBA, Leq at 50 feet)	Noise Level (dBA, Leq at 100 feet)
Jackhammer (Pavement Breaker)[1]	**88**	**82**
Concrete Saw or Mounted Impact Hammer (Hoe Ram)	**90**	**84**
Controlled Rock Fragmentation[2]	80-**90**	74-**84**
Rock/Concrete Crusher[3]	**90**	**84**
Loader	79	73
Dozer	82	76
Excavator	81	75
Grader	85	79
Compactor	83	77
Dump Truck	76	70
Flatbed Truck	74	68
Concrete Truck	81	75
Forklift (gas-powered)	83	77
Street Sweeper (vacuum)	82	76
Generator	81	75
Compressor	78	72
Roller	80	74
Crane	81	75
Paver	77	71
Pile Driver[1]	**101**	**95**
San Francisco Noise Ordinance Limit	86	80

Notes: The above Leq noise levels are calculated assuming a 100 percent usage factor at full load (i.e., Lmax noise level 100 percent) for the 1-hour measurement period. Noise levels in **bold** exceed the above ordinance limit, but as indicated, two of the three exceedances are exempt from this limit.

[1] Exempt from the ordinance noise limit of 86 dBA at 50 feet or 80 dBA at 100 feet.

[2] Controlled rock fragmentation (CRF) techniques that could be employed include one or a combination of the following: pulse plasma rock fragmentation (PPRF), controlled foam or grout injection, and/or controlled blasting. Noise levels listed above would apply to all three of these methods and would vary within this range depending on the method used. Controlled blasting could generate noise levels of up to 100 dBA (L_{max}) for up to 30 seconds. Blasting events could occur up to a maximum of five times per day and each blast would be preceded by drilling noise for up to one hour. Blasting mats would be used to mitigate noise and dust.

Prior to each CRF event, there would be one drilling event. FTA (2006) noise data indicate that rock drills can generate up to 98 dBA at 50 feet when they are operated aboveground on slope faces. However, the project applicant's engineers indicate rock drilling would be underground (holes would be three to five feet deep), and they expect that the noise levels would be in the range of 80 to 90 dBA (L_{eq}) at 50 feet.

[3] Noise measurements from various rock and concrete recycling crusher plants indicate that a crusher and conveyor plant can generate noise levels ranging between 81 and 90 dBA (L_{eq}) at 50 feet. This evaluation conservatively applies the higher reference noise level.

Sources: U.S. Department of Transportation, Federal Highway Administration, 9.0 Construction Equipment Noise Levels and Ranges, Table 9.1, RCNM Default Noise Emission Reference Levels and Usage Factors, Construction Noise Handbook, Updated July 2011. Available online at http://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/handbook09.cfm. Accessed January 4, 2016; U.S. Department of Transportation, Federal Transit Administration, Transit Noise and Vibration Impact Assessment, May 2006. Available online at http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf. Accessed January 4, 2016; Kapra and Associates, *Pulse Plasma Technology.* Available online at http://kapra.org/catalog.pdf. Accessed April 10, 2017.

If CRF were to overlap with pile driving, the combined noise level would be 91 dBA (L_{eq}) at 50 feet,[25A] which would slightly exceed the 90-dBA FTA threshold for residential uses.[25B] However, there would be a low potential for this combined noise level to occur because of the limited duration of each activity. Rock drills are used for 20 to 60 minutes before each CRF event and each CRF event occurs for approximately 30 seconds. Up to five of these events could occur each day. Pile driving activities are also sporadic with maximum noise levels occurring while a pile is being driven, alternating with longer periods when lower noise levels would be generated as the driver is repositioned for each pile and the pile is positioned into place. If rock drilling or a CRF event were to occur at the same time as a pile is being driven by an impact pile driver, the overlapping duration would be limited. In addition, it is unlikely that these two activities would occur at the same time within 50 feet of a given receptor. However, M-NO-2 has been revised to require that in the event CRF and pile driving activities are scheduled to occur simultaneously, either the pile driving or CRF activity shall be set back at least 100 feet from the nearest sensitive receptor.

* The following new footnote has been added to EIR p. 4.F.36 as part of this revision (new text is underlined). The new footnote will be assigned its proper sequential number in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly. There is no change to Footnote 25 on that page, but it is shown below to complete the series of notes cited in this text.

[25] A 20 percent usage factor was applied to both pieces of equipment. Pile drivers generate 101 dBA (Lmax) or 88 dBA (Leq) with a 20 percent usage factor. Mounted impact hammers generate 90 dBA (Lmax) or 83 dBA (Leq) with a 20 percent usage factor. If these two pieces of equipment were to operate at the same time in the same vicinity (not likely since one would be used for demolition and the other as part of foundation work), the combined noise level would be 89 dBA (Leq).

[25A] Rock drills would generate 87 dBA (Leq) with a 50 percent usage factor; CRF would generate 70 dBA (Leq) with a 1 percent usage factor).

[25B] As indicated in Table 4.F.8, Footnote 5, operation of a rock/concrete crusher would generate up to 90 dBA (Leq) at 50 feet. The crusher is proposed to be located at least 200 feet from the closest future on-site residents. At this distance, crusher noise would be 78 dBA (Leq). The addition of crusher noise would not measurably change the estimated maximum 91 dBA (leq) for the two noisiest prices of equipment (per FTA guidelines) that could operate simultaneously.

* The second paragraph on EIR p. 4.F.37, under Impact NO-2, has been revised as follows (new text is underlined):

As listed in Table 4.F.5, p. 4.F.11, the closest existing off-site sensitive receptors are located 140 to 200 feet from the closest site boundary (northwest corner of Parcel PKN). When construction occurs near the northwest corner of Parcel PKN, the maximum combined L_{eq} noise level of 89 to 91 dBA (L_{eq}) at 50 feet would attenuate to 80 to 82 dBA and 77 to 79 dBA (L_{eq}) at these respective receptors. Measurement Location LT-4 (across the street from the 820 Illinois Street residential development) is the closest noise measurement location to these receptors. Ambient noise levels averaged 62 dBA (L_{dn}) or an average of 57 dBA (daytime L_{eq}) at this location and when these ambient noise levels are applied to the "Ambient+10 dBA" threshold, the thresholds would be 72 dBA (L_{dn}) or

67 dBA (daytime Leq) at these receptors and the maximum combined noise levels at the three closest off-site receptors would exceed these thresholds by up to 13 to 15 dBA, a significant noise impact.

* The last paragraph on EIR p. 4.F.38, under Impact NO-2, continuing on p. 4.F.39, has been revised as follows (new text is underlined):

It is likely that pile driving would be required for construction of some buildings or structures on the 28-Acre Site and possibly on the northern portion of the Illinois Parcels. Construction of secant walls in the northeastern and southeastern portions of the 28-Acre Site could also require rock drills, CRF, and/or pile driving on upland portions of the site. In addition, other impact tools such as jackhammers, concrete saws, or mounted impact hammers (hoe rams) could be used during demolition activities. As indicated above, simultaneous operation of such equipment would generate a maximum combined Leq noise level of 89 to 91 dBA (Leq) at 50 feet. Future on-site residents with a direct line-of-sight and 50 feet from demolition or construction activities could be subject to such maximum combined noise levels. As listed in Table 4.F.3, p. 4.F.11, ambient noise levels on the project site ranged between 58 dBA and 68 dBA (Ldn) and averaged 64 dBA (Ldn). Daytime noise levels ranged from 53 dBA (Leq) to 73 dBA (Leq) and average 61 dBA (Leq). When these ambient noise levels are applied to the "Ambient+10 dBA" threshold, the average thresholds are 74 dBA (Ldn) and 71 dBA (daytime Leq) at on-site receptors, and the maximum combined noise level of 89 to 91 dBA (Leq) at 50 feet would, at times, exceed these thresholds at the closest future on-site residential receptors (those occupying residential units built in earlier phases) by up to 18 to 20 dBA. The degree of disturbance would vary with proximity of the demolition and construction activities to sensitive receptors, but is considered significant and unavoidable because the "Ambient +10 dBA" threshold could be exceeded.

* The following item has been added to the end of the bulleted list of control strategies for Mitigation Measure NO-2: Noise Control Measures During Pile Driving, on EIR p. 4.F.41 (new text is underlined):

- If CRF (including rock drills) were to occur at the same time as pile driving activities in the same area and in proximity to noise-sensitive receptors, pile drivers shall be set back at least 100 feet while rock drills shall be set back at least 50 feet (or vice versa) from any given sensitive receptor.

* The third paragraph on EIR p. 4.F.41, under Impact NO-3, has been revised, as follows (new text is underlined):

The Proposed Project would include the types of construction activities that could produce excessive groundborne vibration (i.e., CRF during excavation and pile driving for foundations or secant walls). In addition, construction equipment used for demolition, site preparation, and shoring activities, such as jackhammers, pavement breakers, and drills, could generate varying degrees of temporary groundborne vibration, with the highest levels expected during demolition, excavation, and below-grade construction stages of each construction phase. Excavation for basements on the Illinois Parcels would require excavation into bedrock where use of CRF technologies, hoe-rams, or jackhammers would

be required. Project construction would also entail the use of heavy trucks for material deliveries and for off-site hauling of excavated materials and demolition debris during the daytime hours and throughout the 11-year construction period. All construction activities would be conducted primarily between 7:00 a.m. and 8:00 p.m., seven days a week, in compliance with Section 2908 of the City's Noise Ordinance and subject to noise controls outlined in Mitigation Measures M-NO-1 and M-NO-2.

* The last paragraph on EIR p. 4.F.42, under Impact NO-3, has been revised and a new paragraph has been added after it, as follows (new text underlined):

Pile driving, CRF, and building locations on project parcels have not been specified for the entire site, but pile driving is proposed adjacent to and east of the 20th Street Historic Core, which adjoins the northwestern boundary of the 28-Acre Site and eastern boundary of the 20th/Illinois Parcels. CRF may need to be employed along the western portion of the site (Parcels PKN, PKS, and HDY), as well as Parcels C1, D, E2, F and G on the 28-Acre Site. While it may be possible to maintain a setback of 70 feet or more between pile drivers and adjacent structures at many locations to avoid cosmetic damage to adjacent structures, the minimum separation between some parcels such as between Parcel E1, Parcel E4, and Building 21 or between Parcels E2 and E3 would be less than 70 feet. At distances of less than 70 feet, vibration from impact or vibratory pile-driving activities could result in cosmetic damage to Proposed Project structures and historic Buildings 113 and 114, a significant vibration impact. When the more stringent threshold of 0.2 in/sec PPV is applied to historic buildings, cosmetic damage could occur at distances of up to 160 feet from historic buildings (as indicated in Table 4.F.9).

CRF techniques would generate much lower vibration levels than pile driving. CRF could be employed as close as 22 feet from adjacent structures and not result in cosmetic damage. However, when the more stringent threshold of 0.2 in/sec PPV is applied to historic buildings, cosmetic damage could occur at distances of up to 50 feet from historic buildings with the CRF controlled foam or grout techniques and up to 28 feet with the CRF PPRP technique.

* Table 4.F.9: Vibration Levels for Construction Equipment, on EIR p. 4.F.43, has been revised (new text is underlined). The revised table is shown on the following page.

* The first bulleted item on EIR p. 4.F.44, under Mitigation Measure M-NO-3: Vibration Control Measures During Construction, has been revised, as follows (new text is underlined):

- Where pile driving, CRF, and other construction activities involving the use of heavy equipment would occur in proximity to any contributing building to the Union Iron Works Historic District, the project sponsors shall undertake a monitoring program to minimize damage to such adjacent historic buildings and to ensure that any such damage is documented and repaired. The monitoring program, which shall apply within 160 feet where pile driving would be used, 50 feet where CRF would be required, and within 25 feet of other heavy equipment operation, shall include the following components:

(Revised) Table 4.F.9: Vibration Levels for Construction Equipment

Equipment	Peak Particle Velocity (PPV) (in/sec)		
	At 25 Feet	At 60 Feet[1]	At 160 Feet[1]
Impact or Vibratory Pile Driver			
Range	0.170–1.518	0.065–0.579	0.022-0.197
Typical	0.65	0.248	0.084
Other Construction Equipment			
CRF using PPRF Technique[2]	0.215	0.082	0.028
CRF using Foam/Grout Technique	0.428	0.163	0.056
Vibratory Roller/Compactor	0.210	0.080	0.027
Large Bulldozer	0.089	0.034	0.012
Caisson Drilling	0.089	0.034	0.012
Loaded Trucks	0.076	0.029	0.010
Jackhammer	0.035	0.013	0.005
Small Bulldozer	0.003	0.001	0.000

Note:

[1] Vibration amplitudes for construction equipment assume normal propagation conditions and were calculated using the following formula: PPV equip = PPVref x $(25/D)^{1.1}$ where:

- PPV (equip) = the peak particle velocity in in/sec of the equipment adjusted for the distance
- PPV (ref) = the reference vibration level in in/sec from pages 31-33 and Table 18 of the Caltrans Vibration Guidance Manual as well as Table 12-2 of the FTA Noise and Vibration Guidance Manual
- D = the distance from the equipment to the receiver

[2] Vibration generated by CRF blasting is highly dependent on the size, depth, and frequency of charges and therefore, cannot be estimated at this time. CRF techniques, however, would generate much lower vibration levels than pile driving.

Source: Caltrans, *Transportation and Construction Vibration Guidance Manual*, September 2013, pp. 29-34. Available online at http://www.dot.ca.gov/hq/env/noise/publications.htm. Accessed on December 16, 2016; Federal Transit Administration, *Transit Noise and Vibration Impact Assessment*, May 2006. Available online at https://www.transit.dot.gov/regulations-and-guidance/environmental-programs/noise-and-vibration. Accessed on December 16, 2016.

Section 4.G, Air Quality

* The paragraph under "Fugitive Dust" on EIR p. 4.G.31 has been revised, as follows (new text is underlined):

> Project-related demolition, excavation, grading, drilling, rock crushing and potentially blasting and other construction activities may cause wind-blown dust that could contribute PM into the local atmosphere.

* The following text has been added after the last paragraph on EIR p. 4.G.34 (new text is underlined):

> Equipment emissions from proposed Controlled Rock Fragmentation (CRF) were calculated using CalEEMod assuming 30 days of activity for each phase of construction. CRF emissions consist of operations of a drill rig and crushing equipment daily over a cumulative period up to 30 days. These additional emissions from CRF were found to not be sufficient to alter the predicted average daily emissions or maximum annual emissions presented below due primarily to the short duration of activity of the two additional equipment types involved relative to the overall three-year construction periods assumed for each phase.

* The first paragraph on EIR p. 4.G.35 has been revised, as follows (new text is underlined):

> Maximum Residential Scenario
>
> Table 4.G.6: Unmitigated Average Daily and Maximum Annual Emissions for the Maximum Residential Scenario During Construction, presents construction-period emissions for the Maximum Residential Scenario, which, due to the concurrent construction and operation of the project, are calculated in terms of average daily emissions and worse case maximum annual emissions. These estimated emissions would be the same with or without the use of CRF techniques due primarily to the short duration of use of the two additional equipment types involved, relative to the overall three-year construction periods assumed for each phase.

* The last paragraph on EIR p. 4.G.35 has been revised, as follows (new text is underlined):

> MAXIMUM COMMERCIAL SCENARIO
>
> Table 4.G.7: Unmitigated Average Daily and Maximum Annual Emissions for the Maximum Commercial Scenario During Construction, presents construction-period emissions for the Maximum Construction Scenario. As shown in Table 4.G.7, construction-related emissions during concurrent construction of Phases 1 and 2 which include development of the entirety of the Illinois Parcels would be less than significant, as would the continued construction of Phase 2 with completion and occupancy of Phase 1. However, construction of Phase 3 when considered with occupancy and operation of Phases 1 and 2 would result in emissions of ROG and NOx that would exceed significance thresholds, while emissions of PM_{10} and $PM_{2.5}$ would be below their respective thresholds. These estimated emissions would be the same with or without the use of CRF Techniques due primarily to the short duration of use of the two additional

equipment types involved, relative to the overall three-year construction periods assumed for each phase.

Section 4.M, Biological Resources

* The following revisions have been made to the bulleted list on EIR p. 4.M.49 (new text is underlined):

- Improvements to existing stormwater and sanitary sewer systems and existing stormwater outfalls at the bases of 20th and 22nd streets and/or construction and operation of a new storm drain outfall at the base of 21st Street that would discharge into San Francisco Bay;
- Use of land located immediately adjacent to San Francisco Bay for construction of park improvements and for staging of demolition or construction equipment, materials, or wastes prior to the completion of shoreline improvements; and
- Use of CRF techniques, specifically onshore blasting, to excavate building basements shoreward of the high tide mark.
- Debris cleanup, pile removal, and reconstruction of a waterfront area seaward of the high tide mark and the marine intertidal zones in Reach I.

* The following text has been added to the second paragraph on EIR p. 4.M.49 and the first full paragraph on EIR p. 4.M.50, under Impact BI-1 (new text is underlined and deletions are shown in ~~strikethrough~~):

> Project construction activities and an increased human presence at the project site are expected to generate noise and visual disturbance that could adversely affect bird breeding and nesting behaviors at the project site and nearby. Proposed Project construction activities that may cause visual disturbance, alter the ambient noise environment, or introduce short-term loud noise events resulting in avoidance response (flushing) include, but are not limited to, making shoreline protection improvements; constructing new buildings; making improvements to existing structures; constructing transportation and circulation improvements; adding new and upgraded utilities and infrastructure; constructing geotechnical and shoreline improvements (that require controlled rock fragmentation (CRF), rock drilling, rock/concrete crushing, soldier pile driving or impact pile driving); and making improvements to publicly owned open space. A variety of construction activities, equipment, and schedules would be associated with each of these general types of construction.
>
> Both long- and short-term loud noises can affect bird foraging and roosting by temporarily disturbing these behaviors, and may deter bird use of an area (including nesting) if such noises persist over the long term. However, overall avian activity within the study area is not expected to substantially change with project implementation because habitat value for birds foraging and nesting within the project site and vicinity would not substantially change (e.g., in-water foraging and nesting in eucalyptus trees on Irish Hill). Noise disturbance generally falls into two main categories: impulse and continuous. Impulse disturbances often used in demolition activities include single actions like blasts, CRF events (up to 30 seconds in duration, five events per day, and for about 30 days per project phase where necessary), or multiple actions like jackhammers

and pile drivers. Continuous noise includes typical construction work area activities, ~~and~~ roadway noise, rock drilling events (lasting roughly one hour prior to CRF events, and rock crushing). Bird disruption from visual or noise disturbance varies, but typically birds will avoid disturbance areas and move to more preferable environments. However, some species inhabit noisy areas and may indirectly benefit from reduced competition and predation.[123]

[Footnote 123 on EIR p. 4.M.50]

[123] Francis, Clinton D., Catherine P. Ortega, and Alexander Cruz, Noise Pollution Changes Avian Communities and Species Interactions. *Current Biology* 19:1415–1419. August 25, 2009.

* The following revisions have been made to the second paragraph on EIR p. 4.M.60 (new text is underlined and deletions are shown in ~~strikethrough~~):

Temporary Underwater Noise

The installation of ~~either~~ the sheet pile or soldier wall bulkhead (using precast H-piles) for improving Reach II, and the use CRF techniques, specifically onshore blasting, could result in the generation of potential underwater noise from either vibratory or impact pile-driving hammers used to install the pilings or the generation of pressure waves from onshore blasting, through the water. ~~This~~ Both underwater noise from pile driving and pressure waves from onshore blasting could have a damaging effect on special-status fish species and marine mammals. High-intensity noise from in-water pile driving can result in acute damage to soft tissues, such as gas bladders or eyes (barotraumas), and/or in harassment that causes altered swimming, sleeping, or foraging behavior or temporary abandonment of forage habitat. However, the transmission of pressure waves generated by CRF events, specifically onshore blasting, through the ground and into Bay waters, if any, would not be expected to have significant impacts on marine species because CRF techniques conducted at least 375 feet from the Bay, as proposed for the Project, would generate much lower vibration levels than in-water pile driving activities, and the distance of CRF techniques from the Bay would diminish vibration-related effects such as potential pressure waves in Bay waters.

Section 4.N, Geology and Soils

* The first sentence of the second paragraph of Impact GE-3 on EIR p. 4.N.27 has been revised, as follows (new text is underlined):

Construction of individual buildings under the Proposed Project would require excavation, which may include controlled rock fragmentation, of up to 15 to 27 feet below ground for the construction of basements.

Section 4.P, Hazards and Hazardous Materials

* The following text has been added after the first paragraph on EIR p. 4.P.47 (new text is underlined):

Transport, Use, and Storage of Explosive Materials

The transport, use, and storage of explosive materials is regulated under the General Industry Safety Orders contained in 8 CCR, Division 1, Chapter 4, Subchapter 7, Group 18 (Explosive Materials). In accordance with these regulations, any contractor providing blasting services must be licensed by the Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA), and the blaster must be physically present on site when blasting operations are performed. Explosive materials must be stored in an appropriate magazine[86A] until they are used, and some materials must be stored in their shipping containers until used. All magazines must be located or protected as to minimize damage from vehicles or falling objects, and a 50-foot buffer around the magazine must be kept clear of brush, dried grass, leaves, and other combustible materials. The ground around the magazines must be sloped away from the magazine or drainage must be protected to protect the magazine from flooding. No smoking, open flames or other sources of ignition are allowed within 50 feet of any area where explosive materials are being handled, except devices necessary to ignite the fuses of set charges. The transfer of explosive materials must also be arranged so that no undue delay will occur between the time the explosive materials leave the magazine and the time they are used.

* The following new footnote has been added to EIR p. 4.P.47 as part of this revision (new text is underlined). The new footnote will be assigned its proper sequential number in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly.

[86A] A magazine is a structure specifically designed for the safe storage of explosive materials.

* The following text has been added following the second paragraph on EIR p. 4.P.50 (new text is underlined):

San Francisco Public Works Code - Blasting

In addition to the applicable requirements of 8CCR (described above under the heading "State"), Section 776 of the San Francisco Public Works Code requires a permit from San Francisco Public Works for the use of explosives. Section 779 also requires that the explosives are only used during the hours specified in the permit, and that the explosives used must be approved by Public Works. Use of a protective mat (blasting mat) to cover explosive areas may also be required.

* The second paragraph on EIR p. 4.P.52 has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

PROJECT FEATURES

The specific Proposed Project elements that could result in hazards and hazardous materials impacts include proposed building demolitions (Buildings 11, 15, 16, 19, 25, 32, and 66) and renovations (Buildings 2, 12, and 21); proposed grading~~,~~ ~~and~~ excavation, and controlled rock fragmentation for the construction of basements on all parcels as well as improvements to Building 12; occupation of the new residential and commercial buildings; street improvements, including the new 21st Street; installation of new utilities for potable water, recycled water, fire protection water, wastewater, stormwater,

electricity, and natural gas; and use of the Irish Hill Playground at the existing Irish Hill remnant.

* The second paragraph on EIR p. 4.P.53 has been revised, as follows (new text is underlined):

> The Proposed Project would use common hazardous materials during both construction and operation, and could use explosives for controlled rock fragmentation during construction. Impacts related to hazardous materials use during both construction and operation are discussed below along with regulations that are in place and ensure that impacts related to the use of hazardous materials would be less than significant.

* The following text has been added to the end of the partial paragraph at the top of EIR p. 4.P.54 (new text is underlined):

> If a discharge of pollutants to the Bay were indicated, the discharge would be sampled in accordance with the General Construction Permit. During construction, the contractor could also use explosives for controlled rock fragmentation in locations where the Franciscan Complex bedrock is not rippable with standard excavation equipment. In accordance with Section 776 of the Public Works Code (described in the Regulatory Framework above, under the heading "San Francisco Public Works Code – Blasting"), the contractor would be required to obtain a permit for the use of explosives from San Francisco Public Works. While the rock fragmentation is occurring, the contractor would use and store the explosives in accordance with the California General Industry Safety Order for Explosives (described in the Regulatory Framework above, under the heading "Transport, Use, and Storage of Explosive Materials") which would ensure that they are stored in the appropriate type of magazine, protected from damage, and that they would not be inappropriately ignited. Compliance with these regulations would ensure the safe handling and use of explosives during construction.

* The second paragraph on EIR p. 4.P.72 has been revised, as follows (new text is underlined):

> As discussed in Impacts M-HZ-3 and M-HZ-4, construction activities at the 28-Acre Site, Illinois Parcels, and Hoedown Yard could disturb rock and soil that contain naturally occurring asbestos. Asbestos is also considered a Toxic Air Contaminant by the CARB. However, the project sponsors would implement the dust control measures of the Pier 70 RMP and Hoedown Yard SMP, including compliance with Article 22B or the San Francisco Health Code and the Asbestos ATCM (required by Mitigation Measures M-HZ-3a and M-HZ-4, pp. 4.P.61- 4.P.62 and p. 4.P.63, respectively). Implementation of these measures, including use of methods such as blasting mats[92A] during controlled rock fragmentation (required by Mitigation Measure M-NO-1, pp. 4.F.33-4.F.35), would ensure that no visible dust crosses the property boundary during construction, and this would prevent adverse exposure of school occupants to airborne asbestos. Therefore, impacts related to emissions of Toxic Air Contaminants within one-quarter mile of a school would be less than significant and no mitigation is necessary.

* The following new footnote has been added to EIR p. 4.P.72 as part of this revision (new text is underlined). The new footnote will be assigned its proper sequential number in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly.

[92A] A blasting mat is a reinforced mat that can be used during rock blasting to contain the blast, prevent flying rock, and suppress dust.

IRISH HILL PASSAGEWAY VARIANT

Summary Chapter

* The third sentence of the second paragraph on EIR p. S.1 has been revised, as follows (new text is underlined):

> The Proposed Project also includes four variants that consider modifications to the proposed infrastructure and building systems to enhance sustainability and one variant that would create a west-east running view corridor to Irish Hill.

* The last sentence of the second complete paragraph on EIR p. S.4 has been revised, as follows (new text is underlined):

> The Proposed Project also includes four variants that consider modifications to the proposed infrastructure and building systems to enhance sustainability and one variant that would create a west-east running view corridor to Irish Hill.

* The first two paragraphs under the heading "C. Summary of Project Variants" on EIR p. S.108 have been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> ~~Four~~ Five project variants are evaluated in this EIR, and are described in detail in Chapter 6, Variants. These include~~:~~ a Reduced Off-Haul Variant; a District Energy System; a Wastewater Treatment and Reuse System (WTRS); ~~and~~ an Automated Waste Collection System (AWCS); and an Irish Hill Passageway Variant. There is one proposed construction-related variant of the Proposed Project and three proposed variants on infrastructure features of the Proposed Project, all of which focus on sustainability, and one variant that would create a west-east running view corridor to Irish Hill.
>
> For each variant, all other features would be the same as or similar to the Proposed Project. The variants do not involve any change to the mix of land uses, the space allocation of uses, or the residential unit count under the Maximum Residential and Maximum Commercial Scenarios of the Proposed Project. Likewise, the four variants that consider modifications to the proposed infrastructure and building systems to enhance sustainability would not involve any change to the locations, configurations, or building envelopes of the programmed development under the two scenarios analyzed for the Proposed Project. Physical environmental effects from the project variants would be the same or similar to the Proposed Project. All mitigation measures and improvement measures identified for the Proposed Project would be the same under the project variants.

* The following summary of the new Irish Hill Passageway Variant has been added after the first complete paragraph on EIR p. S.110 (new text is underlined):

> ***IRISH HILL PASSAGEWAY VARIANT***
>
> The purpose of the Irish Hill Passageway Variant is to realign the proposed pedestrian passageway between Illinois Street and the proposed Irish Hill Playground in order to create a view corridor through proposed infill construction, from Illinois Street to the Irish Hill landscape feature. Under the Proposed Project, the 40-foot-wide pedestrian passageway connecting Illinois Street and the proposed Irish Hill Playground would separate construction between Parcel PKS and Parcel HDY2 at the southwest corner of the project site. Under the Irish Hill Passageway Variant, the pedestrian passageway would be shifted northward by approximately 165 feet, to bisect Parcel PKS (which would become PKS1 and HDY3 with this variant), to allow views of the western face of Irish Hill remnant from Illinois Street. In addition, the relocated pedestrian passageway would widen from 40 feet at Illinois Street to 55 feet at Irish Hill Playground to further increase the breadth of views from Illinois Street. In all other respects, this variant would be substantially the same as described for the Proposed Project. There would be no change in the land use program, total gross square footage, or height under the Irish Hill Passageway Variant.
>
> The Irish Hill Passageway Variant would be substantially the same as described for the Proposed Project related to demolition, excavation, and site grading; the construction of shoreline improvements; geotechnical stabilization; the construction of the transportation, open space, and utility infrastructure network. Under both the Maximum Residential Scenario and Maximum Commercial Scenario, the Irish Hill Passageway Variant would be constructed as part of Phase 3, as described for Parcel PKS under the Proposed Project.

Chapter 1, Introduction

* The second paragraph on EIR p. 1.10 has been revised to introduce the new Irish Hill Passageway Variant, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> Chapter 6, Project Variants, presents one proposed construction-related and three proposed operational-related variants on infrastructure features of the Proposed Project that focus on sustainability, and one variant that would create a west-east running view corridor to Irish Hill. The variants modify one limited feature or aspect of the Proposed Project. The ~~four~~ five variants considered are a Reduced Off-Haul Variant, a District Energy System Variant, a Wastewater Treatment and Reuse System Variant, ~~and~~ an Automated Waste Collection System Variant, and an Irish Hill Passageway Variant.

Chapter 2, Project Description

* The last sentence on EIR p. 2.3 has been revised, as follows (new text is underlined):

> The Proposed Project also includes four variants that consider modifications to the proposed infrastructure and building systems to enhance sustainability, and one variant that would create a west-east running view corridor to Irish Hill.

* The first paragraph on EIR p. 2.74 has been revised to add an introductory reference to the new Irish Hill Passageway Variant, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> In addition to the specific characteristics of the Proposed Project described in this chapter, there are ~~four~~ five proposed variants to the Proposed Project, each of which modifies one limited feature or aspect of the Proposed Project. One, a Reduced Off-Haul Variant, is a construction-related variant; ~~the other~~ three – a District Energy System Variant, a Wastewater Treatment and Reuse System (WTRS) Variant, and an Automated Waste Collection System (AWCS) Variant – are variants on infrastructure features of the Proposed Project~~, and all of the~~. The first four proposed variants focus on sustainability. The last variant – an Irish Hill Passageway Variant – would create a west-east running view corridor to Irish Hill. The ~~four~~ five variants are described below.

* The following description of the new Irish Hill Passageway Variant has been added to the end of p. 2.79 (new text is underlined):

> ***IRISH HILL PASSAGEWAY VARIANT***
>
> Under the Proposed Project, the 40-foot-wide pedestrian passageway connecting Illinois Street and the proposed Irish Hill Playground would separate Parcel PKS and Parcel HDY2 at the southwest corner of the project site
>
> Under the Irish Hill Passageway Variant, the pedestrian passageway would be shifted northward by approximately 165 feet, to bisect Parcel PKS (which would become PKS1 and HDY3 with this variant), to allow views of the western face of the Irish Hill remnant from Illinois Street. In addition, the relocated pedestrian passageway would widen from 40 feet at Illinois Street to 55 feet at Irish Hill Playground to further increase the breadth of views from Illinois Street. In all other respects, this variant would be substantially the same as described for the Proposed Project.

Chapter 6, Project Variants

* The first paragraph on EIR p. 6.1 has been revised to add an introductory reference to the new Irish Hill Passageway Variant, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> Chapter 6, Project Variants, discusses ~~four~~ five variations on features of the Proposed Project that are under consideration by the project sponsors: a Reduced Off-Haul Variant, a District Energy System Variant, a Wastewater Treatment and Reuse System (WTRS) Variant, ~~and~~ an Automated Waste Collection System (AWCS) Variant~~.~~, and an Irish Hill Passageway Variant. The variants modify one limited feature or aspect of the Proposed Project, unlike the Alternatives to the Proposed Project analyzed in Chapter 7, Alternatives, which provide ~~a~~ different features or characteristics to the Proposed Project. Therefore, each variant is the same as the Proposed Project except for the specific variation described. The variants are being considered by the project sponsors, but have not been confirmed to be part of the Proposed Project. Each variant could be selected by

the project sponsors and decision-makers, and any variant or combination of variants could be included in the Proposed Project as part of an approval action.

* The following description and analysis of the new Irish Hill Passageway Variant has been added to the end of EIR p. 6.85. This entirely new section of EIR Chapter 6, Project Variants, is not underlined for ease of reading. This text change also adds three new figures to the EIR: Figure 6.1: Irish Hill Passageway Variant, Figure 6.2: Proposed Project Shadow on Irish Hill Playground at 4:00 PM (PDT) on the Summer Solstice, and Figure 6.3: Irish Hill Passageway Variant Shadow on Irish Hill Playground at 4:00 PM (PDT) on the Summer Solstice. These new figures are shown below on pp. 5.19, 5.24, and 5.25, respectively.

E. IRISH HILL PASSAGEWAY VARIANT

Introduction

The project sponsors are considering the Irish Hill Passageway Variant in response to several comments received from the public during the DEIR comment period that expressed concern for the loss of existing views to Irish Hill resulting from construction of the infill construction along Illinois Street under the Proposed Project (see Comment CR-6: Irish Hill, on RTC pp. 4.F.40-4.F.45).

Description

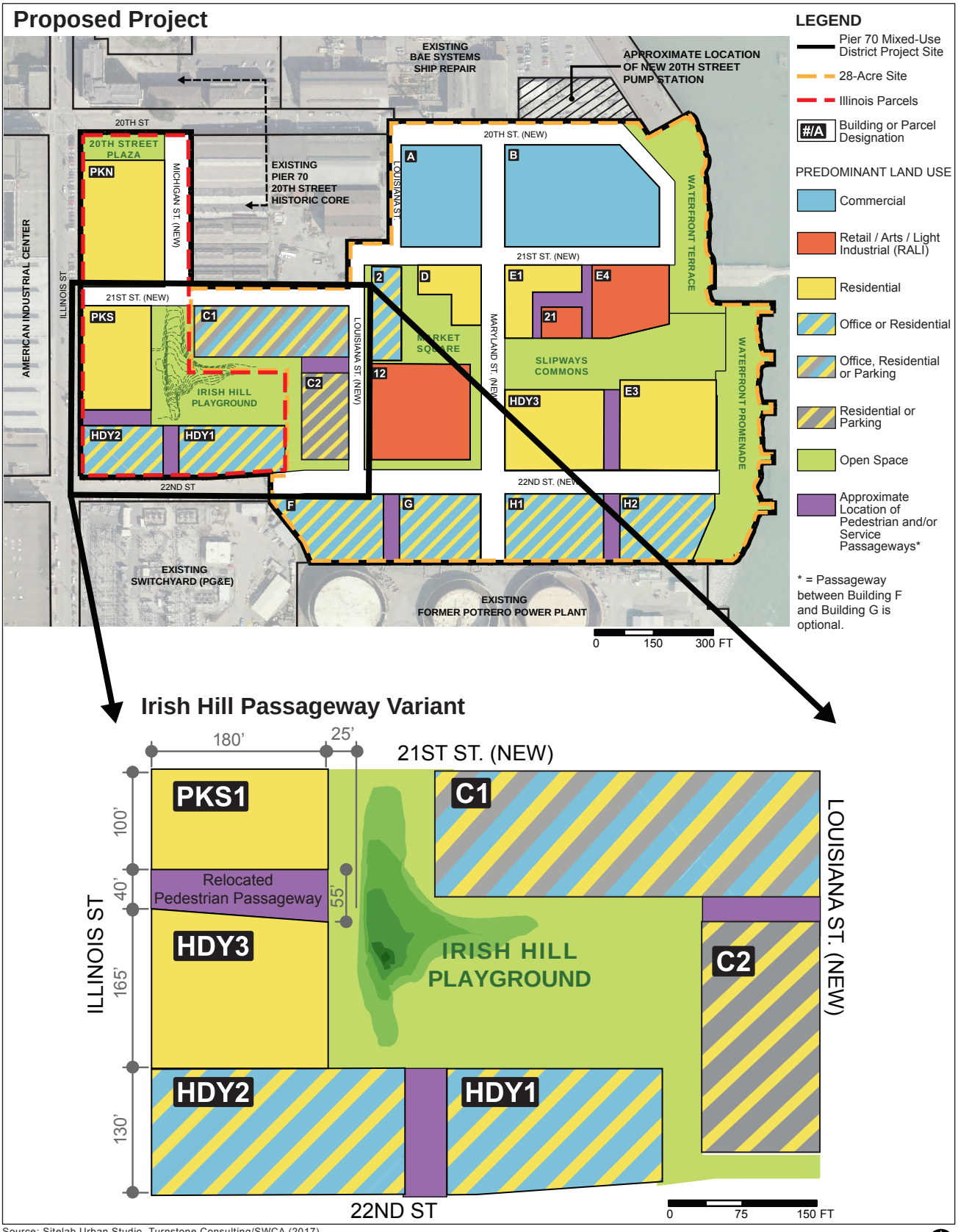
The purpose of the Irish Hill Passageway Variant is to realign the proposed pedestrian passageway between Illinois Street and the proposed Irish Hill Playground in order to create a view corridor through proposed infill construction, from Illinois Street to the Irish Hill landscape feature.

Under the Proposed Project, the 40-foot-wide pedestrian passageway connecting Illinois Street and the proposed Irish Hill Playground would separate construction between Parcel PKS and Parcel HDY2 at the southwest corner of the project site (see Figure 2.14: Mid-block Passageway Locations, on p. 2.43).

Under the Irish Hill Passageway Variant, the pedestrian passageway would be shifted northward by approximately 165 feet, bisecting Parcel PKS(which would become PKS1 and HDY3 with this variant), and would widen from 40 feet at Illinois Street to 55 feet at Irish Hill Playground, to allow views of the western face of the Irish Hill remnant from Illinois Street. (See Figure 6.1: The Irish Hill Passageway Variant.)

As such, this variant includes only minor changes to the configuration of infill construction within Parcel PKS. Under this variant, the relocated pedestrian passageway would bisect Parcel PKS, and new construction within the southern portion of PKS (now HDY3) would abut new infill construction within Parcel HDY2 to the south.

In all other respects, the Irish Hill Passageway Variant would be substantially the same as described for the Proposed Project. There would be no change in the land use program, total gross square footage, or building height under this variant.



Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2017)

PIER 70 MIXED-USE DISTRICT PROJECT

(NEW) FIGURE 6.1: IRISH HILL PASSAGEWAY VARIANT

PROPOSED CONSTRUCTION PHASING

The Irish Hill Passageway Variant would be substantially the same as described for the Proposed Project regarding demolition, excavation, and site grading; the construction of shoreline improvements; geotechnical stabilization; and the construction of the transportation, open space, and utility infrastructure network.

Under both the Maximum Residential Scenario and Maximum Commercial Scenario, the Irish Hill Passageway Variant would be constructed as part of Phase 3, as described for Parcel PKS (Chapter 2, Project Description, Table 2.5: Project Construction and Rehabilitation Phasing for the Maximum Residential Scenario (EIR pp. 2.80-2.81), and Table 2.6: Project Construction and Rehabilitation Phasing for the Maximum Commercial Scenario (EIR pp. 2.83-2.84).

Proposed Land Use Programs

The Irish Hill Passageway Variant does not include any changes to the land use programs for the Maximum Residential Scenario or Maximum Commercial Scenario identified for the Proposed Project.

The separated southern portion of Parcel PKS under this variant would be renamed "HDY3" because it would be located entirely within the existing Hoedown Yard (HDY) parcel. However, in all other respects, it would continue to be considered part of Parcel PKS, and the PKS land use limits would continue to apply for the purpose of allocating allowable uses (Residential and RALI), and amounts of uses, under both the Maximum Residential Scenario (see Table 2.3: Project Summary – Maximum Residential Scenario, on p. 2.29) and the Maximum Commercial Scenario (see Table 2.4: Project Summary – Maximum Commercial Scenario, on p. 2.31). As such, like Parcel PKS under the Proposed Project (and unlike Parcels HDY1 and HDY2 to the south), "Parcel HDY3" under this variant would not allow commercial use under either the Maximum Residential Scenario or Maximum Commercial Scenario.

The Irish Hill Passageway Variant would not change the existing 65-X height limit for the western portion of the project site along Illinois Street. The variant does not include any changes to the proposed traffic and roadway plan, new infrastructure and utility plans, geotechnical stabilization plan, or the shoreline improvement plan described in Chapter 2, Project Description. It includes only minor changes to the pedestrian network through Parcel PKS and the path of pedestrian travel through Irish Hill Playground.

Impact Evaluation

APPROACH TO ANALYSIS

The Irish Hill Passageway Variant would be substantially the same as described for the Proposed Project with respect to the phasing, duration, excavation and construction activities. It does not involve any substantial change to the location and mix of land uses, the space allocation of uses, or the residential unit count under the Maximum Residential Scenario and Maximum Commercial Scenario of the Proposed Project.

Therefore, physical environmental effects under this variant would be substantially the same as those identified for the Proposed Project for the following environmental topics: Land Use and Land Use Planning, Population and Housing, Cultural Resources (Archeological Resources), Air Quality, Greenhouse Gas Emissions, Biological

Resources, Geology and Soils, Hydrology and Water Quality, Hazards and Hazardous Materials, Mineral and Energy Resources, and Agricultural and Forest Resources. All mitigation and improvement measures for these topics identified for the Proposed Project would be applicable to this variant.

The Irish Hill Passageway Variant would not change the proposed roadway network and would continue to offer the same number of pedestrian connections to and from the proposed Irish Hill Playground open space. The relocation of the pedestrian passageway from Illinois Street northward under this variant would redirect a pedestrian's path of travel around the Irish Hill feature, but would not obstruct pedestrian travel through the open space nor conflict with the recreational uses of the proposed Irish Hill Playground open space. This variant would, therefore, not result in a significant impact under the topic of Transportation and Circulation or under the topic of Recreation.

Under the Proposed Project, future buildings on Parcels PKN, PKS, and HDY2 would block traffic noise from Illinois Street, which would reduce traffic noise levels in areas to the east, including Irish Hill Playground. The Irish Hill Passageway Variant would not increase the number of openings along the Illinois Street site frontage, but would shift the proposed passageway northward by approximately 165 feet. While traffic noise from Illinois Street would travel through this passageway, proposed widening of the east end of this passageway to 55 feet would not substantially alter this effect since the opening at Illinois Street would still be 40 feet wide. For these reasons, project-level and cumulative noise and vibration impacts under the Irish Hill Passageway Variant would be substantially the same as those identified under the Proposed Project (see Section 4.F, Noise and Vibration). Implementation of the Irish Hill Passageway Variant would not result in new or substantially more severe impacts, would not change the analysis or conclusions in that section, and no new mitigation measures would be required.

To the extent that the Irish Hill Passageway Variant would modify the configuration of infill development within Parcel PKS to create a view corridor to Irish Hill, a contributing landscape feature of the UIW Historic District, it could change the ability of the feature to convey its contribution to the significance of the UIW Historic District. The configuration of infill development under this variant could also change localized pedestrian winds and shadow patterns in and around the proposed Irish Hill Playground open space. For these reasons, the environmental topics of Historic Architectural Resources, and Wind and Shadow are discussed in greater detail below.

CULTURAL RESOURCES

Historic Architectural Resources

The proposed relocation and widening of the proposed pedestrian passageway connecting Illinois Street to the proposed Irish Hill Playground would result in minor changes to the configuration of the infill construction on Parcel PKS (which would become PKS1 and HDY3 with this variant) and would increase the visibility of Irish Hill, a contributing landscape feature of the UIW National Register Historic District.

The EIR acknowledges that infill construction under the Proposed Project would diminish the integrity of the District, as discussed under Impact CR-9 on pp. 4.D.98-4.D.99 [*as revised and presented in the Responses to Comments document on RTC pp. 4.F.27-4.F.32*]. However, no views of the Irish Hill remnant, either from within or outside of the historic district, are cited as character-defining features of the District in the

National Register nomination. The EIR concludes that although the proposed infill construction around the Irish Hill remnant under the Proposed Project would diminish the integrity of the District somewhat, it would not materially alter, in an adverse manner, those physical characteristics of the UIW National Register Historic District that justify its inclusion in the California Register of Historical Resources.

While the variant would result in minor changes to the configuration of the infill construction on Parcel PKS (which would become PKS1 and HDY3 with this variant), the increase in visibility of the Irish Hill remnant would thereby increase the ability of the Irish Hill contributing landscape feature to convey its association with, and contribution to, the UIW National Register Historic District. For this reason, the Irish Hill Passageway Variant would lessen the less-than-significant adverse impact identified for new infill construction surrounding Irish Hill on the integrity of the UIW Historic District

The project-level and cumulative historic architectural impacts under the Irish Hill Passageway Variant would be substantially the same as those identified under the Proposed Project, or in the case of the Irish Hill remnant, slightly lesser, and mitigation and improvement measures identified for the Proposed Project would apply to the variant. Implementation of the Irish Hill Passageway Variant would not result in new or substantially more severe impacts, would not change the analysis or conclusions in that section, and no new mitigation measures would be required.

WIND AND SHADOW

Wind

Wind tunnel testing for the Proposed Project did not identify any ground-level wind hazards in the vicinity of Parcel PKS or Irish Hill Playground under the Baseline, Project (both Maximum Residential and Maximum Commercial Scenarios), and Cumulative Configurations (both Maximum Residential and Maximum Commercial Scenarios).

The Irish Hill Passageway Variant would not change the proposed heights of any buildings within the project site. Shifting the pedestrian passageway under this variant approximately 165 feet northward is not in a location or of a nature or magnitude that could result in a new wind hazard exceedance in the vicinity.[18A] Rather, as with the Proposed Project, under both the Proposed Project and Cumulative Configurations, construction under the Irish Hill Passageway Variant would be expected to substantially improve ground-level wind comfort conditions overall to the east of Parcel PKS within the proposed Irish Hill Playground, over those of the Baseline Configuration.

Building C1 would be adjacent to the Irish Hill Playground. The EIR identified a hazard exceedance on the proposed Building C1 rooftop terrace open space under the Proposed Project (Maximum Residential and Maximum Commercial Scenarios). The Irish Hill Passageway Variant would not substantially affect rooftop wind conditions at Building C1. Buildings within the PKS parcels along Illinois Street would continue to be 65 feet tall. Westerly winds would continue flow over the proposed 65-foot-tall buildings within the Illinois Parcels and would continue to reach the proposed 90-foot-high rooftop open space located at the exposed westernmost edge of the proposed 90-X Height District. Mitigation Measure M-WS-2: Wind Reduction for Rooftop Winds (EIR p. 4.I.60) would continue to reduce the impact of rooftop wind to a less-than-significant level.

The project-level and cumulative wind impacts under the Irish Hill Variant would be substantially the same as those identified under the Proposed Project (see EIR Section 4.I, Wind, pp. 4.I.63-4.I.68) and mitigation and improvement measures identified for the Proposed Project would apply to the variant. Implementation of the Irish Hill Passageway Variant would not result in new or more severe impacts, would not change the analysis or conclusions in that section, and no new mitigation measures would be required.

Shadow

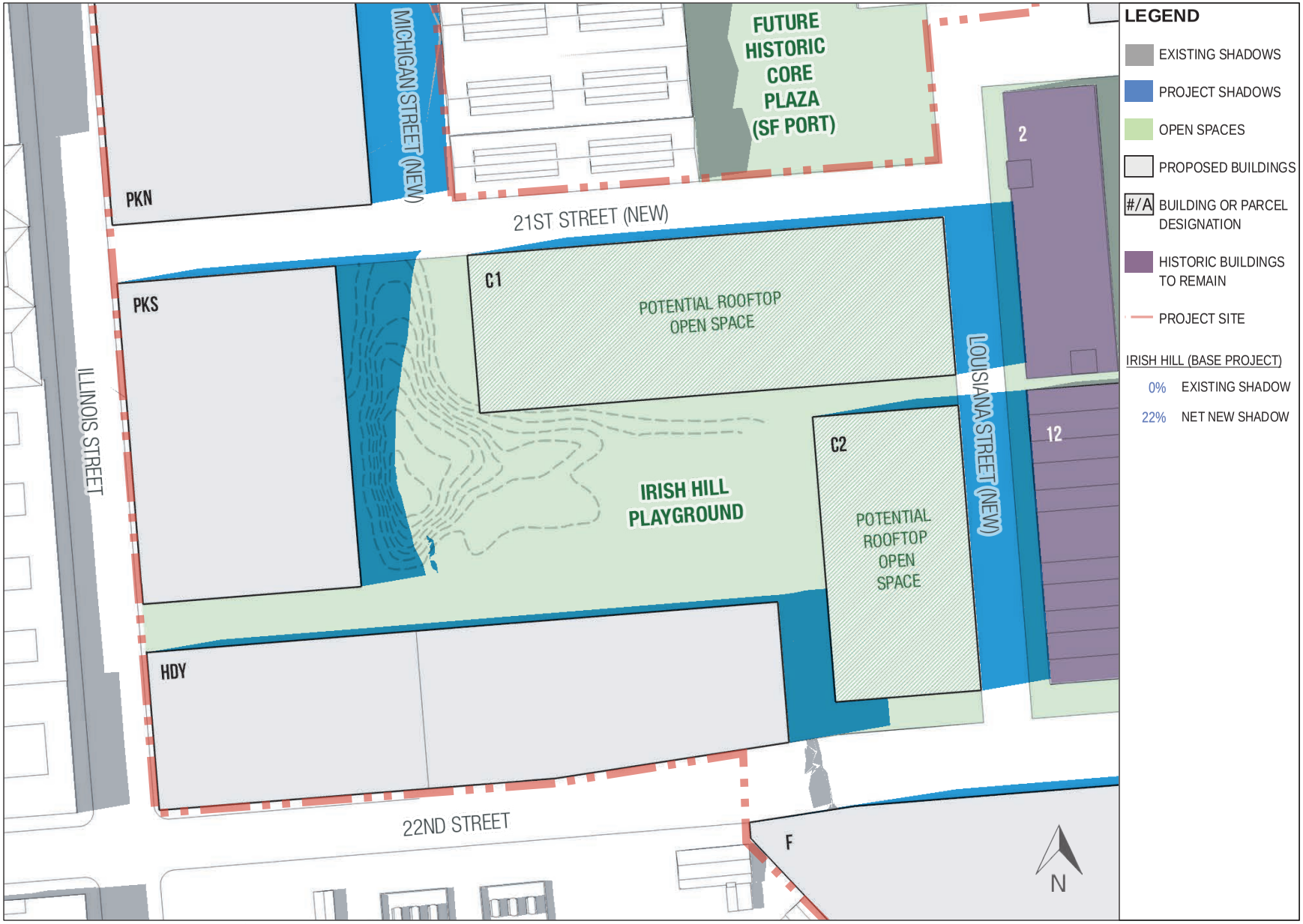
The shadow impacts of the Proposed Project on the open spaces that would be constructed under the Proposed Project are described, for informational purposes, on EIR pp. 4.I.98-4.I.111. Likewise, the shadow impacts of the variant on open spaces that would be constructed under the Proposed Project are described herein for informational purposes.

The changes to building configuration under this variant would occur at the western extent of the project site, south of the proposed 21st Street. Due to this position within the project site, shadow impacts of this variant would be substantially the same as those identified, described, and illustrated for the open spaces of the Proposed Project, except for impacts on Irish Hill Playground, which is immediately east of Parcel PKS and would be shaded by buildings within Parcel PKS.

The Irish Hill Passageway Variant would not change the proposed heights of any buildings within the project site. Under the Irish Hill Passageway Variant, the pedestrian passageway at the south end of Parcel PKS (which would become PKS1 and HDY3 under this variant) would be shifted northward by approximately 165 feet and widened at the parcel's eastern end. Shadow under this variant would be similar in terms of timing and extent of shadow. The loss of sunlight resulting from the elimination of the gap between buildings at the south end of Parcel PKS would be offset by the creation of a new gap bisecting Parcel PKS. With the relocation of the pedestrian passageway, sunlight within and through the relocated passageway gap would be correspondingly shifted northward. In addition, the variant would also widen the eastern end of the relocated pedestrian passageway from 40 feet under the Proposed Project to 55 feet, both decreasing the aggregate coverage and volume of buildings within Parcel PKS, while increasing the overall area of the Irish Hill Playground open space.

See Figure 6.2: Proposed Project Shadow on Irish Hill Playground at 4:00 PM (PDT) on the Summer Solstice. This figure shows the pedestrian passageway at the southern end of Parcel PKS in sunlight (the passageways are considered part of the open space). At this time of year and day, the sun aligns with the east-west orientation of the pedestrian passageway in the late afternoon. Figure 6.3: Irish Hill Passageway Variant Shadow on Irish Hill Playground at 4:00 PM (PDT) on the Summer Solstice shows the sunlit passageway shifted to the north. As the day progresses, the variant shadow on Irish Hill Playground, like the Proposed Project, would lengthen and sweep eastward and southward.

As noted on p. 4.I.107, much of the playground would be shaded for much of the day and year under the Proposed Project. Shadow from buildings that would enclose the space to the west, south, and east under the Proposed Project would decrease the comfort of the space for use as a playground for much of the day throughout the year for those users



Source: Prevision Design, Turnstone Consulting/SWCA (2017)

PIER 70 MIXED-USE DISTRICT PROJECT

(NEW) FIGURE 6.2: PROPOSED PROJECT SHADOW ON IRISH HILL PLAYGROUND AT 4:00 PM (PDT) ON THE SUMMER SOLSTICE

Source: Prevision Design, Turnstone Consulting/SWCA (2017)

PIER 70 MIXED-USE DISTRICT PROJECT

(NEW) FIGURE 6.3: IRISH HILL PASSAGEWAY VARIANT SHADOW ON IRISH HILL PLAYGROUND AT 4:00 PM (PDT) ON THE SUMMER SOLSTICE

who prefer sunlight to shade. This condition would be similar under the variant, but would be improved somewhat under the Irish Hill Passageway Variant due to the overall decrease in building coverage and volume within current Parcel PKS under the variant.

* The following new footnote has been added to EIR p. 6.85 as part of this revision (new text is underlined). The new footnote will be assigned its proper sequential number in the consolidated Final EIR.

[18A] Neetha Vasan, Frank Kriksic, RWDI, Wind Consultants, *Memorandum: Pedestrian Wind Analysis – Review of PKS* Variant, Pier 70 Mixed-Use District Project, San Francisco, CA, April 19, 2017.

MIX OF BEDROOM UNITS ON THE PROJECT SITE

Since publication of the Draft EIR, the project sponsors have been exploring opportunities to accommodate family housing by increasing the number of three-bedroom units on the project site. As described in the EIR Project Description, in Footnote 38 on p. 2.28 and Footnote 39 on p. 2.33, the exact mix of dwelling units types to be provided by the Proposed Project has not been established, but for the purpose of analysis in the EIR, it was assumed that 33 percent of the total number of dwelling units under both the Maximum Residential Scenario and the Maximum Commercial Scenario would be analyzed as studios or one-bedroom units, while 67 percent would be analyzed as having two or more bedrooms.

The project sponsors are considering a change to the proposed project-wide unit mix to include up to 10 percent of the total residential units to be three-bedroom units. This unit mix would be applicable for both the Maximum Residential and Maximum Commercial scenarios. This change to the Proposed Project affects text in both Chapter 2, Project Description and Section 4.E, Transportation and Circulation, as shown below.

Chapter 2, Project Description

* A new footnote has been added to EIR p. 2.28, with the reference mark for the footnote added to the end of the second sentence of the first paragraph on that page, as shown below (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR. The new footnote will be assigned its proper sequential number in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly.

Maximum Residential Scenario

28-Acre Site

Development under the Maximum Residential Scenario on the 28-Acre Site would include a maximum of up to 3,410,830 gsf in new and renovated buildings (excluding square footage allocated to parking). (See Table 2.3: Project Summary Table – Maximum Residential Scenario, and Figure 2.7: Proposed Land Use Plan – Maximum

Residential Scenario.) Under this scenario, there would be up to 2,150 residential units (up to approximately 710 studio/one-bedroom units and 1,440 two- or more bedroom units), totaling about 1,870,000 gsf[37A], as well as approximately 1,095,650 gsf of commercial space and 445,180 gsf of RALI space (241,655 gsf of retail space, 60,415 gsf of restaurant space, and 143,110 gsf of arts/light-industrial space).

[37A] Under a scenario where the Proposed Project provides up to 10 percent three-bedroom units, there would be up to 2,150 residential units (up to approximately 925 studio/one-bedroom units and 1,225 two- or more bedroom units), totaling about 1,870,000 gsf.

* Footnote 38 on EIR p. 2.28 has been revised, and a new footnote has been added to that page, with the reference mark for the new footnote added to the end of the second sentence of the paragraph under "Illinois Parcels," as shown below (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR. The new footnote will be assigned its proper sequential number in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly.

Illinois Parcels

Development under the Maximum Residential Scenario on the Illinois Parcels would include a maximum of up to 801,400 gsf in newly constructed buildings (see Table 2.3). Under this scenario, there would be up to 875 residential units (up to approximately 290 studio/one-bedroom units and 585 two- or more bedroom units [38,38A]) totaling about 760,000 gsf, as well as approximately 6,600 gsf of commercial area and approximately 34,800 gsf of RALI space (27,840 gsf of retail space and 6,960 gsf of restaurant space) in new buildings.

[38] The exact mix of dwelling unit types to be provided by the Project has not been established at this time~~;~~. For purpose of analysis in this EIR, it has been assumed that 33 percent of the total number of dwelling units under each scenario would be analyzed as studios or one-bedroom units, while 67 percent would be analyzed as having two or more bedrooms. Under a scenario where the Proposed Project provides up to 10 percent three-bedroom units, 43 percent of the total number of dwelling units under each scenario would be studios or one-bedroom units, while 57 percent would be two or more bedrooms.

[38A] Under a scenario where the Proposed Project provides up to 10 percent three-bedroom units, there would be up to 875 residential units (up to approximately 377 studio/one-bedroom units and 498 two- or more bedroom units) totaling about 760,000 gsf.

* A new footnote has been added to EIR p. 2.33, with the footnote reference mark added to the end of the third sentence of the paragraph under the heading "28-Acre Site" beginning on p. 2.28 and continuing on p. 2.33, as shown below (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR. The new footnote will be assigned its proper sequential number in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly.

Maximum Commercial Scenario

28-Acre Site

Development on the 28-Acre Site under the Maximum Commercial Scenario would include a maximum of up to about 3,422,265 gsf in new and renovated buildings. (See Table 2.4: Project Summary Table – Maximum Commercial Scenario, and Figure 2.8: Proposed Land Use Plan – Maximum Commercial Scenario.) Under this scenario, there would be up to 1,100 residential units (up to approximately 365 studio/one-bedroom units and 735 two- or more bedroom units) totaling about 957,000 gsf[38B], as well as approximately 2,024,050 gsf of commercial area, and 441,215 gsf of RALI space (238,485 gsf of retail space, 59,620 gsf of restaurant space, and 143,110 gsf of arts/light-industrial space).

[38B] Under a scenario where the Proposed Project provides up to 10 percent three-bedroom units, there would be up to 1,100 residential units (up to approximately 473 studio/one-bedroom units and 627 two- or more bedroom units) totaling about 957,000 gsf.

* On EIR p. 2.33, Footnote 39 has been revised and a new footnote has been added, with the reference mark for the footnote added to the end of the second sentence of the paragraph under the heading "Illinois Parcels," as shown below (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR. The new footnote will be assigned its proper sequential number in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly.

Illinois Parcels

Development on the Illinois Parcels under the Maximum Commercial Scenario would include a maximum of about 757,035 gsf in new buildings (see Table 2.4). Under this scenario, there would be up to 545 residential units (up to approximately 180 studio/one-bedroom units and 365 two-or-more bedroom units[39,39A]) totaling about 473,000 gsf, as well as approximately 238,300 gsf of commercial area and approximately 45,735 gsf of RALI (36,590 gsf of retail space and 9,145 gsf of restaurant space) in new buildings.

[39] ~~Ibid.~~ The exact mix of dwelling unit types to be provided by the Project has not been established at this time; For purpose of analysis in this EIR, it has been assumed that 33 percent of the total number of dwelling units under each scenario would be analyzed as studios or one-bedroom units, while 67 percent would be analyzed as having two or more bedrooms. Under a scenario where the Proposed Project provides up to 10 percent three-bedroom units, 43 percent of the total number of dwelling units under each scenario would be studios or one-bedroom units, while 57 percent would be two or more bedrooms.

[39A] Under a scenario where the Proposed Project provides up to 10 percent three-bedroom units, there would be up to 545 residential units (up to approximately 235 studio/one-bedroom units and 310 two-or-more bedroom units) totaling about 473,000 gsf.

Section 4.E, Transportation and Circulation

* The following text has been added to the last paragraph on EIR p. 4.E.42 (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> For analysis purposes, it has been assumed that 33 percent of the total number of residential units under each scenario would be studio or one-bedroom units and 67 percent would be two or more bedrooms for each scenario. Subsequent to the analysis contained herein, the project sponsor has indicated an intention to construct a higher portion of studio and one-bedroom units and a lower portion of two-bedroom units in order to construct more three-bedroom units. However, as noted later in this section, the shift in unit type would, if anything, decrease the number of person-trips generated by the Proposed Project, rendering the analysis in this section somewhat conservative.

* The following paragraph has been added after the last paragraph on EIR p. 4.E.59 (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> As noted in the Project Description, the travel demand forecasts for the Proposed Project are based on an assumption that 33 percent of the Proposed Project's residential units would be studio or one-bedroom units and 67 percent of the residential units would be two or more bedroom units. The Project Sponsor is currently proposing a slightly different mix of units that would retain the same total number of dwelling units, but would increase the portion of studio and one-bedroom units and decrease the portion of two-bedroom units in order to construct more three-bedroom units. With this change, 43 percent of the Proposed Project's residential units would be studio or one-bedroom units and 57 percent of the residential units would be two or more bedroom units. Since studio and one-bedroom units generate fewer trips per unit than two or more bedroom units, this change would, if anything, slightly decrease the Proposed Project's trip generation compared to what was assumed in the forecasts. Therefore, the analysis presented in this report is somewhat conservative, and the change would not result in new significant impacts or substantially more severe significant impacts than what has been analyzed and described.

DESIGN FOR DEVELOPMENT

Summary Chapter

* In Table S.1: Summary of Impacts of the Proposed Project, items 8 and 9 listed in Mitigation Measure M-CR-11: Performance Criteria and Review Process for New Construction, EIR p. S.24, have been revised to include the same revisions to the mitigation measure as shown below on p. 5.36. To avoid redundancy, those revisions are not repeated here.

Chapter 2, Project Description

* The second sentence of the first paragraph on EIR p. 2.39 has been revised to reflect revisions to the *Design for Development* design standards as follows (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> On the 28-Acre Site, buildings up to 90 feet in height could generally be constructed along its southern, western, and northern perimeters (Parcels A, B, C1, C2, D, ~~and portions of Parcels E1,~~ F, G, H1, ~~and~~ H2, and a portion of Parcel E1.

* The second sentence of the fourth paragraph on EIR p. 2.39 has been revised to reflect revisions to the *Design for Development* design standards as follows (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> Except for grading activities necessary for the construction of 21st Street, and any geotechnical or environmental modifications that may be required, the Building Design Standards specify that no substantial intervention shall be permitted on the remnant of Irish Hill that would be retained under the Proposed Project.

* The second sentence of the last paragraph on EIR p. 2.39 has been revised to reflect revisions to the *Design for Development* design standards, as follows (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> The Building Design Standards include standards and guidelines that promote a strong building streetwall in all new construction to support a cohesive urban fabric, relate to the pattern of historic buildings, define views through the site and to the water, and create ~~an~~ active urban streets for pedestrians.

* The sixth bullet point on EIR p. 2.41 has been revised to reflect revisions to the *Design for Development* design standards as follows (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

- Promoting architectural variety requiring that all new buildings be visually distinct from their adjacent buildings ~~each other~~, with variations in building massing, materials, and fenestration;

* The first sentence of the fourth paragraph on EIR p. 2.41 has been revised to reflect revisions to the *Design for Development* design standards, as follows (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> ~~To maintain a visual gateway into the Historic District, and t~~To maintain relationship with the adjacent 60-foot height of Building 113, the massing at the northwestern corner of Parcel A would be set back above 60 feet (the remainder of new construction on Parcel A would be 90 feet in height).

* The last sentence of the first paragraph on EIR p. 2.42 has been revised to reflect revisions to the *Design for Development* design standards as follows (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> Dimensional quality means that certain key façades of new buildings would respond to the height of adjacent historic buildings by projecting or recessing from the vertical plane through the use of distinct fenestration lines, massing, setbacks, volumetric shifts, or changes in the façade material or color paired with dimensional articulation.

* The last sentence of the third paragraph on EIR p. 2.42 has been revised to reflect revisions to the *Design for Development* design standards as follows (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> In addition, building façades finished entirely with continuous ~~solid~~ stucco would not be permitted.

* The first full sentence of the first paragraph on EIR p. 2.44 has been revised to reflect revisions to the *Design for Development* design standards as follows (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> A Pedestrian Passageway Option is not applicable under the Maximum Residential Scenario since connectors over mid-block pedestrian passageways are not planned under that scenario.

* The last full sentence of the second paragraph on EIR p. 2.44 has been revised to reflect revisions to the *Design for Development* design standards as follows (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> These strategies fall under the categories of large-scale massing, modulation, ~~and~~ fine-grained materiality, and creative design, described below, and should be used in combination.

* The third paragraph on EIR p. 2.44 has been revised to reflect revisions to the *Design for Development* design standards as follows (deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> Massing strategies are large urban-scale setbacks, and interventions that activate public space, respond to historic context, and offer improved views and sun exposure to provide massing variation along the length of the façade. These strategies include ground-floor and base setbacks, upper-level setback, passageways or entryways that subdivide the façade, courtyards and terraces that subdivide the façade, and substantial subtractions ~~or projections~~ to the building envelope.

* The last paragraph on EIR p. 2.44 has been revised to reflect revisions to the *Design for Development* design standards as follows (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> Materiality strategies identify recommended materials and treatments to be applied to façades. These include preferred façade materials, material treatment, ~~pattern of assembly,~~ façade depth, and shading elements.

* A new paragraph has been added to the top of EIR p. 2.45 to reflect revisions to the *Design for Development* design standards (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

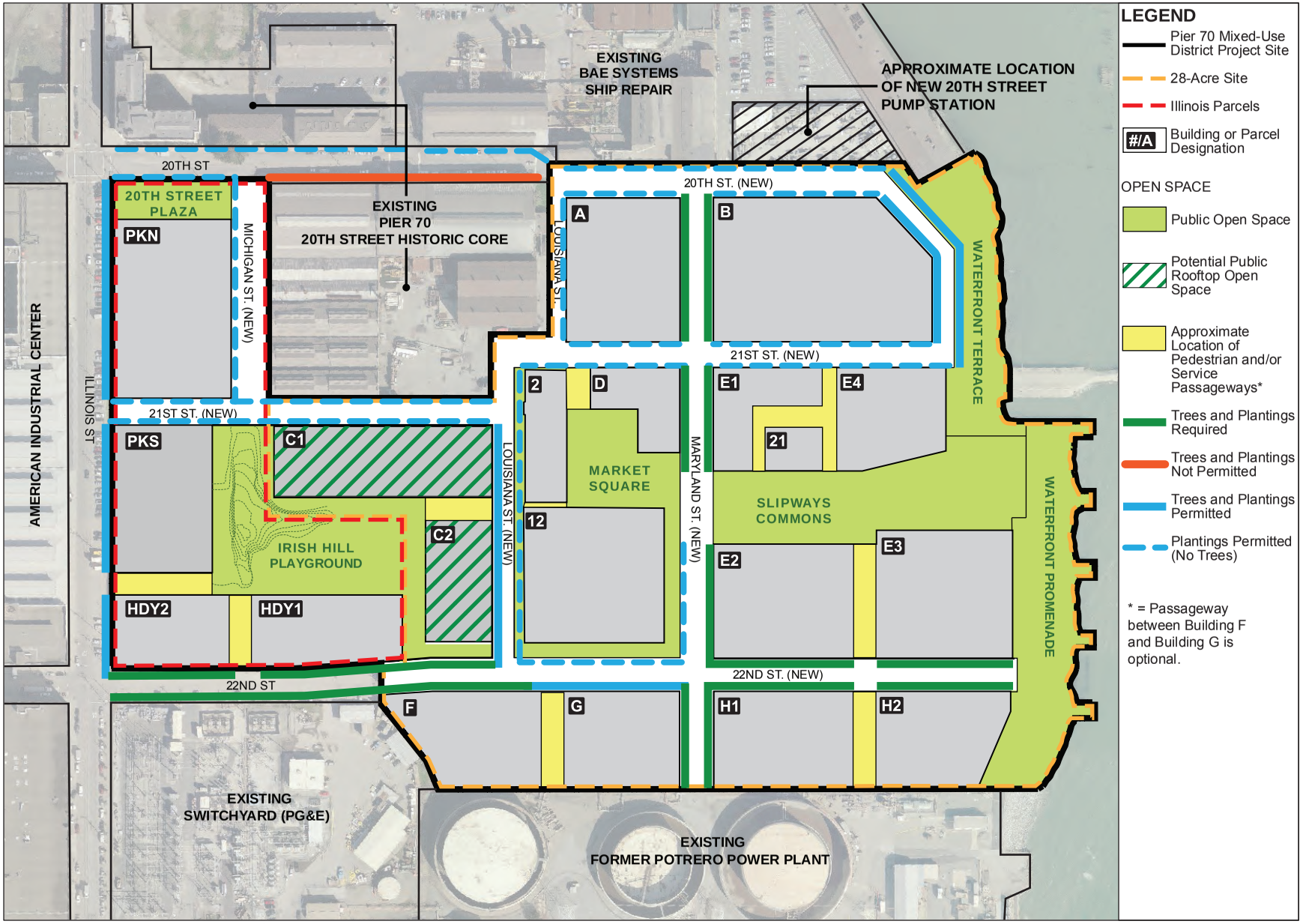
> ***Creative Design***
>
> Creative design incentivizes design solutions that significantly improve the pedestrian experience along a long façade.

* Figure 2.15: Proposed Open Space Plan, on EIR p. 2.46, has been revised to reflect the changes to street tree locations, and its scale bar has also been revised. The revised figure is shown on RTC p. 5.33.

* To update the text to further expand upon the Proposed Project open space plan, two new paragraphs have been added after the paragraph under the heading "Rooftop Open Space Areas" on EIR p. 2.48, as shown below (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> Parcels C1 and C2 would be designated for parking structures, but could be developed with either residential or commercial uses, depending on future market demand for parking and travel patterns. If parking structures are constructed on those parcels, the rooftops would be used to provide additional public open space and amenities such as active sports courts and play fields, community gardens, seating, and observational terrace areas. This acreage would be in addition to the 9 acres of public open space proposed at the project site.
>
> If rooftop ball courts are built, design may focus on a single activity or multi-purpose courts. Potential programming may include, but would not be limited to, basketball, tennis, handball, volleyball, and bocce ball. Natural or artificial playing surfaces may be used for the intended sports facilities.
>
> If rooftop community gardens are built, garden plots would be accessible to the public and may be managed by either a community organization or by local residents. Community gardens may be designed as raised planters, a series of plots, or one large plot. The amount of space allotted to community garden plots would be scaled appropriately to the level of maintenance and oversight available.

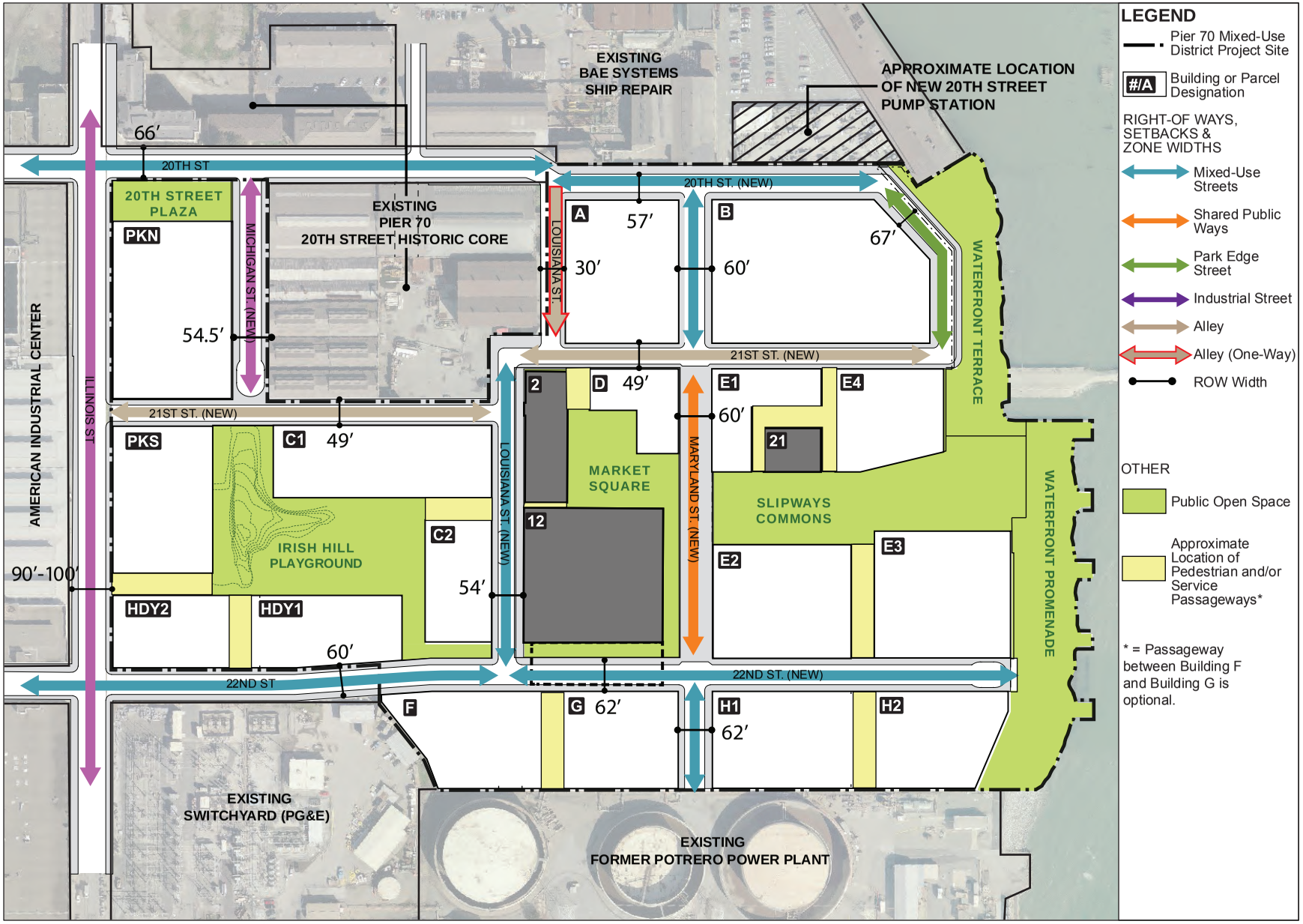
* Figure 2.16: Proposed Roadway Network, on EIR p. 2.50, has been revised to reflect the right-of-ways, setbacks, and zone widths established in the *Design for Development*, and its scale bar has also been revised. The revised figure is shown on RTC p. 5.34.



Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2016)

PIER 70 MIXED-USE DISTRICT PROJECT

(REVISED) FIGURE 2.15: PROPOSED OPEN SPACE PLAN



Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2017)

PIER 70 MIXED-USE DISTRICT PROJECT

(REVISED) FIGURE 2.16: PROPOSED ROADWAY NETWORK

Section 4.D, Cultural Resources

* The source on Figure 4.D.11: Pier 70 Historic Rhythms and Patterns, EIR p. 4.D.83, has been revised as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

Source: Sitelab Urban Studio, Pier 70 Design for Development, Figure ~~6.8.4~~ 6.9.4

* The source on Figure 4.D.12: Recommended Material Palette, EIR p. 4.D.84, has been revised as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

Source: Sitelab Urban Studio~~s~~, Pier 70 Design for Development, Figure ~~6.8.5~~ 6.9.5

* The source on Figure 4.D.13: Example Relationship of Parcel A to Historic Building 113, EIR p. 4.D.85, has been revised as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

Source: Sitelab Urban Studio~~s~~, Pier 70 Design for Development, Figure ~~6.14.3~~ 6.15.3

* On EIR p. 4.D.101, the items listed under Impact CR-11 have been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

- *No Replication of Historic Buildings*. New construction shall not replicate or mimic historic buildings. False historicism is not permitted (~~S6.8.1~~ S6.9.1).
- *Building Variety*. ~~All new individual buildings within the Pier 70 SUD shall be visually distinct from each other with variations in: building massing, materials, glazing pattern and proportion, color, architectural detail, articulation, roofline modulation. Every building shall vary from its adjacent building in at least two of the above variations, of which one shall not be color (S6.8.2).~~ To maintain the historic architectural variety that has existed at Pier 70, all new individual buildings within the Project shall vary from their adjacent building in at least two of the following ways: building massing, materials, glazing pattern and proportion, integral color (paint color differences do not qualify), architectural detail, articulation, or roofline modulation. Buildings with mid-block passage connectors are considered one building (S6.9.2).
- *Façade Articulation*. Material selection~~s~~ and application shall reflect but not replicate the scale, pattern and rhythm of adjacent contributing ~~buildings'~~ resources' exterior materials. Material selection~~s~~ shall not establish a false sense of historic development (~~S6.8.3~~ S6.9.3).
- *Rooflines*. ~~Duplication of the adjacent historic roofline is not permitted, unless flat (S6.10.2).~~ Direct replication of the particular geometries of the rooflines of historic buildings 12, 21, and 113-116 is not permitted in order to avoid false historicism (S6.11.2).

* The items listed at the top of EIR p. 4.D.102 have been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

- *Historic Rhythms and Patterns*. New construction buildings should incorporate, through contemporary interpretation, one or more of the following features drawn from Pier 70's historic character: horizontal banding, shifted patterns/glazing, articulated rooflines, repetitive patterns, gridded windows, and weathered materials (~~G6.8.1~~ G6.9.1).
- *Material and Color Palette*. Material and color palette are encouraged to draw from Pier 70's historic texture and utilize the recommended material palette provided (see Figure 4.D.12, p. 4.D.84). Materials that are intended to patina or weather are encouraged (~~G6.8.4~~ G6.9.2).
- *Relate to Adjacent Resources*: In certain façade locations, new construction shall incorporate elements that relate to the adjacent resource ~~in~~ while keeping with contemporary ~~design and~~ construction (~~S6.14.5~~ S6.15.5).

* In Mitigation Measure M-CR-11: Performance Criteria and Review Process for New Construction, items 8 and 9 on EIR p. 4.D.104 have been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

8. The maximum height of new construction shall be consistent with the parcel heights identified in *Design for Development* Figure ~~6.4.1~~ 6.4.2: Building Height Maximum.
9. The use of street trees and landscape materials shall be limited and used judiciously within the Pier 70 SUD. Greater use of trees and landscape materials shall be allowed in designated areas consistent with *Design for Development* Figure ~~4.7.1~~ 4.8.1: Street Trees and Plantings Plan.

Section 4.E, Transportation and Circulation

* The last paragraph on EIR p. 4.E.43, continuing on p. 4.E.44, has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR.

> The Proposed Project would include two "raised streets", or ~~a~~ shared public ways. One would be located on Maryland Street between 21st Street and 22nd Street. Additionally, 20th Street at the waterfront would be raised to connect pedestrians to the waterfront park. These ~~This~~ shared streets would have limited vehicular traffic and would give priority to pedestrians over automobiles. These ~~This~~ streets would consist of a single shared paved surface with no curbs or gutters. The streets would include raised domes, or another similar feature, to delineate the boundary between the pedestrian zone and traffic to allow for safe travel by those with visual impairment. Automobiles could access ~~it~~ them from the adjoining streets by a curb-cut similar to a typical driveway. The proposed shared public ways would allow for temporary closures of the street to vehicular traffic for markets and events. The shared public way on 20th Street is adjacent to the open space connecting to the Blue Greenway and the San Francisco Bay. The Blue Greenway is the portion of the San Francisco Bay Trail that extends between Mission Creek and the southern City limits, through the Proposed Project, as discussed in "Bicycle Circulation Improvements" below.

* The last sentence of the paragraph under the heading "Parking and Circulation" on EIR p. 4.E.58 has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> The parking analysis quantifies the Proposed Project's parking demand under the Maximum Residential Scenario and the Maximum Commercial Scenario in relation to the proposed parking supply pursuant to the maximum permitted parking in the *Design for Development*, Section 5.4, Off-Street Parking, p. ~~152~~ 134.

Section 4.I, Wind and Shadow

* Footnote 26 on EIR p. 4.I.49 has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> [26] *Pier 70 SUD Design for Development*, p. ~~xii~~ 57.

* Footnotes 27 and 28 on EIR p. 4.I.50 have been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> [27] *Pier 70 SUD Design for Development*, p. ~~45~~ 67.
>
> [28] *Pier 70 SUD Design for Development*, p. ~~61~~ 74.

Section 4.J, Recreation

* A new paragraph has been added after the second paragraph under the heading "Open Space" on EIR p. 4.J.29, as shown below (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> Open spaces would include the Waterfront Promenade, Waterfront Terrace, Slipway Commons, Building 12 Market Plaza and Market Square, Irish Hill Playground, 20th Street Plaza, and potentially Buildings C1 and C2 rooftops, as shown in Table 4.J.3: Proposed Project Open Space Program. (See also "Proposed Open Space Plan," in Chapter 2, pp. 2.45-2.48, and Figure 2.15: Proposed Open Space Plan, p. 2.46.)
>
> If rooftop ball courts are built on the rooftops of Parcels C1 and C2, design may focus on a single activity or multi-purpose courts. Potential programming may include, but would not be limited to, basketball, tennis, handball, volleyball, and bocce ball. Natural or artificial playing surfaces may be used for the intended sports facilities. If rooftop community gardens are built, garden plots would be accessible to the public and may be managed by either a community organization or by local residents. Community gardens may be designed as raised planters, a series of plots, or one large plot. The amount of space allotted to community garden plots would be scaled appropriately to the level of maintenance and oversight available.

* On EIR p. 4.J.30, the source for Table 4.J.3: Proposed Project Open Space Program, has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> *Source*: *Draft Pier 70 SUD Design for Development*, ~~October 2, 2015~~ March 9, 2017

B. ADDITIONAL DRAFT EIR REVISIONS

This section presents text changes identified in Section 4, Comments and Responses, and staff-initiated text changes that add minor information or clarification related to the Proposed Project and correct minor inconsistencies and errors. Revisions are presented in sequential order by EIR chapter, section, and page number.

SUMMARY CHAPTER

* Table S.1: Summary of Impacts of the Proposed Project, EIR pp. S.7-S.107, has been revised to include the same revisions to the impact statements and mitigation and improvement measures as shown in RTC Chapter 5. To avoid redundancy, those revisions are not repeated here.

* On EIR p. S.88, the following revision has been made to information listed in the "Mitigation and Improvement Measures" column for Impact C-BI-1 (new text is underlined):

> Implement Mitigation Measures M-BI-1a: Worker Environmental Awareness Program Training, M-BI-1b: Nesting Bird Protection Measures, M-BI-2: Avoidance and Minimization Measures for Bats, Mitigation Measure M-BI-3: Pile Driving Noise Reduction for Protection of Fish and Marine Mammals, and Mitigation Measure M-BI-4: Compensation for Fill of Jurisdictional Waters, above.

* The last sentence of the fourth paragraph on p. S.112 has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> The remaining seven structures on the project site (Buildings 11, 15, 16, 19, 25, 32, and 66), containing ~~123,200~~ 92,945 gsf, would be demolished.

* The last complete sentence on EIR p. S.114 has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> The remaining six structures on the project site (Buildings 11, 15, 16, 25, 32, and 66), containing about ~~858,572~~ 86,793 gsf, would be demolished.

CHAPTER 2, PROJECT DESCRIPTION

Two new sentences have been added to the second paragraph under the heading "Proposed Open Space Plan" on EIR p. 2.45, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> The proposed open space would supplement recreational amenities in the vicinity of the project site, such as the future Crane Cove Park in the northwestern part of Pier 70, and would include extension of the Blue Greenway[42] and Bay Trail through the southern half of the Pier 70 area. Trails provided by the Proposed Project's Waterfront Promenade and Waterfront Terrace and the future Crane Cove Park would be integrated into the Bay Trail system as additional "spine" segments for point access to the Bay.

[Footnote 42 on EIR p. 2.45]

[42] The Blue Greenway is a City of San Francisco project to improve the City's southerly portion of the 500-mile, 9-county, region-wide Bay Trail, as well as to extend the newly established Bay Trail and associated waterfront open space system. This 13-mile trail corridor will connect China Basin in the north to Candlestick Point State Recreation Area in the south. Trail information is available online at http://www.sf-port.org/index.aspx?page=1433, accessed September 24, 2015.

Sewer Line Location Correction

EIR Chapter 2, Project Description, p. 2.61, describes the proposed location of a 54-inch sewer storage and detention pipe along waterfront edge in the eastern portion of the project site. The EIR incorrectly describes the location for this replacement pipe is proposed in the area beneath the proposed Waterfront Terrance and Waterfront Promenade. The replacement pipe, in actuality, will also be constructed below a portion of the eastern edge of the Slipways Commons. While Figure 2.21: Option 1 – Combined Sewer System and Figure 2.23: Option 3 – Hybrid System are graphically accurate, the following revision has been made to the third sentence of the first paragraph on EIR p. 2.61 (new text is underlined):

> In addition, the existing 900-foot-long, 54-inch storage and detention pipe would be replaced and relocated to an area beneath the proposed Waterfront Terrace, Slipways Commons, and Waterfront Promenade, also as shown on Figure 2.21.

The following revisions have been made to the second paragraph under the heading "Option 2: Separate Sewer and Stormwater System Option (Separated Approach)" on EIR p. 2.62 (new text is underlined):

> For the stormwater system, the project sponsors would install new storm drain lines beneath existing and proposed streets to convey stormwater flows via gravity to a new outfall located near the foot of the realigned 21st Street. The new outfall would be constructed within the Bay and would discharge stormwater to the Central Basin of Lower San Francisco Bay. The separate stormwater system would be considered a Small Municipal Separate Storm Sewer System and would be managed in accordance with the SWRCB Small MS4 General Stormwater Permit, described in Section 4.O, Hydrology and Water Quality. If constructed below the high tide level of 7.4 feet NAVD88 (96 feet project datum [-4 feet SF Datum]), construction of this outfall would be subject to a permit from the US Army Corps of Engineers under Section 404 of the Clean Water Act. Construction of this outfall would not involve the placement of any fill below the mean high water mark which is at an elevation of 5.7 feet NAVD88 (94.3 feet project datum [-5.7 feet SF Datum]). Therefore, construction of this outfall would not be subject to Section 10 of the Rivers and Harbor Act or BCDC permitting requirements (see Section 4.M, Biological Resources, for a more a more detailed discussion of these permitting requirements).

The following revisions have been made to the first paragraph on EIR p. 2.73 (new text is underlined):

> Options for shoreline protection improvements were developed for each reach. The proposed shoreline protection improvements and sea level rise adaptation planning criteria are described below, along with anticipated permitting requirements applicable to each reach. These permitting requirements are further discussed in EIR Section 4.M, Biological Resources.

The following revisions have been made to the first paragraph under the heading "Reach I" on EIR p. 2.73 (new text is underlined):

> Along Reach I, the existing rip-rap revetment above would be repaired by removing the rip-rap and placing new geotextile fabric and rip-rap materials. The repaired shoreline would have an approximately 3:1 slope. Construction of these repairs would require in-bay construction activities below the high tide level of 7.4 feet NAVD88 (96 feet project datum [-4 feet SF Datum]). Construction below the high tide level would be subject to a permit from the US Army Corps of Engineers under Section 404 of the Clean Water Act. All construction activities would be conducted above the mean high water mark which is at an elevation of 5.7 feet NAVD88 (94.3 feet project datum [-5.7 feet SF Datum]). Therefore, the shoreline improvements in this reach would not be subject to Section 10 of the Rivers and Harbor Act or BCDC permitting requirements (see Section 4.M, Biological Resources, for a more a more detailed discussion of these permitting requirements).

The following revisions have been made to the first paragraph under the heading "Reach II" on EIR p. 2.73 (new text is underlined and deletions are shown in ~~strikethrough~~):

> Along Reach II, the existing bulkhead would be studied and either repaired or replaced. The repair or replacement would be constructed on the water side of the existing bulkhead wall, located in San Francisco Bay shoreline. Two options are being considered: a sheet pile wall or a soldier pile wall. ~~Since repair and replacement would require excavation and fill,~~ Construction would occur below the ~~high tide level of 7.4 feet NAVD88 (96 feet project datum [-4 feet SF Datum])~~ mean high water mark which is at an elevation of 5.7 feet NAVD88 (94.3 feet project datum [-5.7 feet SF Datum]). Therefore, these construction activities would be regulated under Section 10 of the Rivers and Harbors Act.~~, tTwo options are being considered: a sheet pile wall or a soldier pile wall.~~ Improvements in this reach would be considered permanent placement of bay fill if the repaired or new bulkhead would exceed the current extent (footprint and/or volume) of the existing structure, and would require a permit from the BCDC (see Section 4.M, Biological Resources, for a more a more detailed discussion of these permitting requirements).

The following revisions have been made to the first paragraph under the heading "Reach III" on EIR p. 2.74 (new text is underlined):

> Proposed shoreline protection improvements for Reach III include repairing the existing slope protection with armor stone and a crushed-rock leveling course. Construction of

these repairs would require in-water construction activities below the high tide level of 7.4 feet NAVD88 (96 feet project datum). Construction below the high tide level would be subject to a permit from the US Army Corps of Engineers under Section 404 of the Clean Water Act. All construction activities would be conducted above the mean high water mark which is at an elevation of 5.7 feet NAVD88 (94.3 feet project datum [-5.7 feet SF Datum]). Therefore, the shoreline improvements in this reach would not be subject to Section 10 of the Rivers and Harbor Act or BCDC permitting requirements (see Section 4.M, Biological Resources, for a more a more detailed discussion of these permitting requirements).

The following revisions have been made to the first paragraph under the heading "Reach IV" on EIR p. 2.74 (new text is underlined):

The proposed shoreline protection improvements along Reach IV would include improvements and repairs to the existing revetment to create a smooth sloped revetment. Construction of these improvements would require in-water construction activities below the high tide level of 7.4 feet NAVD88 (96 feet project datum). Construction below the high tide level would be subject to a permit from the US Army Corps of Engineers under Section 404 of the Clean Water Act. All construction activities would be conducted above the mean high water mark which is at an elevation of 5.7 feet NAVD88 (94.3 feet project datum [-5.7 feet SF Datum]). Therefore, the shoreline improvements in this reach would not be subject to Section 10 of the Rivers and Harbor Act or BCDC permitting requirements (see Section 4.M, Biological Resources, for a more a more detailed discussion of these permitting requirements). Above 11.4 feet NAVD88 (+100 feet Project Datum [+0 feet SF Datum]) elevation, the slope would include an engineered riprap revetment option or flatter slopes option with erosion resistant materials (e.g., vegetation).[62] At this elevation, there would also be an approximately 6-foot-wide informal pathway to provide pedestrian access to the shoreline until such time as it becomes infeasible.

The following text has been added after the third paragraph on EIR p. 2.74 (new text is underlined):

Summary

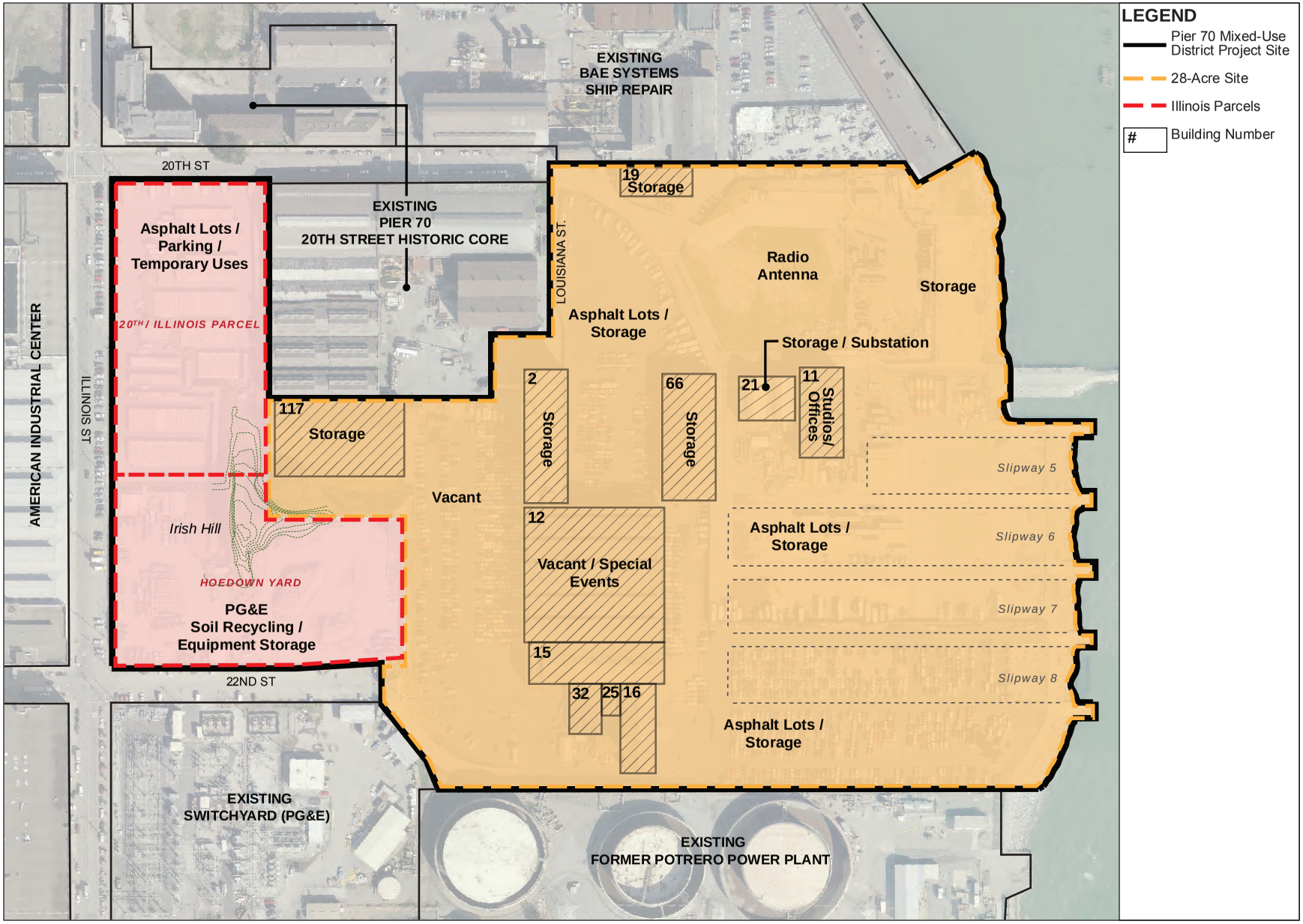
The improvements described above constitute minor repairs to the existing shoreline protection system along the bayfront of the 28-Acre site that is currently in disrepair. These improvements are restricted to repair or replacement of the existing bulkhead in Reach II, and repair or replacement of the existing rip rap slopes in Reaches I, III, and IV. The final slope and shape of the shoreline would be substantially the same as existing conditions and there would be no substantial change in how the shoreline protection system integrates with that of adjacent properties to the north and south. The proposed improvements would also raise the top of the shoreline to an elevation of 15.4 feet NAVD88. As proposed, the improvements would provide shoreline protection from erosion based on current flooding conditions, and the worst case flooding projected for the year 2100 as described in Section 4.O, Hydrology and Water Quality. The entire 100-foot shoreline band, including the shoreline protection features, would be reserved for public access that is safe and feasible as described above under the heading "Proposed Shoreline Protection Improvements and Sea Level Rise Adaptation." The project

sponsors would also implement a long-term inspection and maintenance program to observe for deterioration of the shoreline protection system, and would repair any deficiencies noted to ensure adequate erosion and flood protection for the life of the project.

Correction to Scale Bar on Chapter 2 Figures

* The scale bar has been revised on the Chapter 2 figures listed below. These figures accurately depict the features of the existing site and features of the Proposed Project. These revised figures are shown on the following pages.

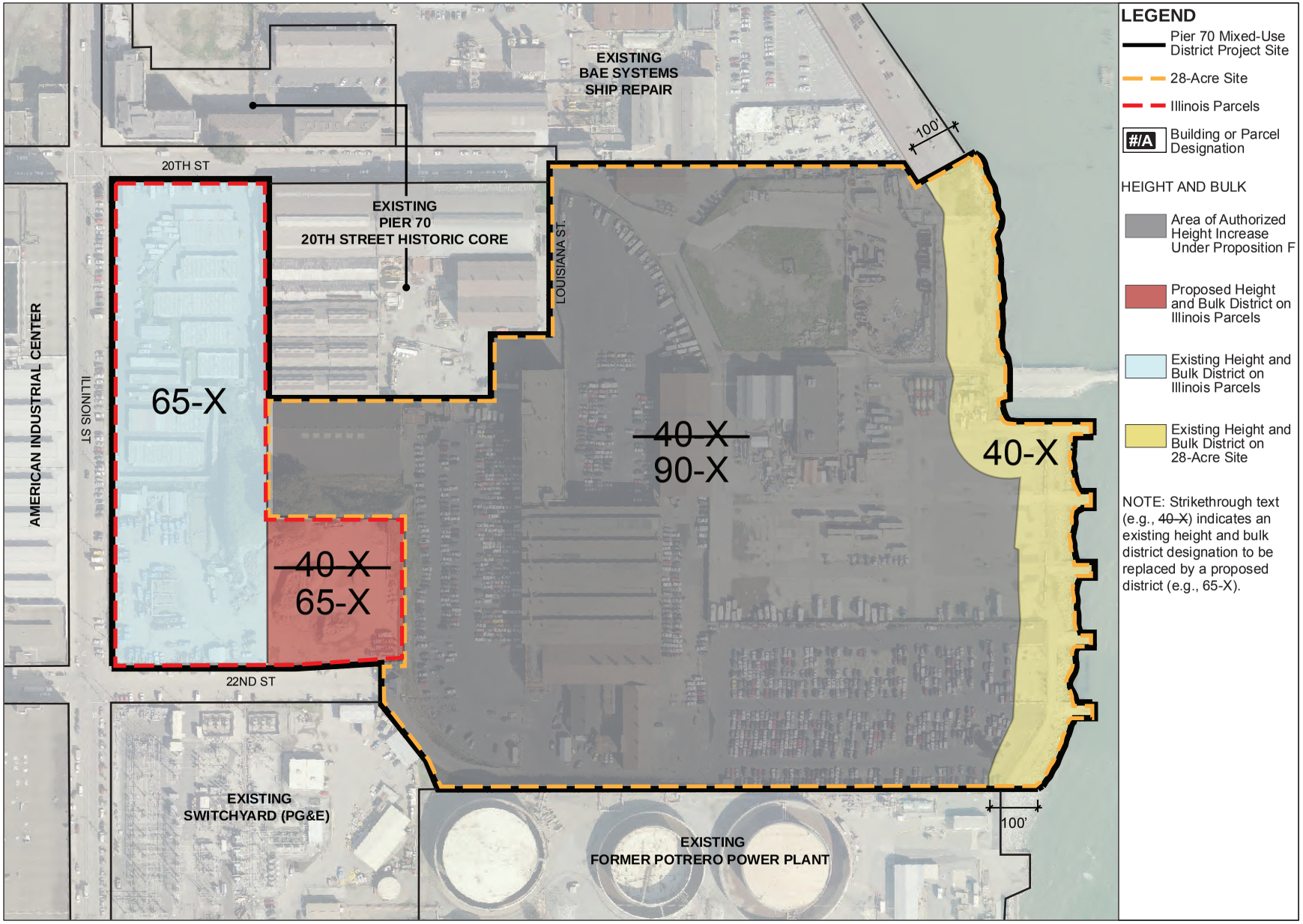
- Figure 2.2: Existing Site Plan, EIR p. 2.11
- Figure 2.4: Existing and Proposed Height and Bulk Districts, EIR p. 2.16
- Figure 2.5: Proposed SUD Land Use Program, EIR p. 2.22
- Figure 2.6: Proposed Rehabilitation, Retention, and Demolition Plan, EIR p. 2.24
- Figure 2.7: Proposed Land Use Plan – Maximum Residential Scenario, EIR p. 2.30
- Figure 2.8: Proposed Land Use Plan – Maximum Commercial Scenario, EIR p. 2.32
- Figure 2.13: Proposed Height Limits Plan, EIR p. 2.40
- Figure 2.14: Mid-Block Passageway Locations, EIR p. 2.43
- Figure 2.18: Proposed Bicycle Network, EIR p. 2.54
- Figure 2.26: Proposed Phasing Plan – Maximum Residential Scenario, EIR p. 2.82
- Figure 2.27: Proposed Phasing Plan – Maximum Commercial Scenario, EIR p. 2.85



Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2016)

PIER 70 MIXED-USE DISTRICT PROJECT

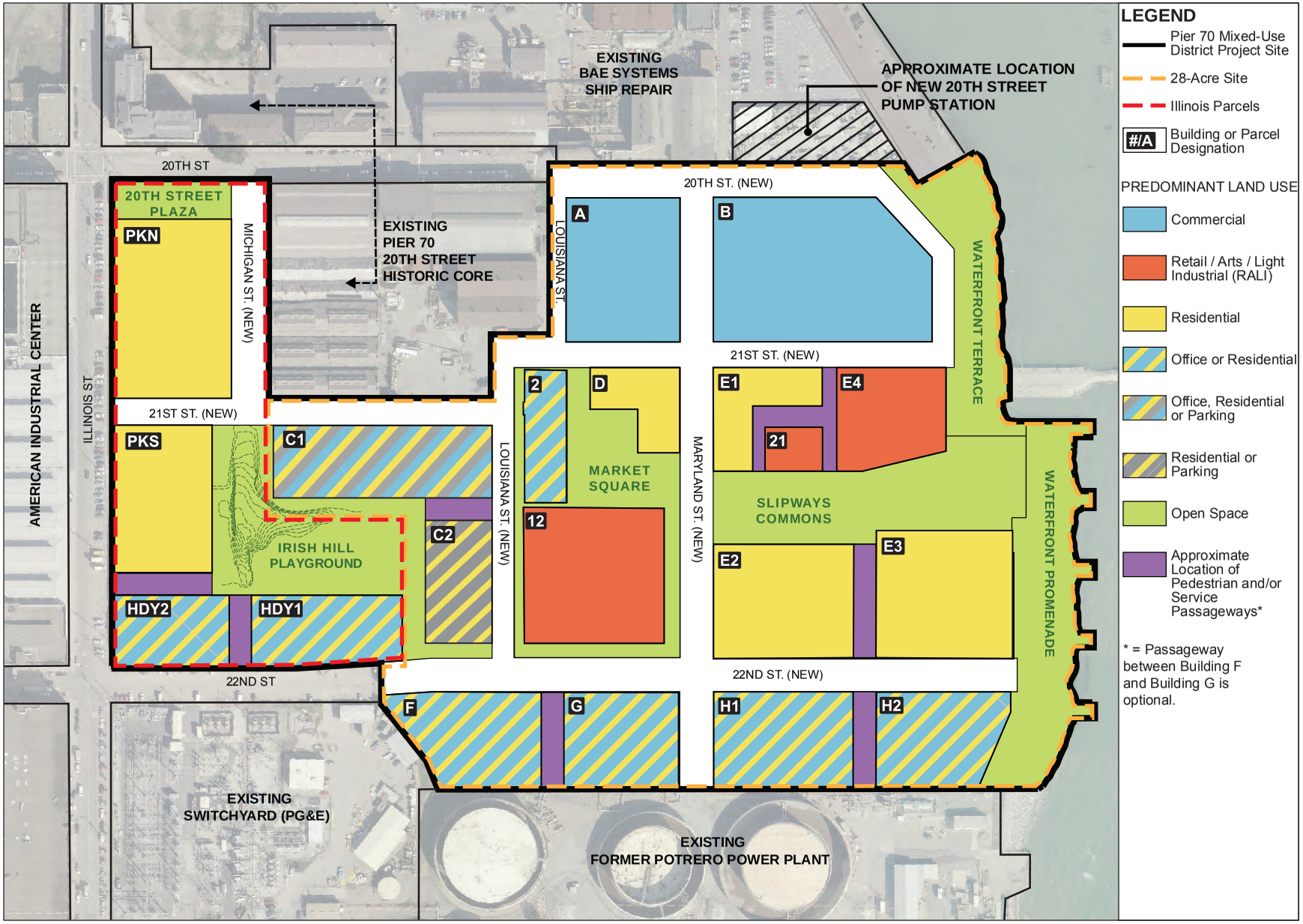
(REVISED) FIGURE 2.2: EXISTING SITE PLAN



Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2015)

PIER 70 MIXED-USE DISTRICT PROJECT

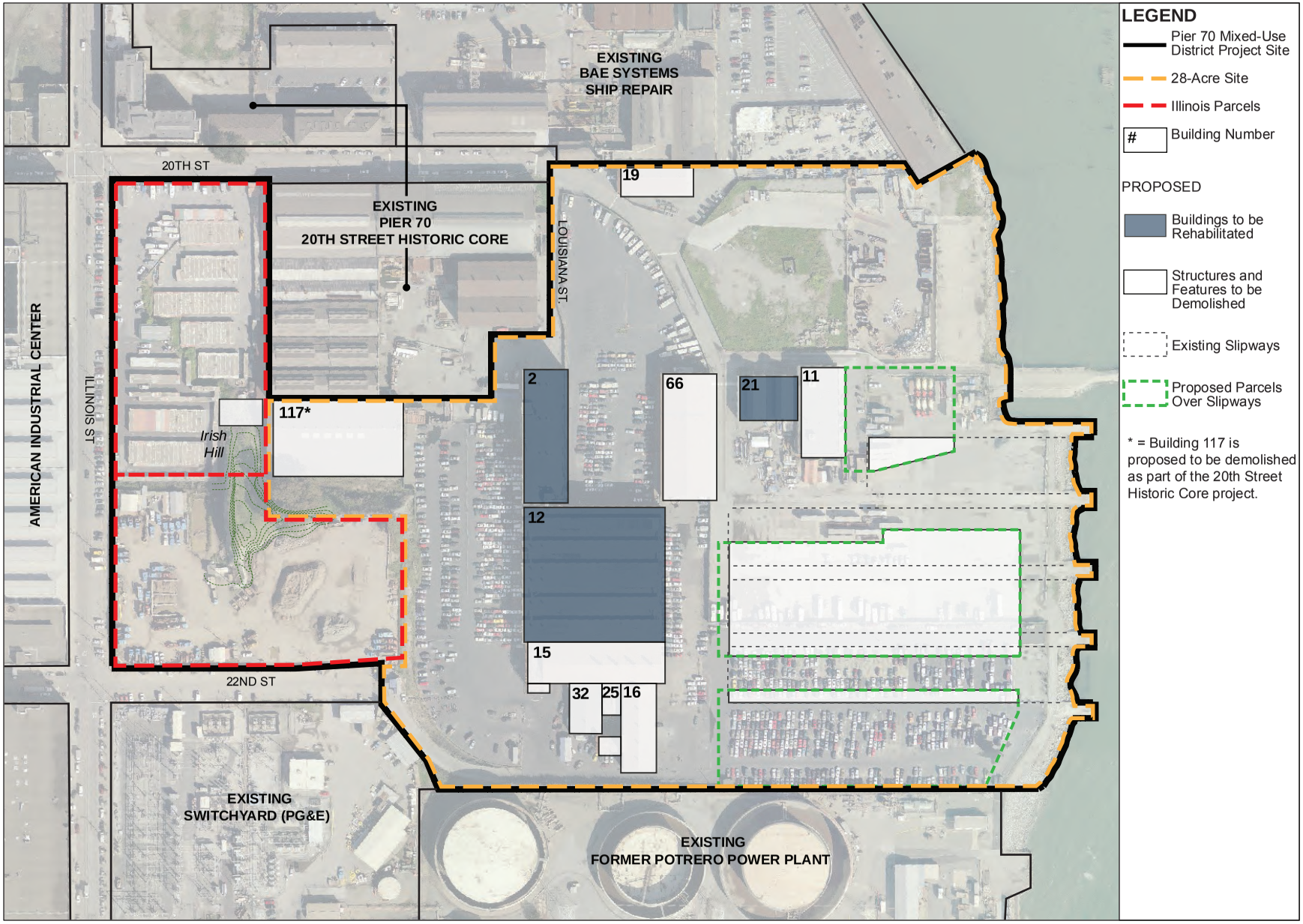
(REVISED) FIGURE 2.4: EXISTING AND PROPOSED HEIGHT AND BULK DISTRICTS



Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2015)

PIER 70 MIXED-USE DISTRICT PROJECT

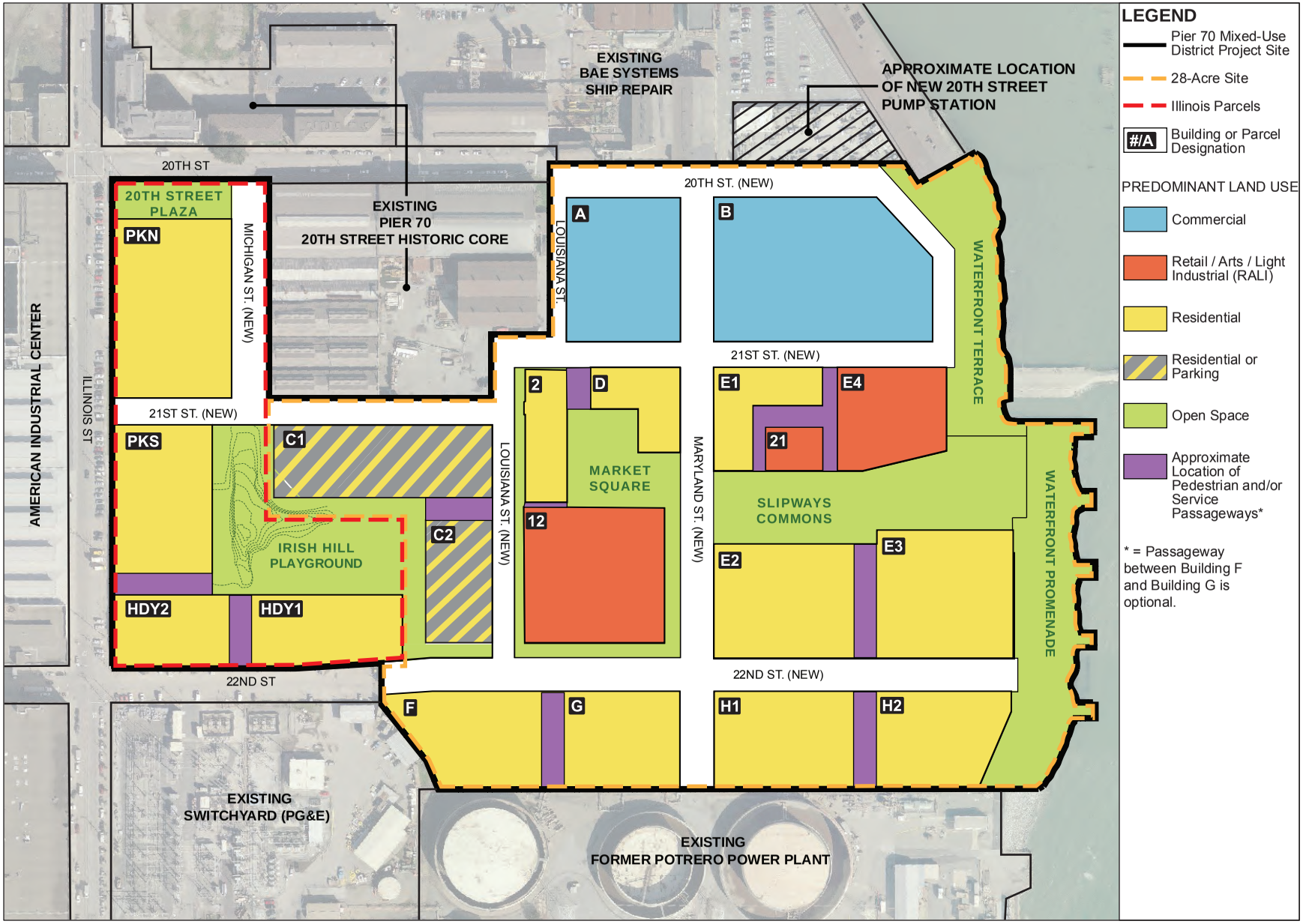
(REVISED) FIGURE 2.5: PROPOSED SUD LAND USE PROGRAM



Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2015)

PIER 70 MIXED-USE DISTRICT PROJECT

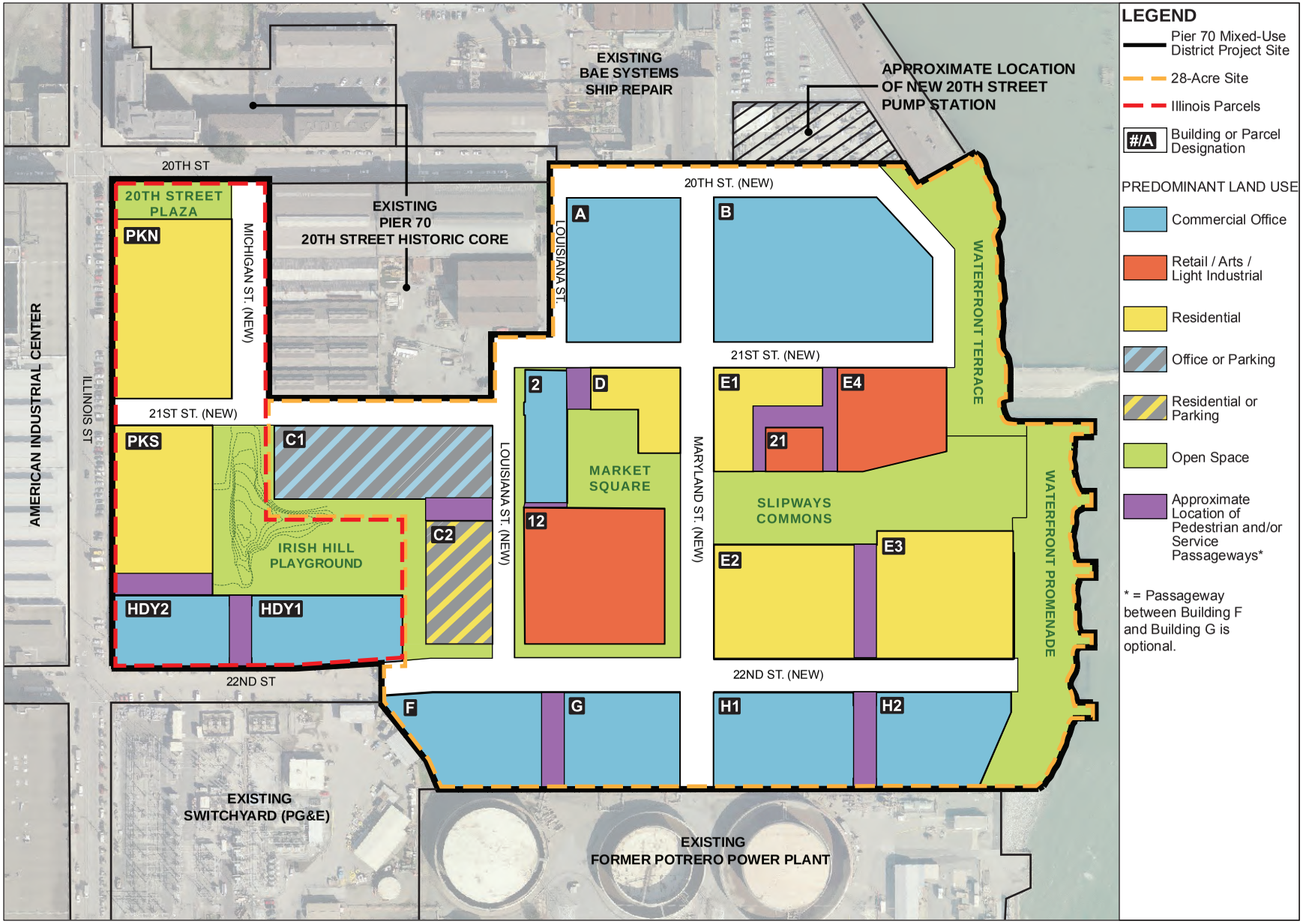
(REVISED) FIGURE 2.6: PROPOSED REHABILITATION, RETENTION, AND DEMOLITION PLAN



Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2016)

PIER 70 MIXED-USE DISTRICT PROJECT

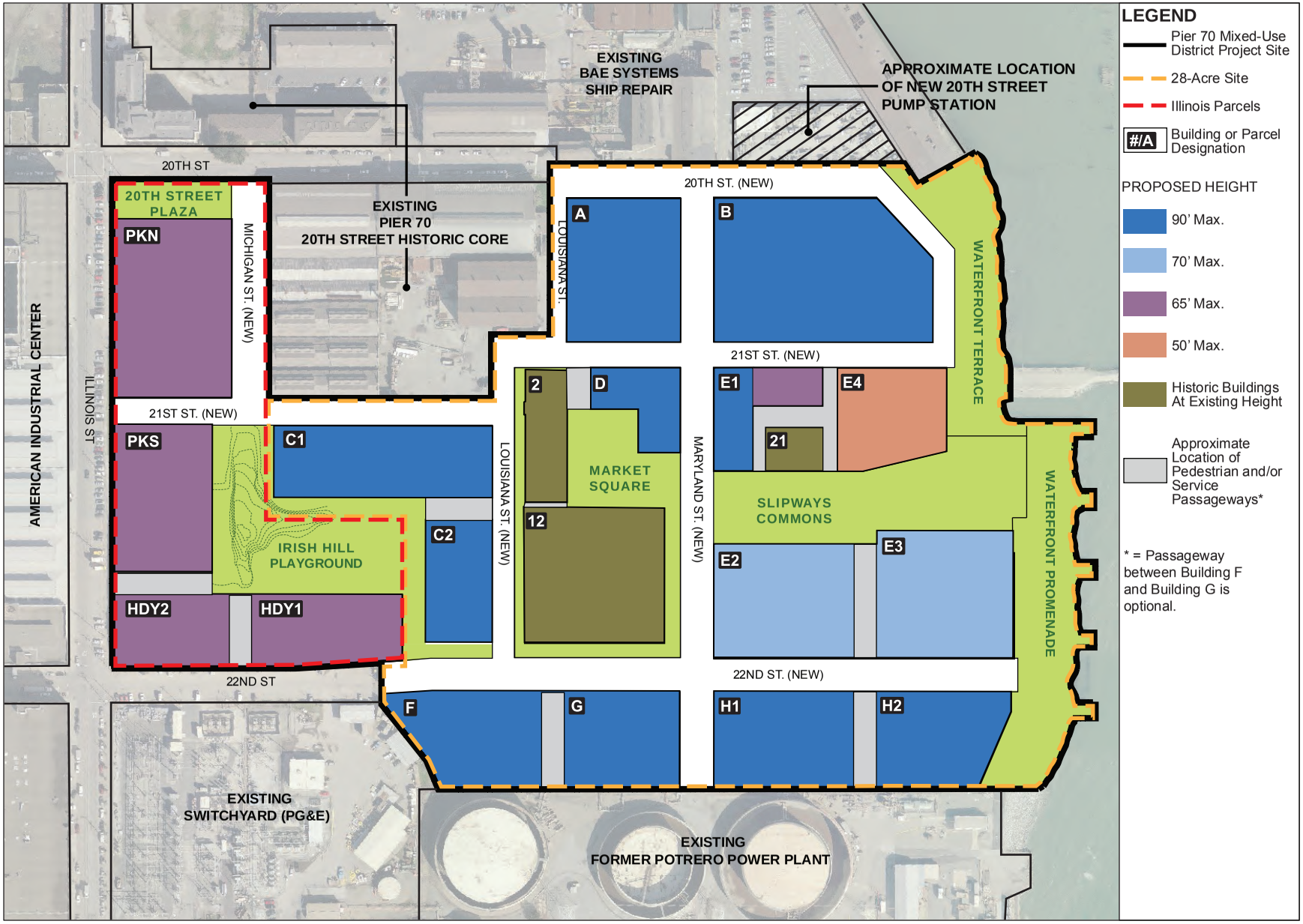
(REVISED) FIGURE 2.7: PROPOSED LAND USE PLAN - MAXIMUM RESIDENTIAL SCENARIO



Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2016)

PIER 70 MIXED-USE DISTRICT PROJECT

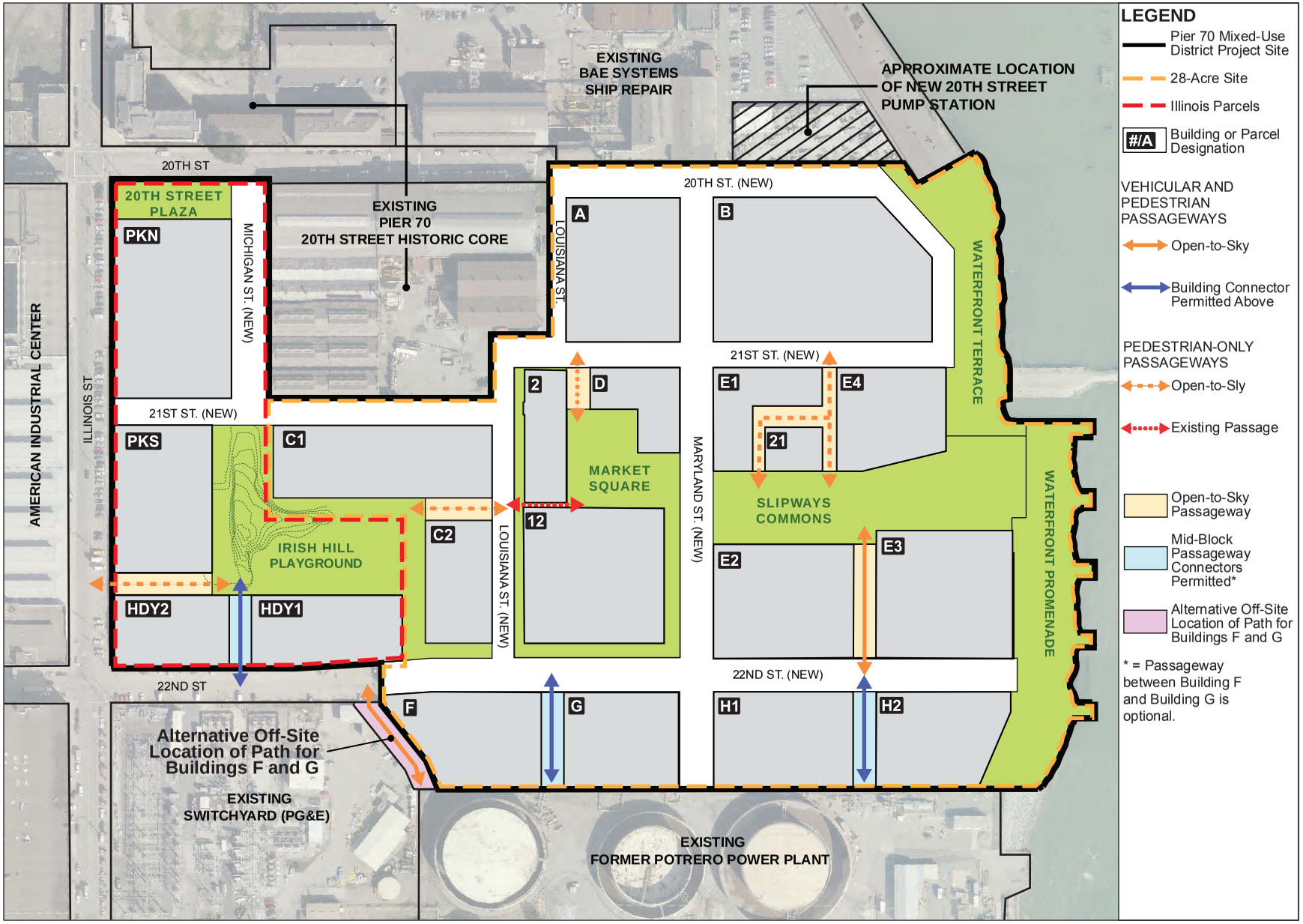
(REVISED) FIGURE 2.8: PROPOSED LAND USE PLAN - MAXIMUM COMMERCIAL SCENARIO



Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2015)

PIER 70 MIXED-USE DISTRICT PROJECT

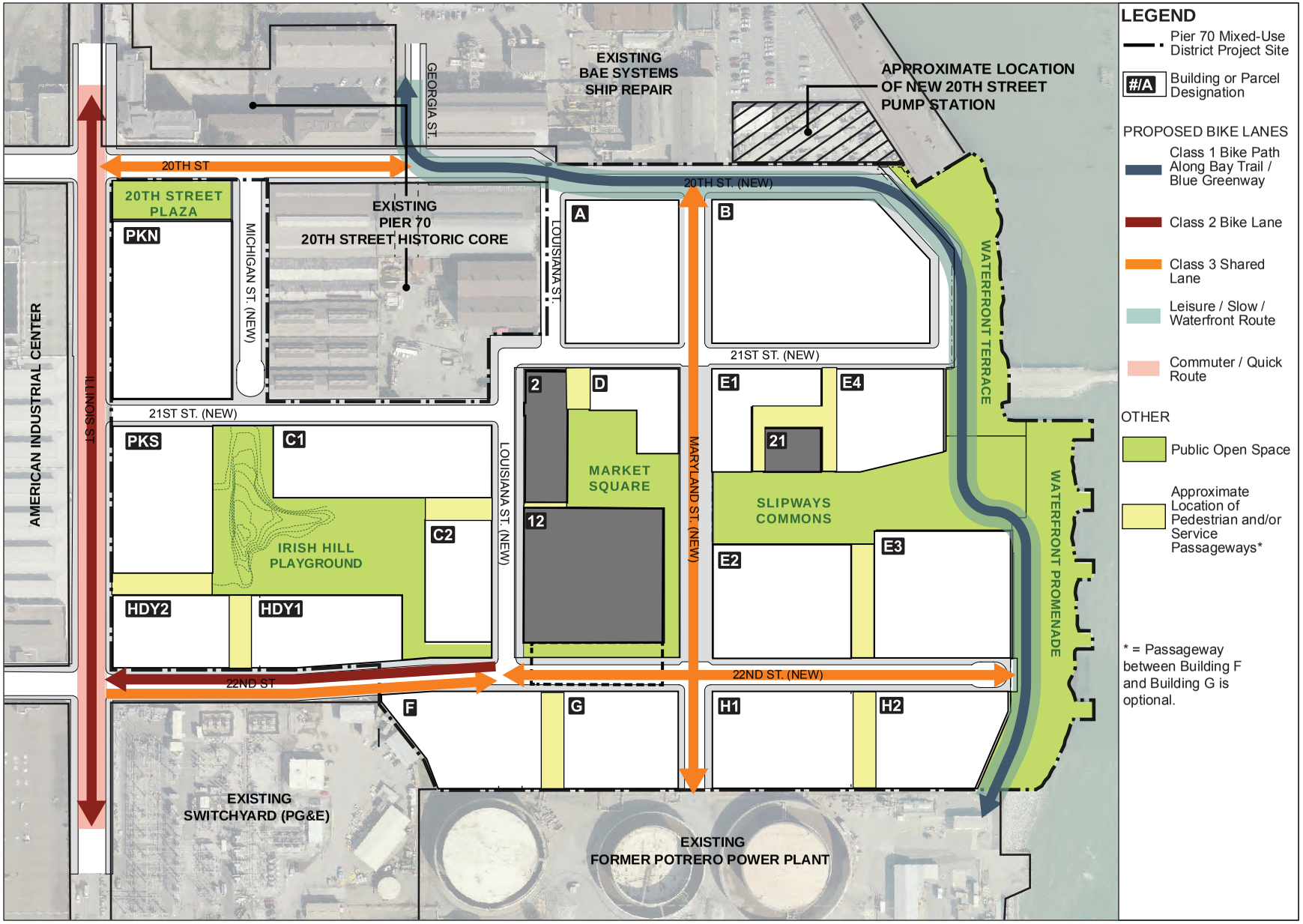
(REVISED) FIGURE 2.13: PROPOSED HEIGHT LIMITS PLAN



Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2016)

PIER 70 MIXED-USE DISTRICT PROJECT

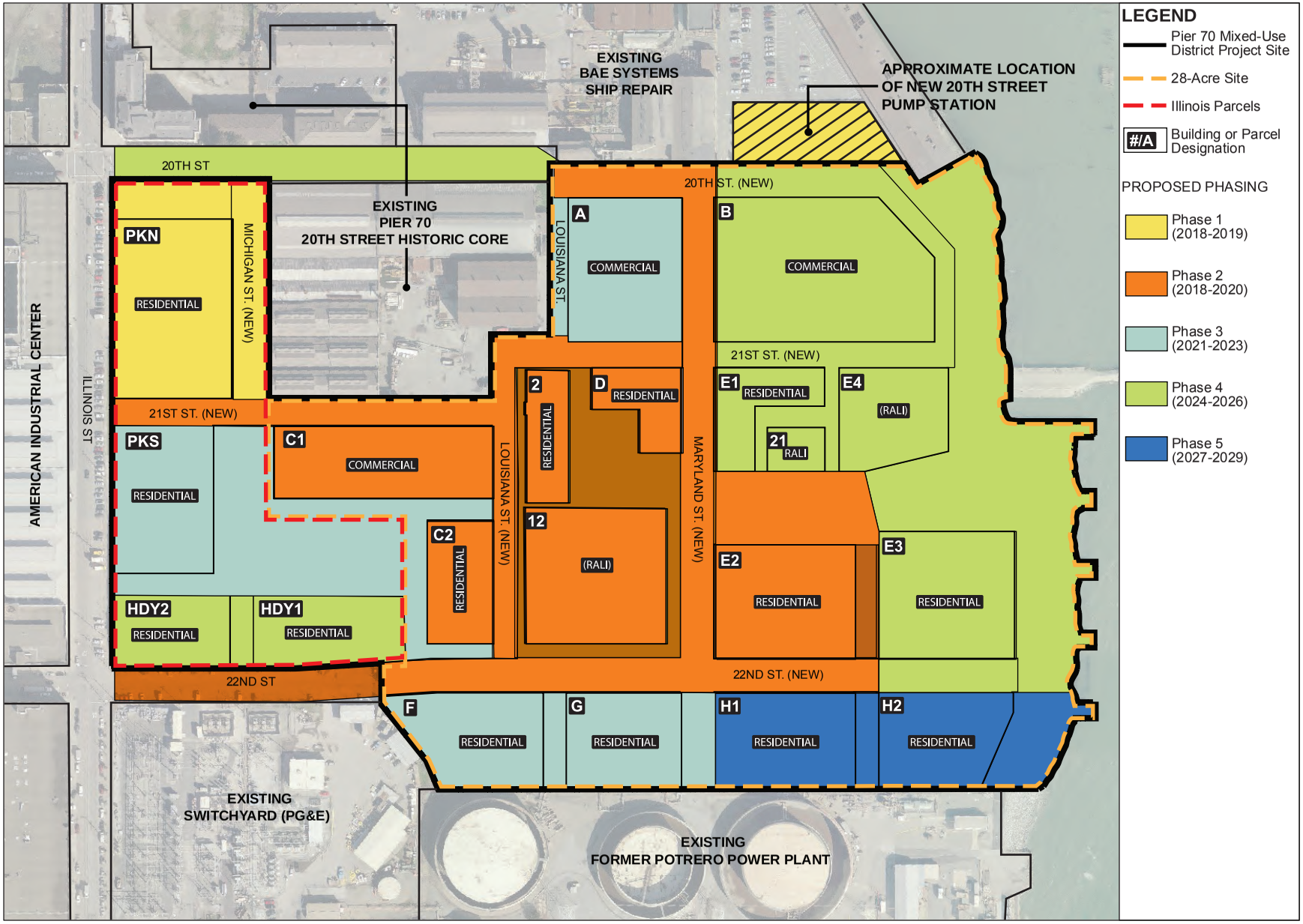
(REVISED) FIGURE 2.14: MID-BLOCK PASSAGEWAY LOCATIONS



Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2015)

PIER 70 MIXED-USE DISTRICT PROJECT

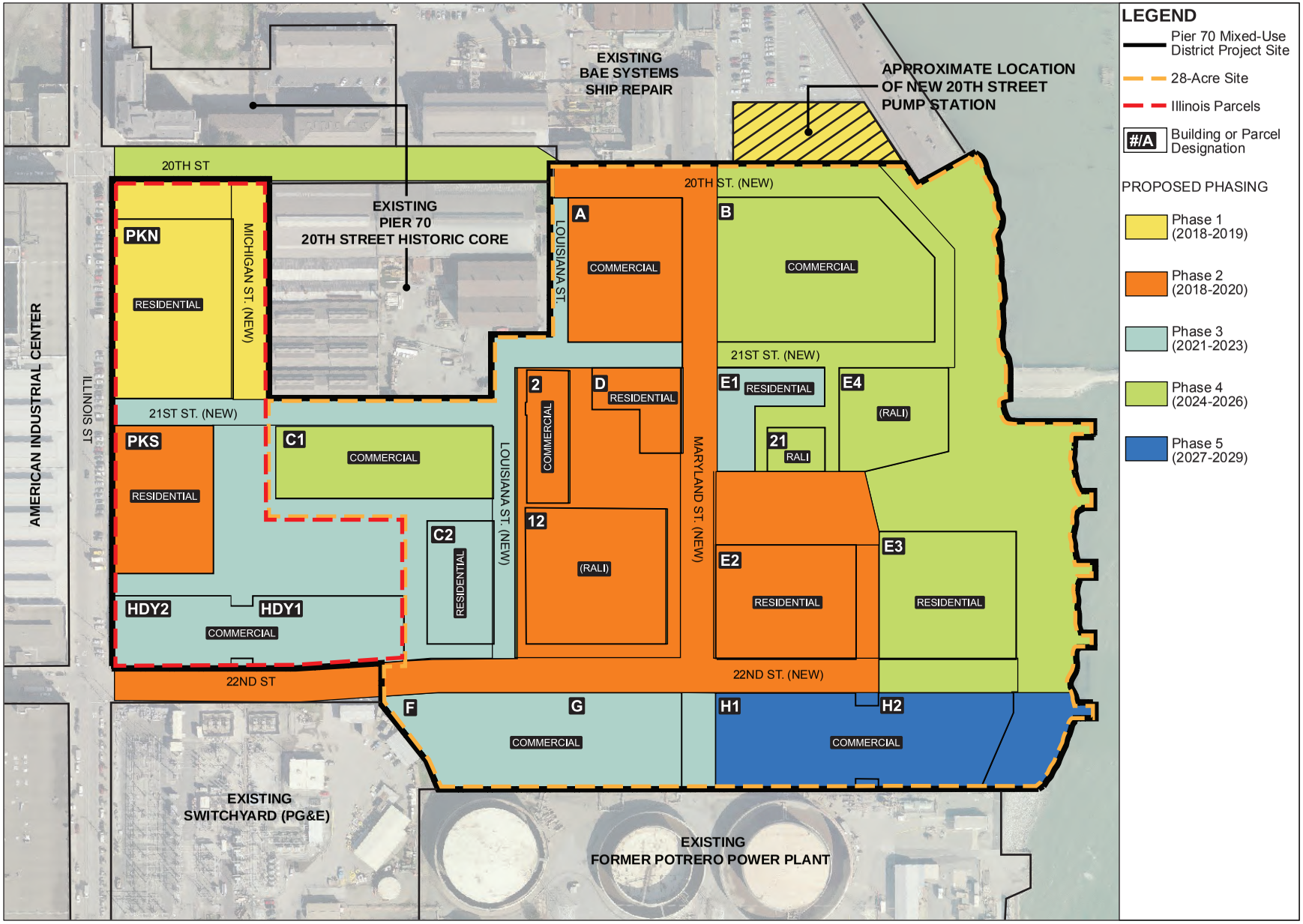
(REVISED) FIGURE 2.18: PROPOSED BICYCLE NETWORK



Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2015)

PIER 70 MIXED-USE DISTRICT PROJECT

(REVISED) FIGURE 2.26: PROPOSED PHASING PLAN - MAXIMUM RESIDENTIAL SCENARIO



Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2015)

PIER 70 MIXED-USE DISTRICT PROJECT

(REVISED) FIGURE 2.27: PROPOSED PHASING PLAN - MAXIMUM COMMERCIAL SCENARIO

CHAPTER 3, PLANS AND POLICIES

The second sentence of the first paragraph on EIR p. 3.11 has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> The San Francisco Bay Conservation and Development Commission (BCDC), created by the McAteer-Petris Act (California Government Code Sections 66600-66682), functions as the State's coastal management agency for San Francisco Bay. The San Francisco Bay Plan (Bay Plan) was prepared by BCDC from 1965 through 1969 and amended through ~~2007~~ 2011 in accordance with the McAteer-Petris Act.

The second paragraph on EIR p. 3.11 has been revised, as follows (new text is underlined):

> For the Proposed Project, BCDC's jurisdiction includes the Bay and areas within 100 feet inland of the mean high tide line. The Proposed Project would require BCDC approval of activities within BCDC's jurisdiction along the Bay shoreline. The *Seaport Plan* is incorporated into BCDC's *San Francisco Bay Plan*, and is the basis of the *Bay Plan* port policies. BCDC uses the *Bay Plan* and *Seaport Plan* to help guide its regulatory decisions on permit applications, consistency determinations, and related matters. BCDC will make the final determination of consistency with *Bay Plan* and *Seaport Plan* policies for the portions of the project site that are within its permit jurisdiction.

The following text has been added under "Public Access" on p. 3.14 to include a discussion of Bay Plan policies on public trust lands (new text is underlined):

> **Public Trust**
>
> Policy 1: When the Commission takes any action affecting lands subject to the public trust, it should assure that the action is consistent with the public trust needs for the area and, in case of lands subject to legislative grants, should also assure that the terms of the grant are satisfied and the project is in furtherance of statewide purposes.

CHAPTER 4, ENVIRONMENTAL SETTING AND IMPACTS

Section 4.A, Introduction

The fourth sentence of the third paragraph under the heading "Approach to Baseline Setting" on EIR p. 4.A.6 has been revised, as shown below (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> Figure 4.A.1 also corresponds to the locations of projects for which the Planning Department had an application on file or for projects in San Francisco where another lead agency has published a NOP, but for which construction had not commenced as of NOP publication of the Proposed Project. Such projects are considered additional reasonably foreseeable future projects and are discussed in cumulative impact analysis below in the "Approach to Cumulative Analysis" on pp. 4.A.12- 4.A.18. Cumulative, "foreseeable future" projects are shown in yellow on the figure.

The second sentence of the second paragraph under the heading "List-Based Approach" on EIR pp. 4.A.13 has been revised, as shown below (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

> Generally, these are projects for which the Planning Department had an application on file or for projects in San Francisco where another lead agency has published a NOP as of publication of the NOP for the Proposed Project (May 6, 2015), but for which construction had not commenced as of NOP publication and/or projects that the Planning Department has otherwise determined are reasonably ~~feasible~~ foreseeable.

Section 4.B, Land Use

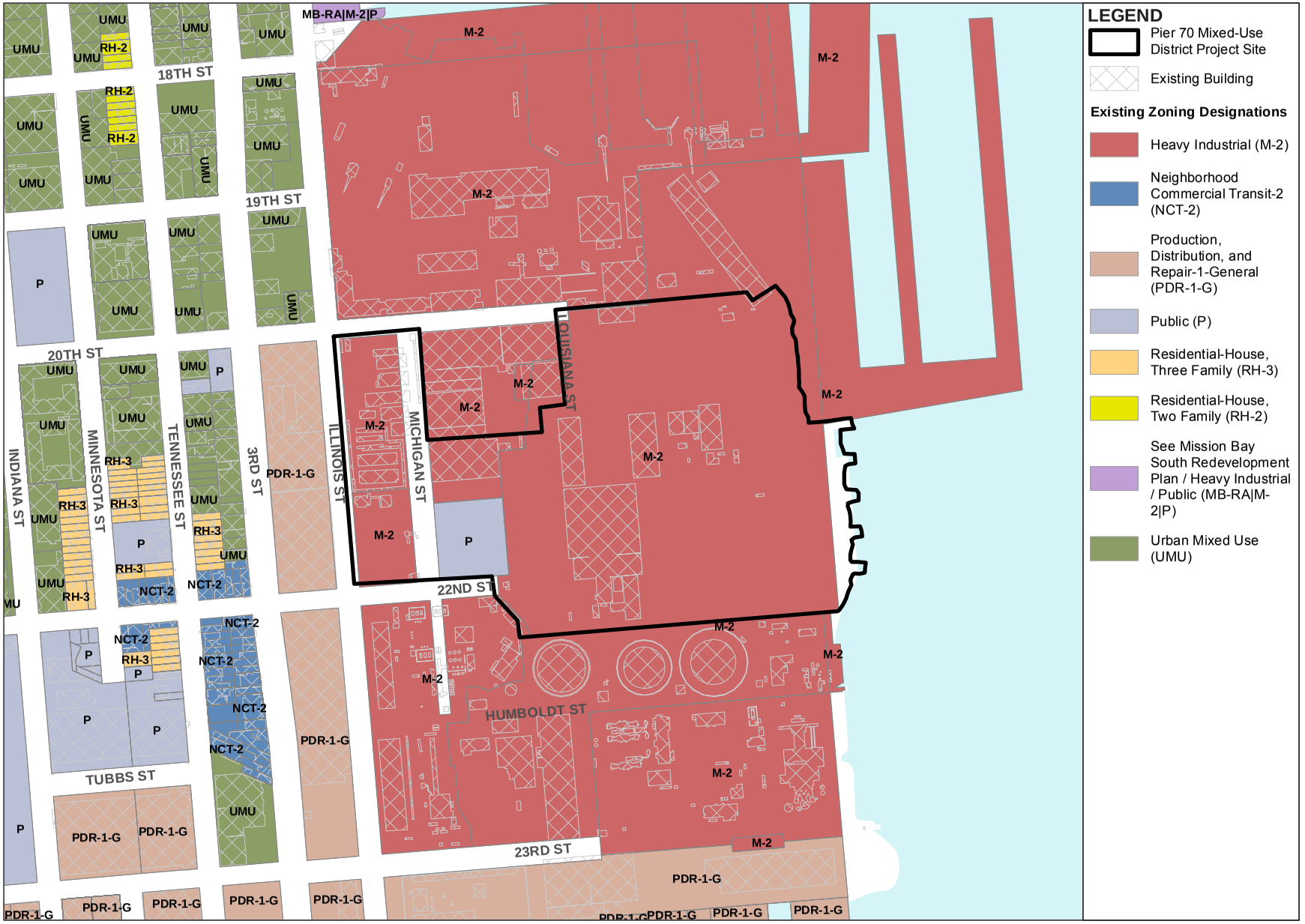
The first paragraph on EIR p. 4.B.10 has been revised as shown below (new text is underlined). These changes do not change any of the EIR's analyses or conclusions.

> ***Along the West Side of Illinois Street***
>
> To the west of the project site, across Illinois Street, is the American Industrial Center, a four-story ~~84- to 92-foot-tall~~ complex that occupies two entire blocks bounded by Illinois Street, 20th Street to the north, 23rd Street to the south, and Third Street to the east. (Of the approximately 865 feet of building frontage along Illinois Street, two-story buildings of approximately 33 feet in height occupy approximately 440 linear feet; a three-story building of approximately 52 feet in height occupies 110 linear feet; and a four-story building occupies approximately 315 linear feet.) The American Industrial Center complex is zoned PDR-1-G (Production, Distribution and Repair-1-General). The blocks along the west side of Illinois Street and the east side of Third Street are in a 68-X Height and Bulk District, except for an area at 23rd Street, which is in an 85-X Height and Bulk District.

* The scale bar has been revised on EIR Figure 4.B.1: Existing Use Districts in the Project Vicinity, p. 4.B.3. This figure accurately depicts the existing use districts on the project site and in the surrounding neighborhood. The revised figure is shown on the following page.

The following text has been added after the paragraph under "San Francisco Bay Conservation and Development Commission" on EIR p. 4.B.15 to expand the discussion of public trust (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR. Several new footnotes have been added as part of this revision. The new footnotes will be assigned their proper sequential numbers in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly.

> Bay Plan policies provide that when the BCDC takes any action affecting lands subject to the public trust, it should assure that the action is consistent with the public trust needs for the area and, in the case of lands subject to legislative grants, should also assure that the terms of the grant are satisfied and the project is in furtherance of statewide purposes.[17A] When approving a major permit, BCDC regulations require that BCDC make a finding that the project is consistent with the public trust needs for the area. (14 Cal. Code. Regs 10501(d)(2)). Accordingly, any major permit issued for Project



Source: San Francisco Planning Department (2015)

PIER 70 MIXED-USE DISTRICT PROJECT

(REVISED) FIGURE 4.B.1: EXISTING USE DISTRICTS IN THE PROJECT VICINITY

activities within BCDC jurisdiction will require a determination that the activity is consistent with the public trust. The Bay Plan includes a finding that the purpose of the public trust is to assure that the lands to which it pertains are kept for trust uses, such as commerce, navigation, fisheries, wildlife habitat, recreation, and open space (Bay Plan, p. 88).[17B] Additionally, BCDC's determination regarding the Proposed Project's consistency with the public trust doctrine is done independently and in consultation with the State Lands Commission, which exercises oversight authority over granted lands.[17C]

[New footnotes]

[17A] San Francisco Bay Conservation and Development Commission, *Bay Plan, p. 88.* Available online at *http://www.bcdc.ca.gov/plans/sfbay_plan.html*, accessed May 31, 2017.

[17B] Ibid.

[17C] The State Plan Commission works cooperatively to assist trustees on issues including trust consistency determination. California State Lands Commission website, *Granted Public Trust Lands.* Available online at http://www.slc.ca.gov/Programs/Granted_Lands.html, accessed May 31, 2017.

Section 4.D, Cultural Resources

* In Mitigation Measure M-CR-1a: Archeological Testing, Monitoring, Data Recovery and Reporting, the paragraph under the heading "Human Remains and Associated or Unassociated Funerary Objects" on EIR pp. 4.D.28-4.D.29 has been revised, as follows (new text is underlined):

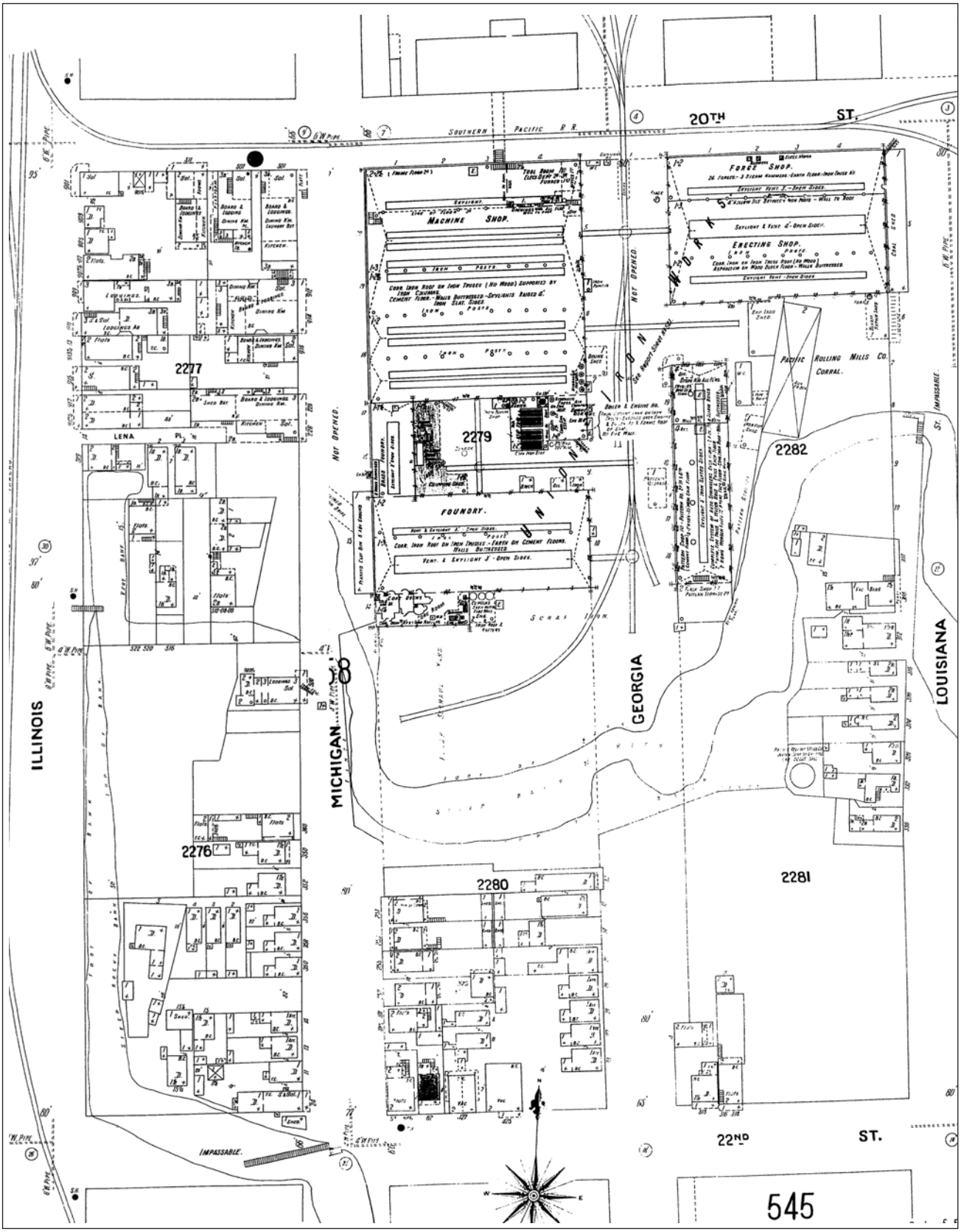
> The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the coroner of the City and County of San Francisco and in the event of the coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsors, ERO, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (State CEQA Guidelines Section 15064.5(d)). The agreement shall take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects an specified in the treatment agreement if such an agreement has been made or, otherwise, as determined by the archeological consultant and the ERO.

The date of the Port of San Francisco report cited in Footnote 15, EIR p. 4.D.35; Footnote 39, EIR p. 4.D.69; Footnote 40, EIR p. 4.D.70; and Footnote 56, EIR p. 4.D.110, has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> Port of San Francisco, *Union Iron Works Historic District Profiles of Contributing and Non-Contributing Resources Proposed for Demolition by Project Area, ~~May 16, 2016~~ December 6, 2017*.

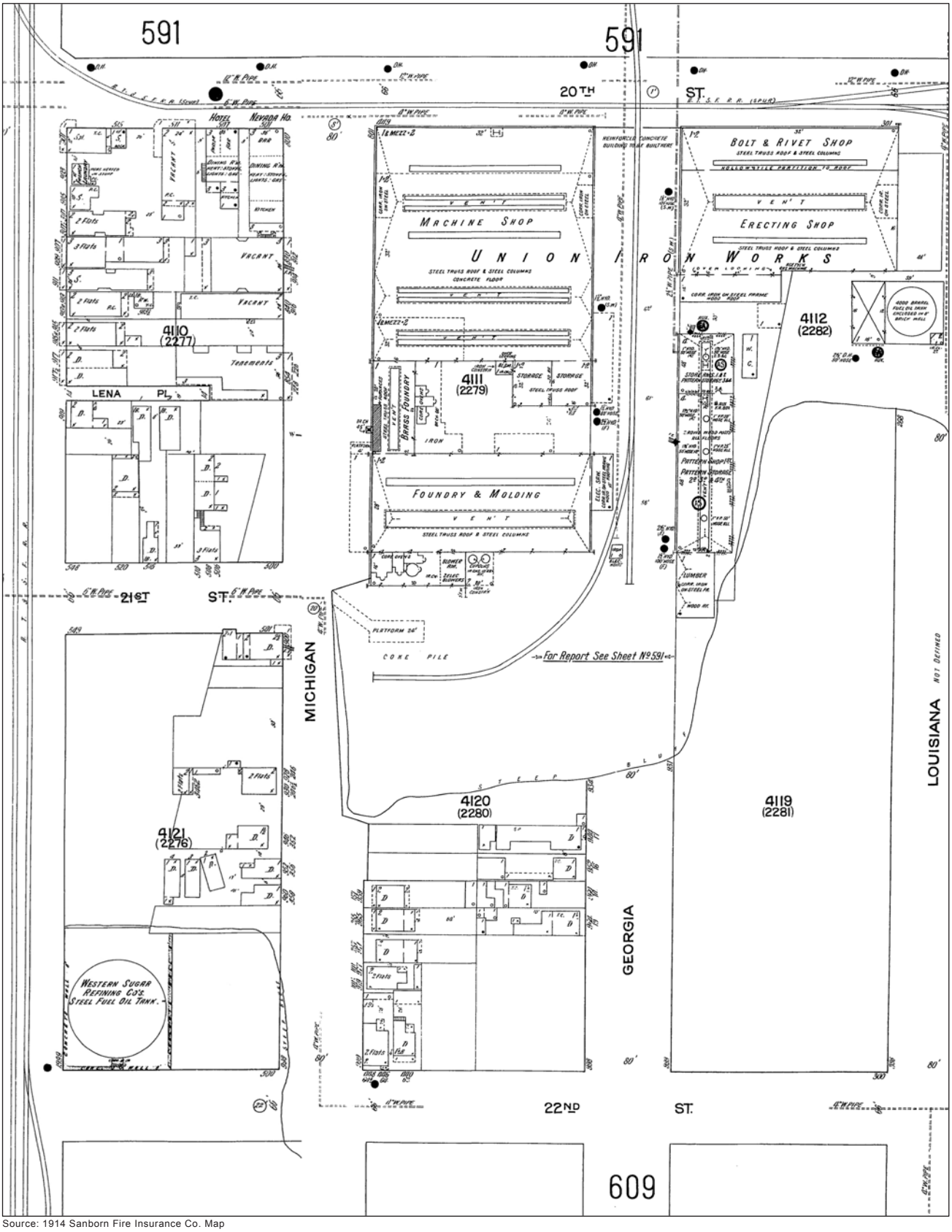
The following text and additional figures have been added to the end of the discussion of "Historic Context" (EIR pp. 4.D.36-4.D.41), beginning on EIR p. 4.D.41, to provide the public with additional informational context by which to understand the impact of the proposed street pattern on the UIW Historic District (new text is underlined). New Figures 4.D.2a through 4.D.2e are shown on RTC pp. 5.59-5.60 and 5.62-5.64.

> Ship repair was the main contribution of UIW to the World War II effort. During this period, the yard built over 70 ships and repaired 2,500 ships. The repair yard, which contained structures and even equipment that dated back to the origins of steel shipbuilding in this country, was one of the best and the largest commercial repair yards in the country. Provided below is a summary of the historical significance of the UIW Historic District under NRHP Criteria A and C.
>
> **Historic Street Grid and Building Pattern**
>
> The building pattern and street network present today within the UIW Historic District have changed in some ways since the District's period of significance (1884-1945). Pier 70 streets were mapped as a part of the early settlement and filling of the Bay. The site was initially laid out according to several "state" streets (specifically Michigan, Georgia, Louisiana and Maryland streets) that extended from 20th Street to 22nd Street east of Illinois Street, with the Pacific Rolling Mills facility located east of Maryland Street. Most of the mapped streets were never built. Some were condemned by the US government to support the shipbuilding efforts for war. Others were vacated by the City and comprise part of the former Bethlehem Steel shipbuilding site. Except for portions of 20th (Illinois to east side of Building 113), 22nd (Illinois Street to approximately 500 feet east), and Michigan (20th to 22nd Streets) Streets, none of the streets are currently dedicated public streets.
>
> See Figure 4.D.2a: 1900 Sanborn Fire Insurance Company Map, in which multiple 1900 Sanborn maps are stitched together. These streets, which extended the block pattern established west of Illinois Street, appear to have in fact been interrupted by the steep banks of Irish Hill, with development to the north and south of the incline. The east end of 21st Street terminated at Michigan Street and was not extended into the site. At the time, Irish Hill hosted a small neighborhood. A mix of lodging houses, dining rooms, and saloons were located near 20th Street in the northern half of the block between Illinois and Michigan streets, while small single-family dwellings were clustered near 22nd Street in the two blocks bound by Illinois, Michigan, and Georgia streets.
>
> The 1914 Sanborn of the same area, Figure 4.D.2b: 1914 Sanborn Fire Insurance Company Map, shows the partial erosion of this street network, with Maryland Street hosting two railroad lines serving the U.S. Steel operation and the north end of Louisiana



Source: 1900 Sanborn Fire Insurance Co. Map

(NEW) FIGURE 4.D.2A: 1900 SANBORN FIRE INSURANCE CO. MAP



Source: 1914 Sanborn Fire Insurance Co. Map

(NEW) FIGURE 4.D.2B: 1914 SANBORN FIRE INSURANCE CO. MAP

Street right-of-way occupied by two new buildings. In addition, roughly half of the Irish Hill residential buildings near 22nd Street had been removed by this time. In the subsequent war-time build-up of the site, the remaining buildings, along with the lodging houses and related buildings to the north, were cleared and much of Irish Hill was excavated, reducing it to its current size.

The 1938 aerial of the site, Figure 4.D.2c: 1938 Aerial Photograph of Site, shows the District immediately prior to its World War II-era build-up.[17A] By this time, little reference remained to the "state" streets east of Illinois Street. The northern portions of Michigan and Georgia streets had been reduced to small segments immediately east and west of the Buildings 113-116 complex, while Louisiana and Maryland streets were used for site circulation and largely given over to railroad tracks.

The National Register nomination prepared for the UIW Historic District includes the site plan from the 1944 Bethlehem Steel Co. architectural drawings for the site.[17B] In the nomination, the site plan has been color-coded, with buildings since demolished shaded a darker color than extant buildings. See Figure 4.D.2d: Color-Coded 1944 Site Plan. By World War II, only the portions of Michigan and Georgia streets south of Irish Hill remain, with no sign left of Louisiana or Maryland streets' prior use for site circulation.

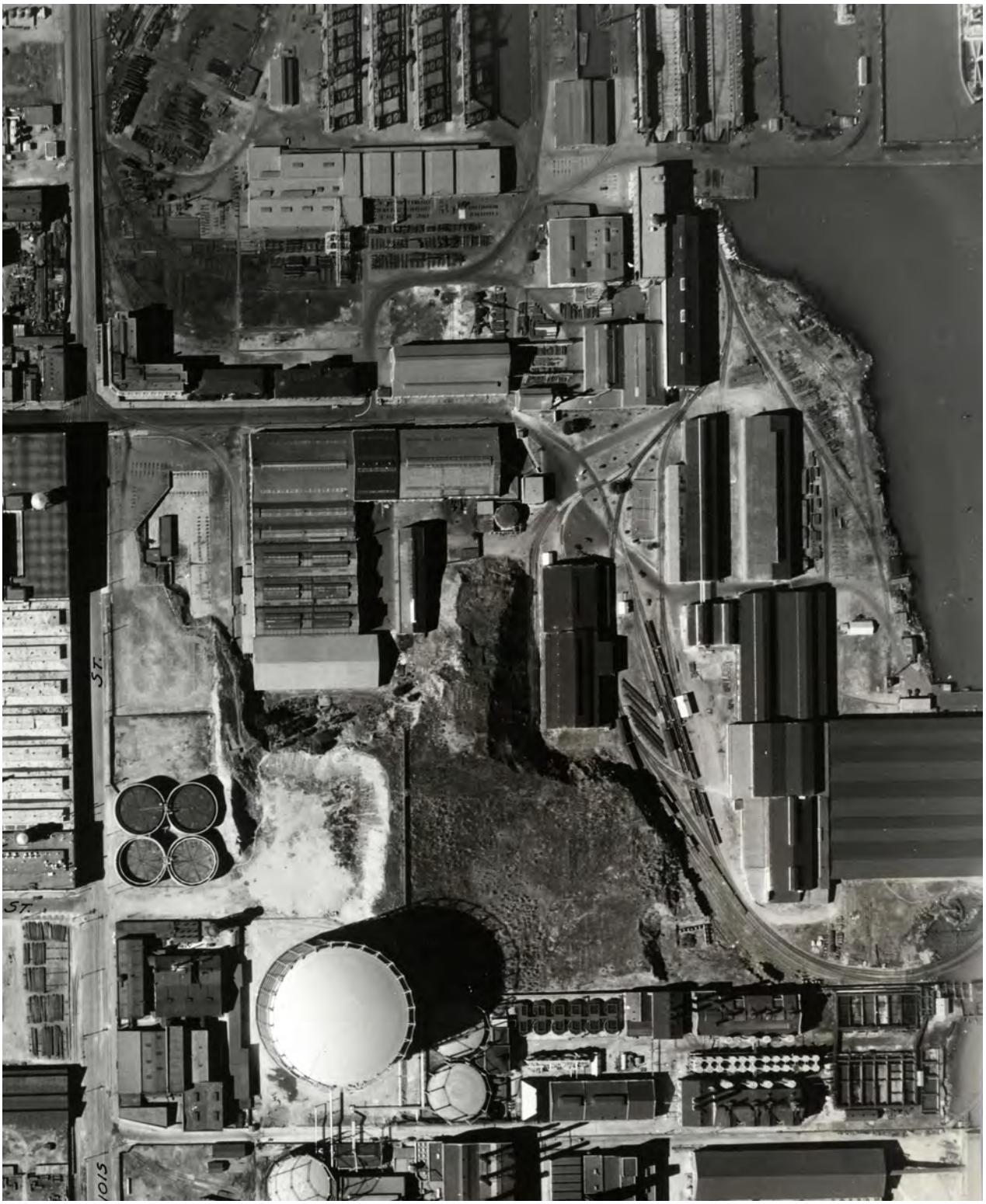
As shown in this 1944 site plan, at the time of its World War II build-up, the site had considerably more buildings and less open space than are present today. In particular, the generally open area of the project site that today extends from Building 6 southwesterly to Building 2 formerly housed a dozen buildings, with little space between them. See Figure 4.D.2e: WWII-Era Aerial View of Site, a World War II-era aerial photograph of the site that was included in the National Register Nomination as Figure 15.[17C]

The following new footnotes have been added to EIR p. 4.D.41 as part of this text change (new text is underlined). The new footnotes will be assigned their proper sequential numbers in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly.

[17A] Harrison Ryker, San Francisco Aerial Views, 1938 (David Rumsey Map Collection, http://www.davidrumsey.com/, accessed February 24, 2017). Illinois Street runs along the left side of this cropped photograph.

[17B] United States Department of the Interior, National Park Service, National Register of Historic Places Registration Form, *Union Iron Works Historic District*, April 17, 2014, Figure 16.

[17C] United States Department of the Interior, National Park Service, National Register of Historic Places Registration Form, *Union Iron Works Historic District*, April 17, 2014, Figure 15, notated by author. Taken from Bethlehem Steel Co., *A Century of Progress: 1849-1949*. San Francisco: Bethlehem Steel, 1949.



Source: 1938 Aerial Photograph of Site

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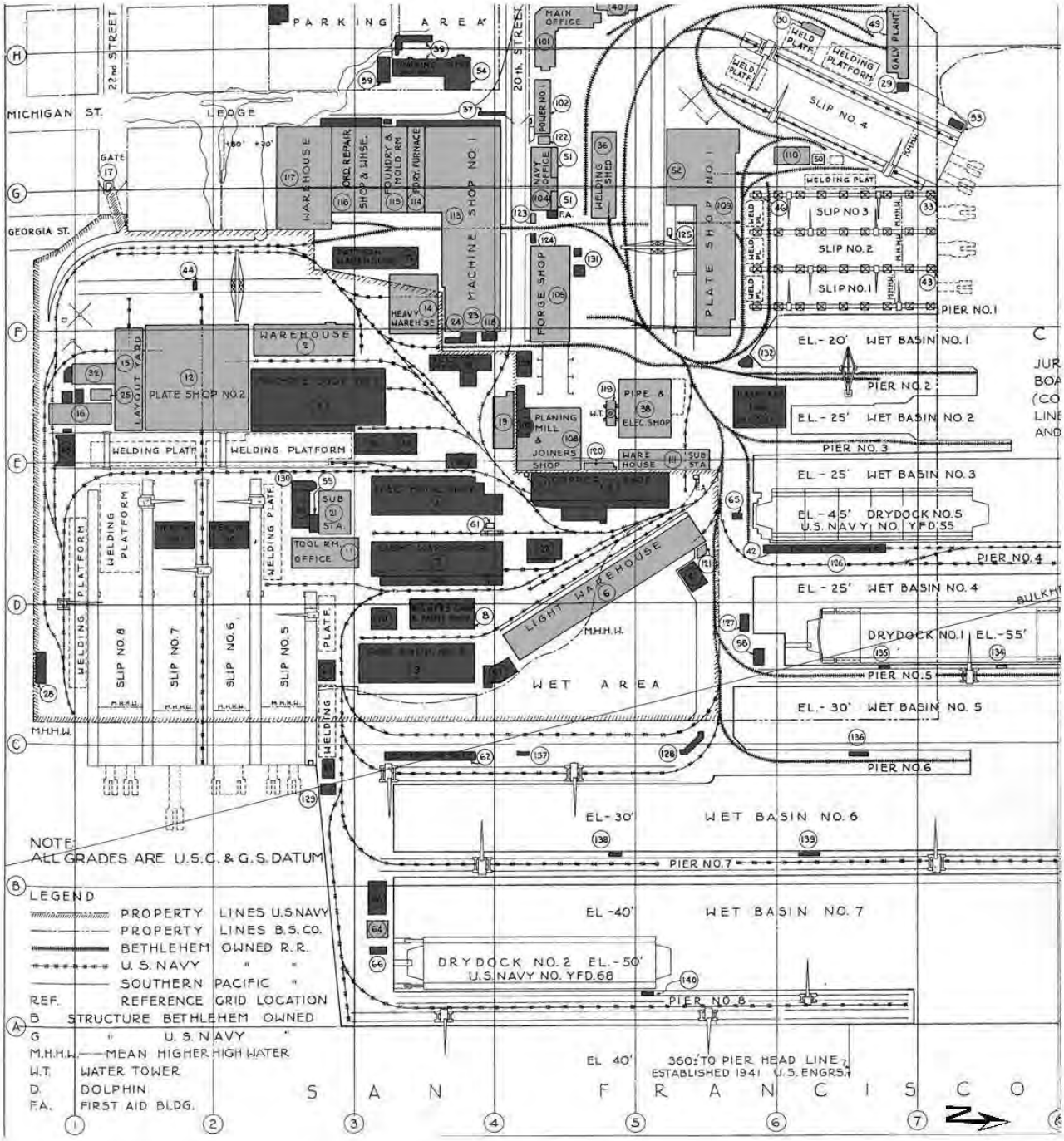
(NEW) FIGURE 4.D.2C: 1938 AERIAL PHOTOGRAPH OF SITE



Source: Color-coded 1944 Site Plan

Figure 15. World War II-era aerial view of the Union Iron Works Historic District.
Bethlehem Steel Co., *A Century of Progress: 1849-1949*. San Francisco: Bethlehem Steel, 1949.

Source: WWII-Era Aerial of Site, Looking North

The second sentence of the paragraph under "2301 Third Street" on EIR p. 4.D.62 has been revised as follows:

> Opposite Illinois Street to the west of the project site is the former American Can Company Building (the American Industrial Center) at 2301 Third Street. Built originally ~~in 1920~~ between 1914 and 1929, with the last building constructed in 1955, and occupying the two city blocks bound by Third Street on the west, Illinois Street on the east, 20th Street on the north, and 22nd Street on the south, the building was determined eligible for the NRHP for its historical and architectural significance (NRHP status code "2S2"). This building is a contributor to the Central Waterfront Historic District (see discussion below).

Presented below are revisions and additional information to supplement the impact analysis of demolition under Impact CR-4 on EIR pp. 4.D.89-4.D.94 (new text is underlined and deleted text is shown in ~~strikethrough~~). These revisions and additional information are not required by CEQA to provide substantial evidence for the conclusions of the EIR. Rather, they are presented for informational purposes to provide the public with additional informational context by which to understand the impact of the proposed demolition of contributing buildings under the proposed project on the UIW Historic District. These revisions do not change any of the conclusions of the EIR.

> Building 15 (Layout Yard), Building 16 (Stress Relieving Building), Building 25 (Washroom and Locker Room), and Building 32 (Template Warehouse)
>
> Because Buildings 15, 16, 25, and 32 are ~~experienced as one structure~~ physically connected, they were examined collectively within the Building 12 complex rather than individually to determine the impact of demolition on the integrity of the UIW Historic District. The proposed demolition of these buildings is in part necessitated by the proposed rehabilitation of Building 12, the center of this building complex and its most significant and dominant structure, which was determined to be individually eligible for listing in the California Register. The Proposed Project would remove the abutting buildings so that Building 12 becomes freestanding (see the discussion of the impacts of rehabilitation efforts, below). Demolition of Buildings 15, 16, 25, and 32 is also proposed in order to extend 22nd Street eastward toward the Bay to improve vehicular and pedestrian access to this area of the Historic District and shoreline as well as to serve the needs of existing activities and proposed new infill development. A project option would retain the structural frame of Building 15; however, the removal of all other portions of this building would be treated as a *de facto* demolition.
>
> Although the loss of these contributing buildings would diminish the integrity of the southern portion of the UIW Historic District, the loss would not be significant when considered on a District-wide basis. ~~because~~ Architecturally, these buildings are typical of other WWII-era steel frame buildings with corrugated metal siding found throughout the Historic District, including Buildings 6 (Light Warehouse), 14 (Heavy Warehouse), 21 (Substation No. 5), 49 (Galvanizing Warehouse) and 110 (Washroom and Locker Room). Buildings 6, 14, 49, and 110 are located ~~(~~outside of the project site but within the UIW District.~~)~~ As explained in the UIW Historic District National Register Nomination,

these are fundamentally simple buildings that reflect the wartime rush to create a markedly expanded shipbuilding operation:

> "[T]he war [WWII] created an emergency situation requiring the construction of new ships, and, therefore, new shipbuilding facilities, as quickly as possible. The majority of new buildings from this period, similar to other World War II shipyards, were steel frame construction with corrugated metal cladding, relatively quick to erect….Steel frame buildings, including pre-fabricated buildings, became especially popular during World War II for both military and civilian industrial uses because of their relative ease and speed of construction."[42A]

As such, similar buildings in use from this era that are being retained, including Buildings 6, 14, 21, and 49, would provide adequate representation of this generally interchangeable ~~would be retained and would provide a significant concentration of better examples of these~~ World War II resource type~~s~~.

Demolition of Buildings 15, 16, 25, and 32 would not result in an impact on the District's eligibility for listing under Criteria A and C because Building 12 would retain integrity and continue to serve as a visual landmark and its prominence, location, and size will be maintained. Building 12 is the most significant structure in the complex and its significance is based both on its distinctive architectural features and its historic role as the central building within the WWII-era New Yard at the site. When constructed, the buildings to be demolished housed uses that were fundamentally ancillary to the shipbuilding process that was centered in Building 12 as the plate shop and mold loft. As a result, Building 12 would continue to convey the WWII-era shipbuilding history of the site in the absence of these ancillary structures.

In addition, buildings that housed the same uses as Buildings 25 and 32 during the WWII era will remain extant elsewhere in the District. Building 25 is one of two buildings on site that formerly served as washrooms and locker rooms. The other, Building 110, is being retained and incorporated into the Crane Cove Park project within the UIW Historic District. Building 32 is one of two WWII-era template warehouses extant within the District. The other, Building 30, is being relocated and integrated into the Crane Cove Park project within the UIW Historic District.

For these reasons, the Planning Department and the Port of San Francisco found that the proposed demolition of Buildings 15, 16, 25, and 32 would have a less-than-significant impact on the integrity of the UIW Historic District.

Building 19 (Garage No. 1)

Building 19, a modest-scale steel frame corrugated metal garage/warehouse structure, would be demolished due to the proposed extension of 20th Street eastward toward the Bay. This proposed vehicular and pedestrian access would be required to serve the needs of the existing activities in the northeast portion of the project site, as well as to support future infill development. The Port's development strategy directed new infill development to this largely open and vacant area of the UIW Historic District to minimize the loss of contributing features to maintain the District's historic character to the north and west where significant groupings of resources are located.

The integrity of the UIW Historic District would not be significantly impacted by the loss of this contributor because the UIW Historic District would continue to convey its significance and association with utilitarian steel frame and corrugated metal warehouse development from World War II. Similar modest to large warehouses would remain, including Buildings 6, 12, and 14 (Buildings 6 and 14 are outside of the project site but within the UIW Historic District boundary). For these reasons, the Planning Department and the Port of San Francisco found that the proposed demolition of Building 19 would have a less-than-significant impact on the integrity of the UIW Historic District.

Building 66 (Welding Shed)

Building 66 is a simple utilitarian facility that provided weather protection for welding pre-assemblies and other hull components associated with hull construction at the Building 12 complex. The proposed street network to serve the existing activities and proposed new infill development necessitates the removal of Building 66. Like Buildings 15, 16, 25 and 32, Building 66 is a simple steel-frame structure partially clad with corrugated metal.

Although the building supports the UIW Historic District's ability to convey activities associated with the production of war vessels during World War II, other remaining buildings of this construction type would continue to convey the UIW Historic District's significance associated with World War II, including Buildings 6 and 14 (outside of the project site but within the UIW Historic District boundary). For these reasons, the Planning Department and the Port of San Francisco found that the proposed demolition of Building 66 would have a less-than-significant impact on the integrity of the UIW Historic District.

Conclusion

In summary, Carey & Co., Inc. found, and the Planning Department and Port of San Francisco (in its capacity as the proponent of the UIW National Register Historic District nomination) concur, that a significant concentration of World War II-era contributing features would remain in the Historic District. They would continue to provide strong visual and physical examples of the World War II era of the UIW Historic District. In many instances, the structures to be demolished are repeated elsewhere in the Historic District, as is the case with World War II warehouses, restrooms, and electrical power substations. Additionally, the proposed loss of these resources would not result in the need to adjust the boundary, because the boundary represents the historic ownership and maximum development of the District at its peak operation during World War II. The boundary for the UIW Historic District, as with most historic districts, includes areas with non-contributing features.

The Proposed Project would result in the demolition of contributors to the UIW Historic District. For the reasons stated above, the proposed demolitions would not result in a substantial adverse change in the historic significance of the UIW Historic District, nor would they result in a deleterious effect on most of the District's character-defining features. The UIW Historic District is significant at the national level under NRHP/CRHR Criterion A/1 for its association with the development of steel shipbuilding in the United States (including its pioneering technological developments in shipbuilding and the production of significant wartime vessels), and at the local level under NRHP/CRHR Criterion C/3 as a physical record of the trends in industrial architecture

from the late nineteenth century through World War II. Neither aspect of this significance would be endangered by the proposed demolitions. The UIW Historic District would retain sufficient contributing features, character-defining features, and overall integrity to continue its listing in the NRHP and the CRHR. As such, the demolition of contributing Buildings 11, 15, 16, 19, 25, 32, and 66 would not materially impair the physical characteristics that justify the UIW Historic District's inclusion in the NRHP or the CRHR.

None of the seven contributing buildings proposed for demolition were found to be individually eligible for listing in the NRHP or CRHR because they either functioned as support facilities to the primary shipbuilding or repair processes, are viewed as smaller additions to the primary buildings or functions, have compromised integrity because the understanding of their role in the shipbuilding process was reduced from the loss of other related facilities, or represent utilitarian buildings that are repeated elsewhere in the District.

The proposed demolition of contributing buildings would not result in the need to adjust the boundary of the UIW Historic District, because the District boundary is based on the extent of the shipyard at the end of WWII, according to the Bethlehem Shipbuilding Division's 1944 Master Plan.

Per National Register Bulletin-Defining Boundaries for National Register Properties (published by the National Park Service, Revised 1997), District boundaries are determined by several factors, including integrity, setting and landscape features, use and research potential. As noted in this National Register Bulletin:

> "Select boundaries that define the limits of the eligible resources. Such resources usually include the immediate surroundings and encompass the appropriate setting… When such areas are small and surrounded by eligible resources, they may not be excluded, but are included as noncontributing resources of the property. That is, do not select boundaries which exclude a small noncontributing island surrounded by contributing resources; simply identify the noncontributing resources and include them within the boundaries of the property."
>
> "Boundaries should include surrounding land that contributes to the significance of the resources by functioning as the setting. This setting is an integral part of the eligible property and should be identified when boundaries are selected."[42B]
>
> The District boundary, therefore, captures the entire shipyard's development from 1884 through 1945. The boundary for the UIW Historic District, as with most historic districts, includes areas that do not contain contributing features. Given the District's national significance as a historic shipbuilding facility, maintaining a District boundary that extends eastward to the shoreline of San Francisco Bay was essential. In addition, Building 12 would be retained and continue to mark the southernmost extent of the District and the proposed demolitions of contributing resources would be far removed from the District's northern boundary. Illinois Street would continue to separate the District from the street grid to the west.

The following new footnotes, cited in these revisions, have been added to EIR p. 4.D.89 (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR. The new footnotes will be assigned their proper sequential number in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly.

> [42A] United States Department of the Interior, National Park Service, National Register of Historic Places Registration Form, *Union Iron Works Historic District*, April 17, 2014, pp. Section 8, p. 50.
>
> [42B] https://www.nps.gov/Nr/publications/bulletins/boundaries/bound1.htm

* The last paragraph of Improvement Measure I-CR-4a: Documentation, on EIR p. 4.D.92, has been revised, as follows (new text is underlined and deleted text is shown in ~~strikethrough~~):

> The project sponsors should transmit such documentation to the History Room of the San Francisco Public Library, and to the Northwest Information Center of the California Historical Information Resource System. The project sponsors should scope the documentation measures with ~~Planning Department~~ Port Preservation staff. ~~Department Preservation staff should also review and approve the submitted documentation for adequacy.~~

Improvement Measure I-CR-4b: Public Interpretation, on EIR p. 4.D.92, has been revised to specify that the interpretive program include more information and documentation of the site's three eras of history and activity, as follows (new text is underlined and deleted text is shown in ~~strikethrough~~):

> **Improvement Measure I-CR-4b: Public Interpretation**
>
> Following any demolition, rehabilitation, or relocation activities within the project site, the project sponsors should provide within publicly accessible areas of the project site a permanent display(s) of interpretive materials concerning the history and architectural features of the ~~District within publicly accessible areas of the project site.~~ District's three historical eras (Nineteenth Century, Early Twentieth Century, and World War II), including World War II-era Slipways 5 through 8 and associated craneways. The display(s) should also document the history of the Irish Hill remnant, including, for example, the original 70- to 100-foot-tall Irish Hill landform and neighborhood of lodging, houses, restaurants, and saloons that occupied the once much larger hill until the early twentieth century. The content of the interpretive display(s) should be coordinated and consistent with the sitewide interpretive plan prepared for the 28-Acre Site in coordination with the Port. The specific location, media, and other characteristics of such interpretive display(s) should be presented to ~~Planning Department preservation planning staff for review and comment and to~~ Port preservation staff for approval prior to any demolition or removal activities.

* Mitigation Measure M-CR-5: Preparation of Historic Resource Evaluation Reports, Review, and Performance Criteria, EIR pp. 4.D.93-4.D.94, has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

Prior to Port issuance of building permits associated with Buildings 2, 12 and 21, Port of San Francisco Preservation staff shall review and approve future rehabilitation design proposals for Buildings 2, 12, and 21. Submitted rehabilitation design proposals for Buildings 2 and 12 shall include, in addition to proposed building design, detail on the proposed landscaping treatment within a 20-foot-wide perimeter of each building. The Port's review and analysis would be informed by Historic Resource Evaluation(s) provided by the project sponsors. The Historic Resource Evaluation(s) shall be prepared by a qualified consultant who meets or exceeds the Secretary of the Interior's Professional Qualification Standards in historic architecture or architectural history. The scope of the Historic Resource Evaluation(s) shall be reviewed and approved by Port Preservation ~~and Planning Department Preservation~~ staff prior to the start of work. Following review of the completed Historic Resource Evaluation(s), ~~Planning Department~~ Port preservation staff would prepare one or more Historic Resource Evaluation Response(s) that would contain ~~the Department's~~ a determination as to the effects, if any, on historical resources of the proposed renovation. The Port shall not issue buildings permits associated with Buildings 2, 12, and 21 until ~~Planning Department and~~ Port preservation staff ~~concur~~ conclude that the design (1) conforms with the Secretary of the Interior's Standards for Rehabilitation; (2) is compatible with the UIW Historic District; and (3) preserves the building's historic materials and character-defining features, and repairs instead of replaces deteriorated features, where feasible. Should alternative materials be proposed for replacement of historic materials, they shall be in keeping with the size, scale, color, texture, and general appearance. The performance criteria shall ensure retention of the following character-defining features of each historic building:

- **Building 2**: (1) board-formed concrete construction; (2) six-story height; (3) flat roof; (4) rectangular plan and north-south orientation; (5) regular pattern of window openings on east and west elevations; (6) steel, multi-pane, fixed sash windows (floors 1-5); (7) wood sash windows (floor 6); (8) elevator/stair tower that rises above roofline and projects slightly from west façade.
- **Building 12**: (1) steel and wood construction; (2) corrugated steel cladding (except the as-built south elevation which was always open to Building 15); (3) 60-foot height; (4) Aiken roof configuration with five raised, glazed monitors; (5) clerestory multi-lite steel sash awning windows along the north and south sides of the monitors; (6) multi-lite, steel sash awning widows, arranged in three bands (with a double-height bottom band) on the north and west elevations, and in four bands on the east elevation; (7) 12-bay configuration of east and west elevations; (8) north-south roof ridge from which roof slopes gently (1/4 inch per foot) to the east and west
- **Building 21:** (1) steel frame construction; (2) corrugated metal cladding; (3) double-gable roof clad in corrugated metal, with wide roof monitor at each gable; (4) multi-lite, double hung wood or horizontal steel sash windows [43]; and (5) two pairs of steel freight loading doors on the north elevation, glazed with 12 lites per door.

~~Planning Department staff and~~ Port staff shall not approve any proposal for rehabilitation of Buildings 2, 12, and 21 unless they find that such a scheme conforms to the Secretary's Standards as specified for each building.

[Footnote 43 on EIR p. 4.D.94]

[43] Many of the building's windows have been covered with plywood or metal security grates; the monitor windows have been covered with corrugated metal.

The following revisions have been made to the discussion of Impact CR-9 on EIR pp. 4.D.98-4.D.99 (new text is underlined and deletions are shown in ~~strikethrough~~):

Impact CR-9: The proposed alteration of Irish Hill, a contributing landscape feature, and the proposed infill construction surrounding Irish Hill, would not materially alter, in an adverse manner, the physical characteristics of the UIW National Register Historic District that justify its inclusion in the California Register of Historical Resources. ***(Less than Significant)***

Physical Alterations to Irish Hill

The 35-foot-tall remnant of Irish Hill is a contributing landscape feature of the UIW Historic District. All but a small portion of the remnant of Irish Hill would be retained, and the adjacent areas to the south and east would be improved as a public open space (Irish Hill Playground). It would become a central landscape feature surrounded by proposed new streets and infill construction (see Figure 2.15: Proposed Open Space Plan, in Chapter 2, Project Description, p. 2.46). A minimum buffer zone of 45 feet would be established between the peak of Irish Hill and new development to the west (Parcel PKS). New benches and plantings and a playground area would be installed south of the hill's edges with a minimum buffer of 10 feet from the foot of the remnant, but no changes would occur to the side slopes or top of the hill. Approximately 0.04 acre, or 1,900 square feet, out of the hill's total 1.4 acres, or 60,984 square feet (representing 3 percent of the total area), would be removed to accommodate the proposed extension of 21st Street. Further, the area proposed for removal is of relatively low elevation (as compared to other areas of the hill) and therefore would not significantly alter perception of the remnant of Irish Hill's height and mass. Irish Hill retained, this portion of the Proposed Project would not materially impair the integrity of the resource as a contributing landscape feature of the UIW Historic District. The construction of new public streets and new development adjacent to Irish Hill, as well as new benches and plantings and a playground south of the hill, would alter the feeling and association of the resource, but would not reduce its overall integrity to the extent that the Irish Hill remnant would no longer remain a contributor to the UIW Historic District.

Infill Construction around Irish Hill

Construction of infill buildings surrounding Irish Hill under the Proposed Project would interfere with existing visual relationships and visual reciprocity between Irish Hill and the other contributors within the UIW Historic District. However, no views of the Irish Hill remnant, either from within or outside of the Historic District, are cited as character-defining features of the District in the National Register nomination.

In addition, as discussed on EIR pp. 4.D.101-4.D.106, under Impact CR-11, [*as presented in this RTC document on pp. 4.F.31-4.F.32]* the project site was more densely developed during the UIW Historic District's period of significance than it is today, and was not characterized by the largely open character that currently characterizes much of the project site. The locations of the new infill construction in the vicinity of the Irish Hill

remnant were each previously developed by buildings during a portion of the District's period of significance, although some of those buildings have since been demolished.

With build-out of the Proposed Project, the Irish Hill remnant would continue to remain visible along the proposed Michigan Street looking south from 20th Street, and would continue to be viewed together with, and in the context of, contributing Buildings 113, 114, 115, and 116 within the District's historic core. The Proposed Project would also maintain Irish Hill's visual reciprocity with these buildings as well as with Building 102 (on the north side of 20th Street) that would terminate northward views from Irish Hill along Michigan Street. Likewise, the Proposed Project would maintain visual reciprocity between Irish Hill and contributing Buildings 2 and 12 to the south, along the proposed pedestrian passage from Louisiana Street to Irish Hill.

The Proposed Project could reduce the District's integrity of setting by enabling construction of buildings immediately north, south, east and west of the Irish Hill remnant. Several factors, however, prevent these changes from materially impairing the ability of the District to convey its significance. First, no views of the Irish Hill remnant, either from within or outside of the Historic District, are cited as themselves character-defining features in the National Register nomination. Second, the locations of the proposed new construction in the vicinity of the Irish Hill remnant were each occupied by buildings during at least a portion of the District's period of significance, although some of those buildings were previously demolished. Third, the Irish Hill remnant would remain visible from within the District from the north along Michigan Street. Fourth, most of the Irish Hill remnant would be retained and would continue to function as open space. For these reasons, the Irish Hill remnant would remain a contributor to the District and the District would retain sufficient integrity of setting to convey its significance.

For these reasons, although the proposed infill construction under the Proposed Project would diminish the integrity of the UIW Historic District somewhat, it would not materially alter, in an adverse manner, those physical characteristics of the UIW National Register Historic District that justify its inclusion in the California Register of Historical Resources.

Conclusion

For the reasons discussed above, ~~Therefore,~~ the removal of a portion of Irish Hill and the construction of adjacent new development would have a less-than-significant impact to the integrity of Irish Hill, and to the UIW Historic District as a whole. No mitigation measures are necessary.

The first paragraph of Impact CR-10, on EIR p. 4.D.99, has been revised to provide additional informational context by which to understand the impact of the proposed street pattern on the UIW Historic District (new text is underlined):

The proposed street network would extend the existing east-west streets (20th Street and 22nd Street), establish a new east-west street (21st Street) eastward through the project site to the shoreline of the Bay, and create north-south internal streets. These north-south streets would re-establish Michigan, Louisiana, and Maryland streets in alignments similar to their early twentieth century manifestations during the early portion of the UIW Historic District's period of significance (1888-1945). The Proposed Project would also provide a 9-acre interconnected network of public open spaces through the project site.

The following new text has been added before the first paragraph under Impact CR-11 on EIR p. 4.D.101 (new text is underlined):

Impact CR-11: The proposed infill construction would materially alter, in an adverse manner, the physical characteristics of the UIW National Register Historic District that justify its inclusion in the California Register of Historical Resources. *(Less than Significant with Mitigation)*

The project site was more densely developed at the end of the UIW Historic District's period of significance (1945) than it is today. In particular, the project site included several buildings east and northeast of Building 2. The locations of proposed buildings A, B and D were historically occupied by buildings. Many of the other proposed buildings, including E1, E2, E3, E4, F, G, H1 and H2, occupy sites that no longer include buildings or other structures that were present during the historic period. In this sense, the proposed infill construction would return the site to a building density that is more in keeping with its historic density.

The following new text has been added before the first full paragraph on EIR p. 4.D.103 (new text is underlined):

The proposed new construction would not result in the need to adjust the boundary of the UIW Historic District, because the boundary is based on the boundary of the shipyard at the end of World War II, according to the Bethlehem Shipbuilding Division's 1944 Master Plan, rather than the presence of a concentration of surviving contributors. The District boundary, therefore, captures the entire shipyard's development from 1884 through 1945 including large areas of non-contributing features and now vacant land. The boundary for the UIW Historic District, as with most historic districts, includes areas with non-contributing features. But given the District's national significance as a historic shipbuilding facility, maintaining a District boundary that extends eastward to the waters of San Francisco Bay is essential. In addition, Building 12 would continue to mark the south end of the District, new construction would be far removed from the District's northern boundary, and Illinois Street would continue to separate the District from the street grid to the west. Because the current boundaries of the UIW Historic District do not bear a close relationship to the current presence of concentrations of contributors, the proposed infill construction within the District boundaries would not change reasoning on which the boundary of the UIW Historic District is premised.

Correction to Scale Bar on Section 4.D Figures

* The scale bar has been revised on the EIR Section 4.D figures listed below. These figures accurately depict the existing contributing and non-contributing features on the project site, the location of figure viewpoints, the new construction buffer, height reference locations, and related treatment to adjacent historic resources. The revised figures are shown on the following pages.

- Figure 4.D.2: Contributing and Non-Contributing Features on the Project Site, EIR p. 4.D.37
- Figure 4.D.3: Viewpoint Location Map, EIR p. 4.D.73

- Figure 4.D.10: New Construction Buffer, EIR p. 4.D.81
- Figure 4.D.14: Height Reference Locations, EIR p. 4.D.87
- Figure 4.D.15: Related Treatment to Adjacent Historic Resources, EIR p. 4.D.88

Section 4.E, Transportation and Circulation

Baseline Plus Project conditions described in EIR Section 4.E, Transportation and Circulation, assumed a substantial number (roughly between 80 and 100) of project trips would use the 10 Townsend bus route. This would require riders to walk from the Pier 70 project site approximately 10 blocks, past the T Third, under the I-280 Freeway, and over Potrero Hill. It is unlikely that riders would walk this distance given the proximity of the T Third/Central Subway to the project site. Therefore, as described below in the following text revisions, these trips have been re-assigned to the T Third/Central Subway; it is assumed those riders destined for areas served by the 10 Townsend, would instead transfer to the 10 Townsend either near 4th Street / King Street or in Chinatown. As a result, riders from the Proposed Project would be less likely to travel between the project site and the "Other lines" subcorridor in the Southeast screenline, and would instead travel on the Third Street subcorridor. Projected ridership on both of those subcorridors has been revised accordingly in Tables 4.E.19 and 4.E.20, pp. 4.E.87-4.E.89, presented below, along with relevant text.

In addition, Baseline Plus Project conditions described in the EIR Chapter 4, Transportation and Circulation inadvertently assigned all trips in the Southwest suborridor to the T Third/Central Subway. However, the T Third/Central Subway will no longer pass through this subcorridor following completion of the Central Subway. As shown below in the following text and table revisions, those T Third trips have been removed and the remaining trips on this Southeast subcorridor are revised showing travel on the K Ingleside, and not the T Third/Central Subway.

* Tables 4.E.19 and 4.E.20, as well as Impact TR-4, on EIR pp. 4.E.87-4.E.91, Tables 4.E.25 and 4.E.26 on EIR pp. 4.E.114-4.E.117, and Impact C-TR-6 on p. 4.E.119 (shown later in this section on RTC pp. 5.88-5.96), have been revised to reflect new trip assignments (new text is <u>underlined</u> and deletions are shown in ~~strikethrough~~). These changes do not affect impact conclusions or mitigation measures. (Revised) Tables 4.E.19 and 4.E.20 are shown on RTC pp. 5.80-5.82, and Impact TR-4 is shown on RTC pp. 5.85-5.86.

Baseline Conditions described in EIR Section 4.E, Transportation and Circulation, pp. 4.E.30-4.E.31, for the Northeast Screenline Other lines subcorridor in 2020 inadvertently omitted the new E Embarcadero line. Additionally, Baseline 2020 Conditions for the capacity of the Other lines subcorridor in the Southeast Screenline inadvertently held the capacity constant between Existing and Baseline conditions because of a concern that the forecasts were showing a decrease in capacity, while upon further review it is reasonable to assume that capacity would decrease

Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2015)

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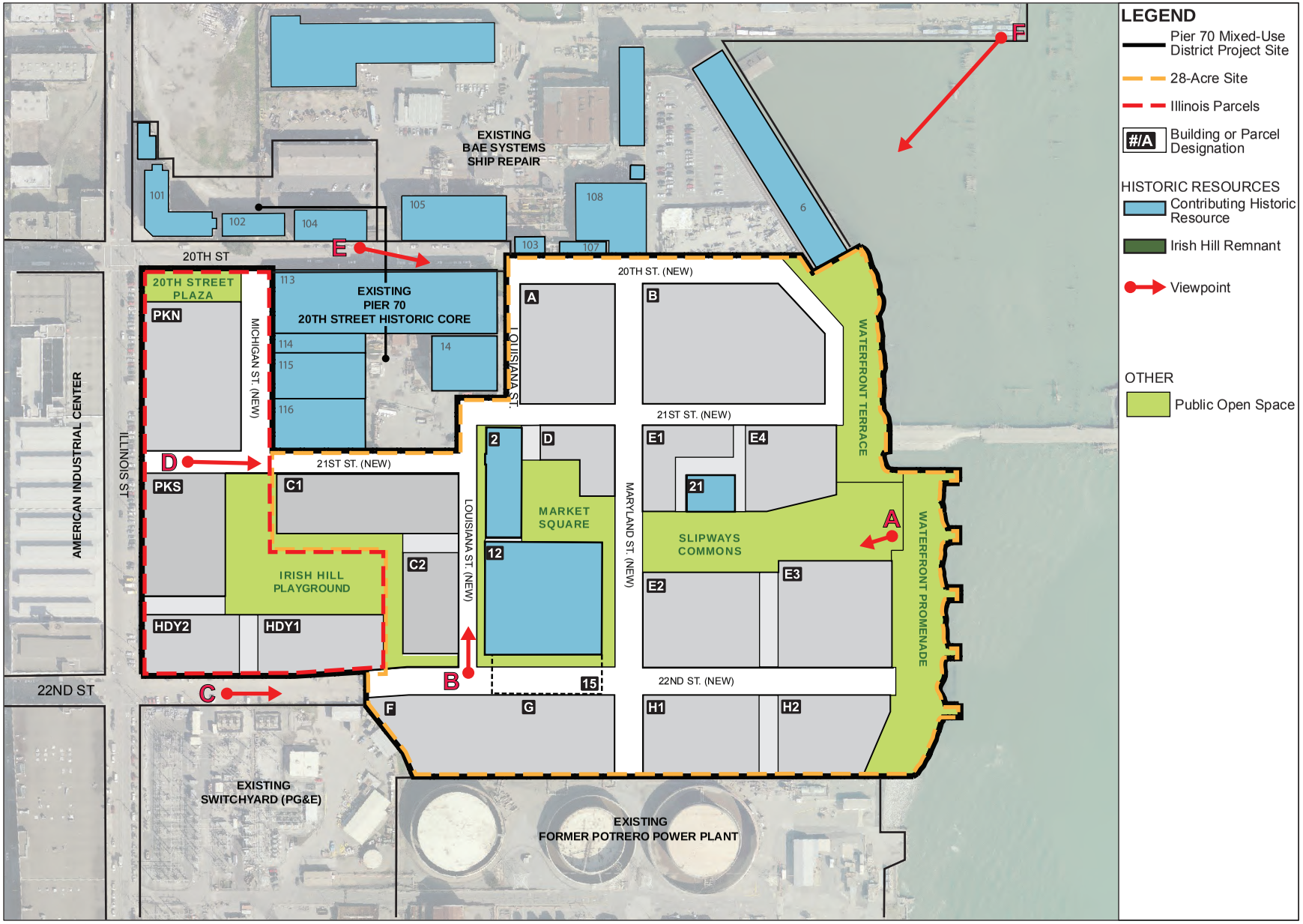
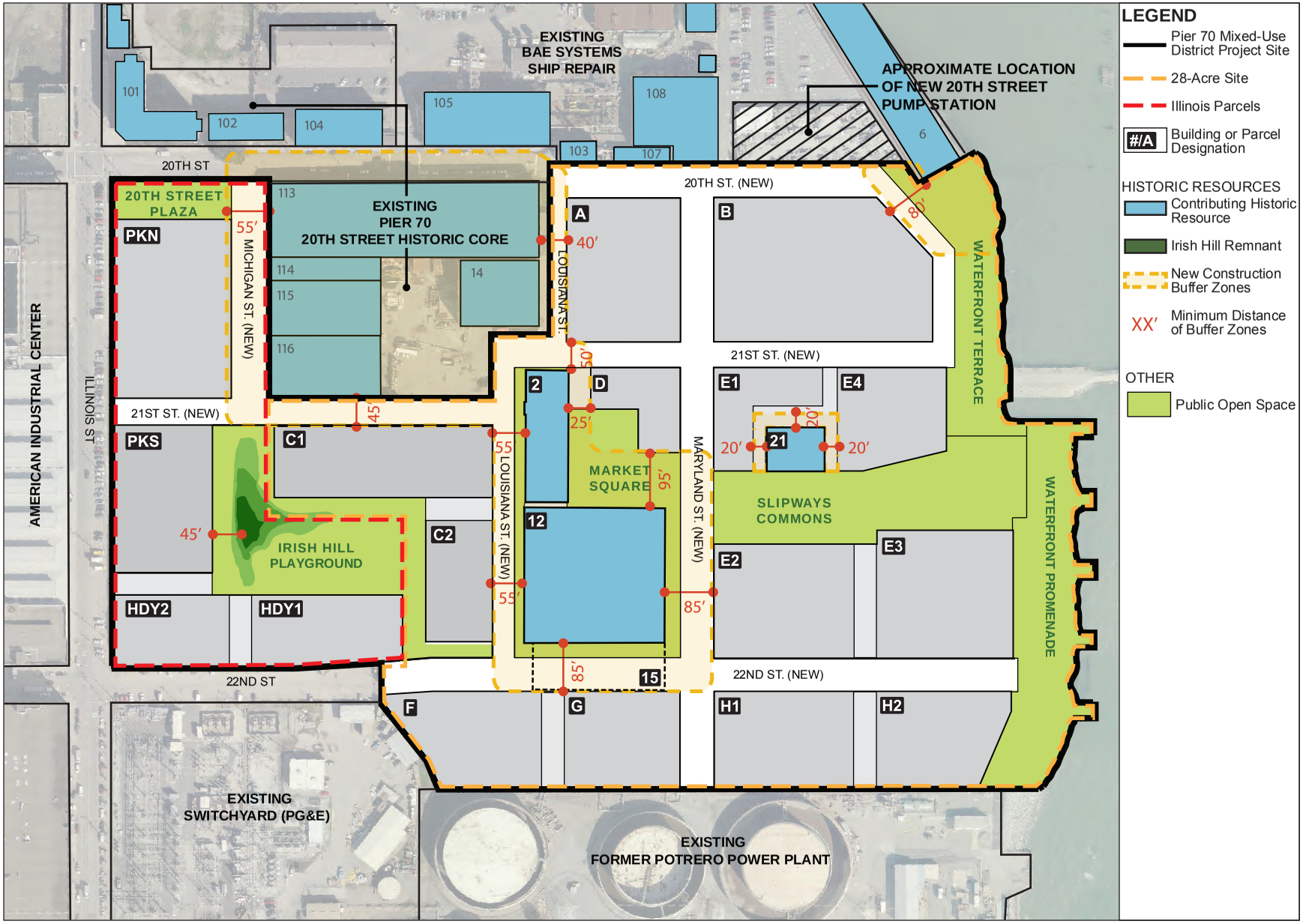
(REVISED) FIGURE 4.D.2: CONTRIBUTING AND NON-CONTRIBUTING FEATURES ON THE PROJECT SITE



Source: Sitelab Studio, Turnstone Consulting/SWCA (2016)

PIER 70 MIXED-USE DISTRICT PROJECT

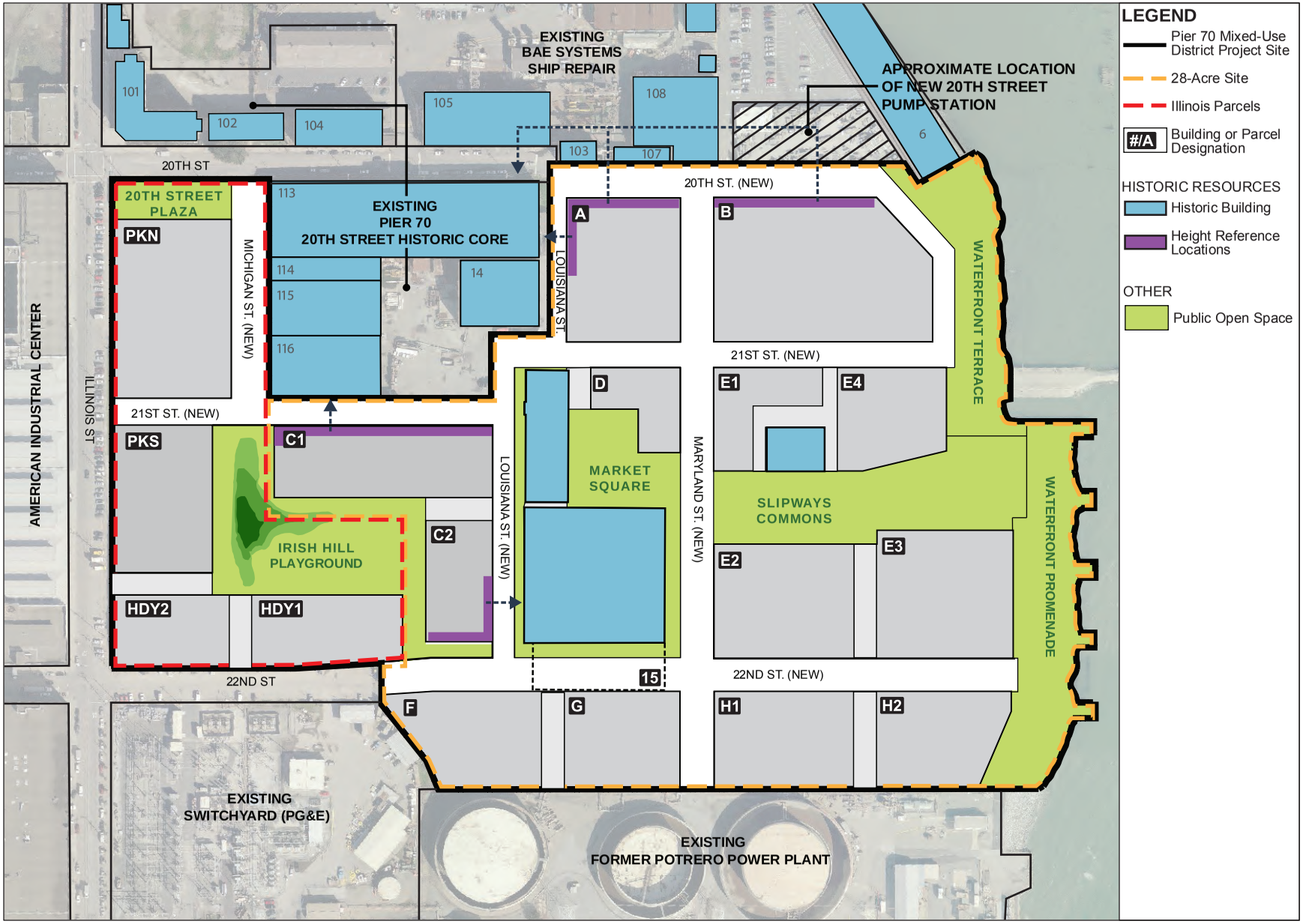
(REVISED) FIGURE 4.D.3: VIEWPOINT LOCATION MAP



Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2016)

PIER 70 MIXED-USE DISTRICT PROJECT

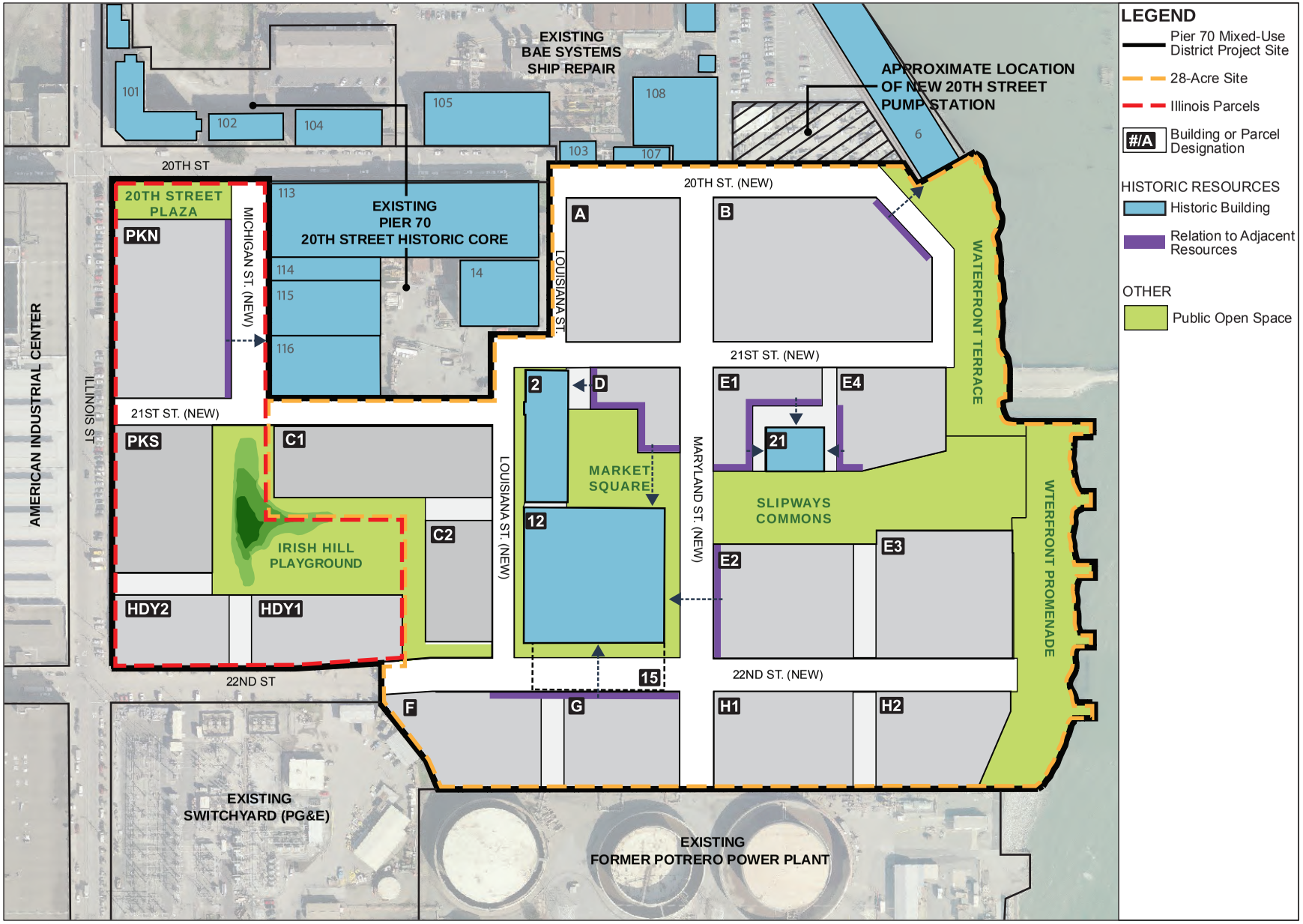
(REVISED) FIGURE 4.D.10: NEW CONSTRUCTION BUFFER



Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2016)

PIER 70 MIXED-USE DISTRICT PROJECT

(REVISED) FIGURE 4.D.14: HEIGHT REFERENCE LOCATIONS



Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2016)

PIER 70 MIXED-USE DISTRICT PROJECT

(REVISED) FIGURE 4.D.15: RELATED TREATMENT TO ADJACENT HISTORIC RESOURCES

* **(Revised) Table 4.E.19: Muni Downtown Screenlines – A.M. Peak Hour**

Muni Screenline	Baseline			Baseline Plus Project – Residential			Baseline Plus Project – Commercial		
	Ridership	Capacity	Utilization	Project Trips	Ridership	Utilization	Project Trips	Ridership	Utilization
Northeast									
Kearny/Stockton	2,273	3,157	72%	0	2,273	72%	0	2,273	72%
Other lines	~~710~~ 773	~~1,141~~ 1,155	~~62~~ 67%	54	~~764~~ 827	~~67~~ 72%	37	~~747~~ 810	~~65~~ 70%
Screenline Total	*~~2,983~~ 3,046*	*~~4,298~~ 4,312*	*~~69~~ 71%*	*54*	*~~3,037~~ 3,100*	*~~71~~ 72%*	*37*	*~~3,020~~ 3,083*	*~~70~~ 71%*
Northwest									
Geary	2,302	3,764	61%	0	2,302	61%	0	2,302	61%
California	1,436	2,010	71%	0	1,436	71%	0	1,436	71%
Sutter/Clement	514	630	82%	0	514	82%	0	514	82%
Fulton/Hayes	1,505	2,237	67%	0	1,505	67%	0	1,505	67%
Balboa	553	1008	55%	0	553	55%	0	553	55%
Screenline Total	*6,310*	*9,649*	*65%*	*0*	*6,310*	*65%*	*0*	*6,310*	*65%*
Southeast									
Third Street	1,025	3,808	27%	~~215~~ 296	~~1,240~~ 1,321	~~33~~ 35%	~~152~~ 253	~~1,177~~ 1,278	~~31~~ 34%
Mission	2,155	2,632	82%	0	2,155	82%	0	2,155	82%
San Bruno/ Bayshore	1,867	2,197	**85%**	0	1,867	**85%**	0	1,867	**85%**
Other lines	1,577	~~1,756~~ 1,712	**~~90~~ 92%**	~~81~~ 0	~~1,658~~ 1,577	**~~94~~ 92%**	~~101~~ 0	~~1,678~~ 1,577	**~~96~~ 92%**
Screenline Total	*6,624*	*~~10,393~~ 10,349*	*64%*	*296*	*6,920*	*67%*	*253*	*6,877*	*66%*
Southwest									
Subway lines	6,783	7,020	**97%**	~~323~~ 19	~~7,106~~ 6,802	**~~101~~ 97%**	~~410~~ 24	~~7,193~~ 6,807	**~~102~~ 97%**
Haight/Noriega	1,178	1,596	74%	0	1,178	74%	0	1,178	74%
Other lines	474	560	**85%**	0	474	**85%**	0	474	**85%**
Screenline Total	*8,435*	*9,176*	***92%***	*~~323~~ 19*	*~~8,758~~ 8,454*	***~~95~~ 92%***	*~~410~~ 24*	*~~8,845~~ 8,459*	***~~96~~ 92%***
Muni Screenlines Total	*~~24,352~~ 24,415*	*~~33,515~~ 33,485*	*73%*	*~~673~~ 369*	*~~25,025~~ 24,784*	*~~75~~ 74%*	*~~700~~ 314*	*~~25,052~~ 24,729*	*~~75~~ 74%*

* **(Revised) Table 4.E.19 Continued**

Muni Screenline	Baseline			Baseline Plus Project – Residential			Baseline Plus Project – Commercial		
	Ridership	Capacity	Utilization	Project Trips	Ridership	Utilization	Project Trips	Ridership	Utilization
Individual Muni Routes									
22 Fillmore IB	501	882	57%	163	664	75%	129	630	71%
22 Fillmore OB	340	882	39%	245	585	66%	350	690	78%
48 Quintara / 24th Street IB	119	252	47%	149	268	**106%**	118	237	**94%**
48 Quintara / 24th Street OB	199	252	79%	224	423	**168%**	319	518	**206%**
~~K~~T Third ~~Ingleside~~ IB	1,097	3,808	29%	~~323~~ 377	~~1,420~~ 1,474	~~37~~ 39%	~~410~~ 447	~~1,507~~ 1,544	~~40~~ 41%
~~K~~T Third ~~Ingleside~~ OB	1,931	3,808	51%	~~215~~ 296	~~2,146~~ 2,227	~~56~~ 58%	~~152~~ 253	~~2,083~~ 2,184	~~55~~ 57%

Notes:
Bold indicates capacity utilization of 85 percent or greater.

Source: Fehr & Peers, 2016. See Appendix C in the Transportation Impact Study for Transit Line Capacity Calculations.

* **(Revised) Table 4.E.20: Muni Downtown Screenlines – P.M. Peak Hour**

Muni Screenline	Baseline			Baseline Plus Project – Residential			Baseline Plus Project – Commercial		
	Ridership	Capacity	Utilization	Project Trips	Ridership	Utilization	Project Trips	Ridership	Utilization
Northeast									
Kearny/Stockton	2,444	3,327	73%	0	2,444	73%	0	2,444	73%
Other lines	~~991~~ 903	~~1,155~~ 1,435	~~78~~ 69%	71	~~974~~ 1,062	~~84~~ 74%	51	~~954~~ 1,042	~~83~~ 73%
Screenline Total	*~~3,347~~ 3,435*	*~~4,482~~ 4,762*	*~~75~~ 72%*	*71*	*~~3,418~~ 3,506*	*~~76~~ 74%*	*51*	*~~3,398~~ 3,486*	*~~76~~ 73%*
Northwest									
Geary	2,913	3,621	80%	0	2,913	80%	0	2,913	80%
California	1,349	1,752	77%	0	1,349	77%	0	1,349	77%
Sutter/Clement	523	630	83%	0	523	83%	0	523	83%
Fulton/Hayes	1544	1,838	84%	0	1,544	84%	0	1,544	84%
Balboa	537	974	55%	0	537	55%	0	537	55%
Screenline Total	*6,866*	*8,815*	*78%*	*0*	*6,866*	*78%*	*0*	*6,866*	*78%*

* **(Revised) Table 4.E.20 Continued**

Muni Screenline	Baseline			Baseline Plus Project – Residential			Baseline Plus Project – Commercial		
	Ridership	Capacity	Utilization	Project Trips	Ridership	Utilization	Project Trips	Ridership	Utilization
Southeast									
Third Street	1,836	3,808	48%	~~280~~ 356	~~2,116~~ 2,192	~~56~~ 58%	~~208~~ 295	~~2,044~~ 2,131	~~54~~ 56%
Mission	1,927	2,632	73%	0	1,927	73%	0	1,927	73%
San Bruno/ Bayshore	1,761	2,134	83%	0	1,761	83%	0	1,761	83%
Other lines	1,213	~~1,675~~ 1,612	~~72~~ 75%	~~76~~ 0	~~1,289~~ 1,213	~~77~~ 75%	~~87~~ 0	~~1,300~~ 1,213	~~78~~ 75%
Screenline Total	*6,737*	*~~10,249~~ 10,186*	*66%*	*356*	*7,093*	*~~69~~ 70%*	*295*	*7,032*	*69%*
Southwest									
Subway lines	5,433	6,804	80%	~~304~~ 18	~~5,737~~ 5,451	~~84~~ 80%	~~354~~ 21	~~5,787~~ 5,454	**~~85~~ 80%**
Haight/Noriega	1,065	1,596	67%	0	1,065	67%	0	1,065	67%
Other lines	655	840	78%	0	655	78%	0	655	78%
Screenline Total	*7,153*	*9,240*	*77%*	*~~304~~ 18*	*~~7,457~~ 7,171*	*~~81~~ 78%*	*~~354~~ 21*	*~~7,507~~ 7,174*	*~~81~~ 78%*
Muni Screenlines Total	*~~24,103~~ 24,191*	*~~32,786~~ 33,003*	*~~74~~ 73%*	*~~731~~ 445*	*~~24,834~~ 24,636*	*~~76~~ 75%*	*~~700~~ 367*	*~~24,803~~ 24,558*	*~~76~~ 74%*
Individual Muni Routes									
22 Fillmore IB	436	939	46%	230	666	71%	301	737	78%
22 Fillmore OB	400	939	43%	213	613	65%	177	577	61%
48 Quintara/ 24th Street IB	160	252	63%	211	371	**147%**	274	434	**172%**
48 Quintara/ 24th Street OB	213	252	**85%**	196	409	**162%**	161	374	**148%**
T Third IB	1,940	3,808	51%	~~280~~ 356	~~2,220~~ 2,296	~~58~~ 60%	~~208~~ 295	~~2,148~~ 2,235	~~56~~ 59%
T Third OB	1,742	3,808	46%	~~304~~ 375	~~2,046~~ 2,117	~~54~~ 56%	~~354~~ 405	~~2,096~~ 2,147	~~55~~ 56%

Notes:
Bold indicates capacity utilization of 85 percent or greater.

Source: Fehr & Peers, 2016. See Appendix D in the Transportation Impact Study for Transit Line Capacity Calculations.

slightly in that subcorridor. Capacity calculations have been revised to account for these changes and result in slight differences in the EIR text and table presenting the 2020 Baseline information. The last sentence of the last paragraph on EIR p. 4.E.30 and Table 4.E.9, on EIR p. 4.E.31, have therefore been revised as follows. These changes do not affect impact conclusions.

* The last sentence on p. 4.E.30 has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> The Other Lines subcorridor within the southeast screenline shows ~~90~~ 92 percent capacity utilization in the a.m. peak hour, ~~but since~~ although the southeast screenline itself shows an acceptable 64 percent capacity utilization overall in the a.m. peak hour~~, conditions on that screenline are considered acceptable~~.

* (Revised) Table 4.E.9 is shown on pp. 5.84-5.85 (new text is underlined and deletions are shown in ~~strikethrough~~).

* The third and fourth sentences of the first paragraph under "Roadway Network Improvements" on EIR p. 4.E.43 have been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> The project site would be accessible via Illinois Street at 20th Street, at 22nd Street, and at a new 21st Street connection. The existing 20th Street and 22nd Street rights-of-way within the project site would be improved. Three new internal north-south streets are proposed to break the site into more typical city blocks~~,~~. ~~t~~These are, Michigan Street, Louisianan Street, and Maryland Street (see Figure 2.5: Proposed SUD Land Use Program, in Chapter 2, Project Description, p. 2.22). All streets would have sidewalks, ranging from 9 to ~~18~~ 15 feet wide, all of which would have a minimum throughway of at least 6 feet.

The last paragraph on EIR p. 4.E.75 has been revised, as follows (new text is underlined and deleted text is shown in ~~strikethrough~~):

> Future year 2040 cumulative transit ridership projections were developed based on transit growth projections developed for the ~~Transit Effectiveness Project~~ Central SoMa Study and provided by the Planning Department. Forecast future hourly ridership demand was then compared to expected hourly capacity, as determined by the likely route and headway changes identified in Muni Forward, including those described above under the "Future ~~2010~~ 2040 Transportation Network Improvements" discussion, p. 4.E.74, to estimate capacity utilization under 2040 cumulative conditions.

* **(Revised) Table 4.E.9: Muni Downtown Screenlines and Project-Specific Routes – Baseline Conditions**

Screenline	A.M. Peak Hour (Inbound)			P.M. Peak Hour (Outbound)		
	Ridership	Capacity	Utilization	Ridership	Capacity	Utilization
Northeast						
Kearny/Stockton	2,273	3,157	72%	2,444	3,327	73%
Other lines	~~710~~ 867	~~1,141~~ 1,470	~~62~~ 59%	~~903~~ 1,134	~~1,155~~ 1,750	~~78~~ 65%
Screenline Total	*~~2,983~~ 3,140*	*~~4,298~~ 4,627*	*~~69~~ 68%*	*~~3,347~~ 3,578*	*~~4,482~~ 5,077*	*~~75~~ 70%*
Northwest						
Geary	2,302	3,764	61%	2,913	3,621	80%
California	1,436	2,010	71%	1,349	1,752	77%
Sutter/Clement	514	630	82%	523	630	83%
Fulton/Hayes	1,505	2,237	67%	1,544	1,838	84%
Balboa	553	1,008	55%	537	974	55%
Screenline Total	*6,310*	*9,649*	*65%*	*6,866*	*8,815*	*78%*
Southeast						
Third Street	1,025	3,808	27%	1,836	3,808	48%
Mission	2,155	2,632	82%	1,927	2,632	73%
San Bruno/ Bayshore	1,867	2,197	85%	1,761	2,134	83%
Other lines	1,577	~~1,756~~ 1,712	**~~90~~ 92%**	1,213	~~1,675~~ 1,612	~~72~~ 75%
Screenline Total	*6,624*	*~~10,393~~ 10,349*	*64%*	*6,737*	*~~10,249~~ 10,186*	*66%*
Southwest						
Subway lines	6,783	7,020	**97%**	5,433	6,804	80%
Haight/Noriega	1,178	1,596	74%	1,065	1,596	67%
Other lines	474	560	85%	655	840	78%
Screenline Total	*8,435*	*9,176*	***92%***	*7,153*	*9,240*	*77%*
Muni Screenlines Total	*~~24,352~~ 24,509*	*~~33,515~~ 33,800*	*73%*	*~~24,103~~ 24,334*	*~~32,786~~ 33,318*	*~~74~~ 73%*

* **Table 4.E.9 Continued**

Screenline	A.M. Peak Hour (Inbound)			P.M. Peak Hour (Outbound)		
	Ridership	Capacity	Utilization	Ridership	Capacity	Utilization
Individual Muni Routes						
22 Fillmore IB[1]	501	882	57%	436	939	46%
22 Fillmore OB[1]	340	882	39%	400	939	43%
48 Quintara/ 24th Street IB	119	252	47%	160	252	63%
48 Quintara/ 24th Street OB	199	252	79%	213	252	85%
T Third IB	1,097	3,808	29%	1,940	3,808	51%
T Third OB	1,931	3,808	51%	1,742	3,808	46%

Notes:

1. Ridership and capacity for the 22 Fillmore include both the 22 Fillmore and the 33 Stanyan routes, since they will both provide complimentary service to and from the project area.

Bold indicates capacity utilization of 85 percent or greater.

Source: Fehr & Peers, 2016. See Appendix D in the Transportation Impact Study, Appendix B to this EIR, for Transit Line Capacity Calculations.

* In Improvement Measure I-TR-A: Construction Management Plan, the following revision has been made to the paragraph titled "Reduce Single Occupant Vehicle Mode Share for Construction Workers," on EIR p. 4.E.78 (new text is underlined):

> To minimize parking demand and vehicle trips associated with construction workers, the project sponsors should require the construction contractor to include in the Traffic Control Plan for Construction methods to encourage walking, bicycling, carpooling, and transit access to the project construction sites and to minimize parking in public rights-of-way by construction workers in the coordinated plan.

* For the reasons presented above on RTC p. 5.74, the following revisions have been made to Impact TR-4 on EIR p. 4.E.90 and the two paragraphs that follow it to reflect new trip assignments (new text is underlined and deletions are shown in ~~strikethrough~~). These changes do not affect impact conclusions or mitigation measures.

> **Impact TR-4: The Proposed Project would not result in any Muni screenlines or sub-corridors exceeding 85 percent capacity utilization nor would it increase ridership by more than five percent on any Muni screenline or sub-corridor forecast to exceed 85 percent capacity utilization under Baseline Conditions without the Proposed Project. (*Less than Significant*)**
>
> As shown on pp. 4.E.87-4.E.88, capacity utilization at the four Downtown Muni screenlines would range from 65 percent at the northwest screenline in the a.m. peak hour to 92 percent at the southwest screenline in the a.m. peak hour under Baseline Conditions. Both the Maximum Residential Scenario and Maximum Commercial

Scenario would add riders to the northeast, southeast, and southwest screenlines. The addition of riders from the Proposed Project would increase capacity utilization but would not cause any of the screenlines that operate below 85 percent capacity utilization to exceed the 85 percent standard. Some sub-corridors within the screenlines would exceed 85 percent capacity utilization. Specifically, the "San Bruno/Bayshore" sub-corridor and "other lines" sub-corridor within the Southeast screenline would operate at 85 percent and ~~94~~ 92 percent, respectively, ~~and 96 percent~~ in the Maximum Residential and Maximum Commercial scenarios~~, respectively,~~ in the a.m. peak hour. However, the Proposed Project would not contribute trips to these sub-corridors. The overall screenline would operate within the 85 percent capacity utilization standard and the Proposed Project would not contribute trips to sub-corridors within the screenline that would operate above the 85 percent capacity utilization standard, and conditions on this screenline are considered acceptable.

Capacity utilization at the southwest screenline would ~~increase from~~ be 92 percent under Baseline Conditions and with either of the two Proposed Project scenarios ~~to 95 percent under the Maximum Residential Scenario and 96 percent under the Maximum Commercial Scenario~~ in the a.m. peak hour. Furthermore, the "subway lines" sub-corridor within the southwest screenline would ~~increase~~ operate with capacity utilization in the a.m. peak hour ~~from~~ of ~~95~~ 97 percent under Baseline Conditions and under conditions with either of the Proposed Project scenarios ~~to 101 percent and 102 percent capacity utilization under the Maximu Residential and Maximum Commercial scenarios, respectively~~. However, the Proposed Project would add less than 5 percent to the baseline ridership at the overall screenline and to the Subway lines sub-corridor in the a.m. peak hour.

Therefore, because the Proposed Project would not cause any screenline or sub-corridor to exceed its capacity utilization threshold and because the Proposed Project would not increase capacity utilization by more than 5 percent on any screenline or sub-corridor forecasted to exceed its capacity utilization threshold under Baseline Conditions without the Proposed Project, the impact would be less than significant and no mitigation is required.

* The first bulleted item under Mitigation Measure M-TR-5: Monitor and increase capacity on the 48 Quintara/24th Street bus routes as needed, on EIR p. 4.E.92 has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

- At SFMTA's request, ~~T~~the project sponsors shall pay the capital costs for additional buses (up to a maximum of four in the Maximum Residential Scenario and six in the Maximum Commercial Scenario). ~~While the project sponsors could assist with purchasing the buses,~~ If the SFMTA requests the project sponsor to pay the capital costs of the buses, the SFMTA would need to find funding to pay for the added operating cost associated with operating increased service made possible by the increased vehicle fleet. The source of that funding has not been established.

* The first paragraph under Impact TR-8 on EIR p. 4.E.97 has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> The Proposed Project site plan and roadway improvements would provide for sidewalks along all streets on the project site. Sidewalks would range from 9 to 18 feet and would comply with City standards for sidewalks on residential streets. New intersections would be designed to City standards, as compact as possible and with all-way stop control, to provide a pedestrian-friendly design. The Proposed Project also includes a shared street treatment on Maryland Street and 20th Street. ~~This~~ These streets would have no curbs and would be designed to prioritize pedestrian travel.

* The last paragraph of Improvement Measure I-TR-B: Queue Abatement, on EIR p. 4.E.98, has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> If the ~~Planning~~ Port Director, or his or her designee, suspects that a recurring queue is present, ~~the Planning~~ Port Staff ~~Department~~ should notify the property owner in writing. Upon request, the owner/operator should hire a qualified transportation consultant to evaluate the conditions at the site for no less than 7 days. The consultant should prepare a monitoring report to be submitted to the ~~Planning Department~~ Port for review. If the ~~Planning Department~~ Port determines that a recurring queue does exist, the facility owner/operator should have 90 days from the date of the written determination to abate the queue.

* The lead-in sentence to the bulleted items in Mitigation Measure M-TR-10: Improve pedestrian facilities on Illinois Street adjacent to and leading to the project site, on EIR p. 4.E.99, has been revised, as follows (new text is underlined):

> As part of construction of the Proposed Project roadway network, the project sponsors shall ~~fund~~ implement the following improvements:

* The first two full paragraphs on EIR p. 4.E.102 have been revised, as follows (new text is underlined):

> The Proposed Project includes a shared street treatment on Maryland Street and on 20th Street that would allow limited or no vehicular access at some times, either for special events or at designated times of day. However, for all buildings fronting Maryland Street service entrances would be provided on 21st, Louisiana, and 22nd streets (although on-street loading could still occur from Maryland Street during periods when the shared street was open to vehicular access). Thus, limiting or prohibiting delivery vehicles from accessing Maryland Street from time to time would not result in a significant impact because building service access would be retained.
>
> Despite the fact that the Proposed Project would minimize loading conflicts with bicycles and pedestrians and would not result in significant loading impacts on the shared streets, there would be a loading supply shortfall that would result in significant impacts.

* Mitigation Measure M-TR-12B: Monitor loading activity and convert general purpose on-street parking spaces to commercial loading spaces, as needed, on EIR p. 4.E.105, has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> After completion of the first phase of the Proposed Project, and prior to approval of each subsequent phase, the project sponsors shall conduct a study of utilization of on- and off-street commercial loading spaces. Prior to completion, ~~T~~the methodology for the study shall be reviewed and approved by either: (a) Port Staff in consultation with SFMTA Staff for areas within Port jurisdiction; or (b) SFMTA Staff in consultation with Port Staff for areas within SFMTA jurisdiction. ~~the Planning Department prior to completion~~. If the result of the study indicates that fewer than 15 percent of the commercial loading spaces are available during the peak loading period, the project sponsors shall incorporate measures to convert existing or proposed general purpose on-street parking spaces to commercial parking spaces in addition to the required off-street spaces.

* The first sentence of Improvement Measure I-TR-C: Strategies to Enhance Transportation Conditions During Events, on EIR p. 4.E.108, has been revised, as follows (new text is underlined):

> The project's Transportation Coordinator should participate as a member of the Mission Bay Ballpark Transportation Coordination Committee (MBBTCC) and provide at least 1-month notification to the MBBTCC where feasible prior to the start of any then known event that would overlap with an event at AT&T Park.

* The following revision has been made to Footnote 61 on EIR p. 4.E.111 (new text is underlined and deletions are shown in ~~strikethrough~~):

> [61] ~~Ibid.~~ San Francisco Planning Department, Executive Summary: Resolution Modifying Transportation Impact Analysis, Appendix F, Attachment A, March 3, 2016.

* For the reasons presented above on RTC p. 5.74, Tables 4.E.25 and 4.E.26 on EIR pp. 4.E.114-4.E.117, and Impact C-TR-6 on p. 4.E.119, have been revised as shown below to reflect new trip assignments (new text is underlined and deletions are shown in ~~strikethrough~~). These changes do not affect impact conclusions or mitigation measures.

* The following revisions have been made to the impact statement and discussion of Impact C-TR-6 on EIR pp. 4.E.118:

> **Impact C-TR-6: The Proposed Project would not contribute considerably to significant cumulative impacts at Muni Downtown screenlines or sub-corridors. (*Less than Significant*)**
>
> The Northeast ~~and Southeast~~ Muni Downtown screenlines and its subcorridors would operate below the 85 percent capacity utilization threshold under future 2040 Cumulative conditions in both the a.m. and p.m. peak hours.

* **(Revised) Table 4.E.25: Muni Downtown Screenlines – Cumulative Conditions A.M. Peak Hour**

Muni Screenline	Baseline			Cumulative			Cumulative Plus Project – Residential			Cumulative Plus Project – Commercial		
	Ridership	Capacity	Utilization	Ridership	Capacity	Utilization	Project Trips	Ridership	Utilization	Project Trips	Ridership	Utilization
Northeast												
Kearny/Stockton	2,273	3,157	72%	7,394	9,473	78%	0	7,394	78%	0	7,394	78%
Other lines	~~710~~ 773	~~1,141~~ 1,155	~~62~~ 67%	758	1,785	42%	54	812	45%	37	795	45%
Screenline Total	~~2,983~~ 3,046	~~4,298~~ 4,312	~~69~~ 71%	*8,152*	*11,258*	*72%*	*54*	*8,206*	*73%*	*37*	*8,189*	*73%*
Northwest												
Geary	2,302	3,764	61%	2,673	3,763	71%	0	2,673	71%	0	2,673	71%
California	1,436	2,010	71%	1,989	2,306	**86%**	0	1,989	**86%**	0	1,989	**86%**
Sutter/Clement	514	630	82%	581	756	77%	0	581	77%	0	581	77%
Fulton/Hayes	1,505	2,237	67%	1,962	1,977	**99%**	0	1,962	**99%**	0	1,962	**99%**
Balboa	553	1,008	55%	690	1,008	68%	0	690	68%	0	690	68%
Screenline Total	6,310	9,649	65%	*7,895*	*9,810*	80%	*0*	*7,895*	*80%*	*0*	*7,895*	*80%*
Southeast												
Third Street	1,025	3,808	27%	2,422	5,712	42%	~~215~~ 296	~~2,637~~ 2,718	~~46~~ 48%	~~152~~ 253	~~2,574~~ 2,675	~~45~~ 47%
Mission	2,155	2,632	82%	3,117	3,008	**104%**	0	3,117	**104%**	0	3,117	**104%**
San Bruno/ Bayshore	1,867	2,197	85%	1,952	2,197	**89%**	0	1,952	**89%**	0	1,952	**89%**
Other lines	1,466	~~1,756~~ 1,712	~~83~~ 92%	1,795	2,027	**89%**	~~81~~ 0	~~1,876~~ 1,795	~~**93**~~ **89%**	~~101~~ 0	~~1,896~~ 1,795	~~**94**~~ **89%**

(Revised) Table 4.E.25 Continued

Muni Screenline	Baseline			Cumulative			Cumulative Plus Project – Residential			Cumulative Plus Project – Commercial		
	Ridership	Capacity	Utilization	Ridership	Capacity	Utilization	Project Trips	Ridership	Utilization	Project Trips	Ridership	Utilization
Screenline Total	6,513	~~*10,393*~~ *10,349*	~~*63*~~ *64*%	*9,286*	*12,944*	72%	*296*	*9,582*	*74%*	*253*	*9,539*	*74%*
Southwest												
Subway lines	6,783	7,020	97%	6,314	7,020	**90%**	~~323~~ 19	~~6,637~~ 6,333	~~**95**~~ **90%**	~~410~~ 24	~~6,724~~ 6,338	~~**96**~~ **90%**
Haight/Noriega	1,178	1,596	74%	1,415	1,596	**89%**	0	1,415	**89%**	0	1,415	**89%**
Other lines	474	560	85%	175	560	31%	0	175	31%	0	175	31%
Screenline Total	8,435	9,176	**92%**	*7,904*	*9,176*	**86%**	~~*323*~~ *19*	~~*8,227*~~ *7,923*	~~90~~ 86%	~~*410*~~ *24*	~~*8,314*~~ *7,928*	~~***91***~~ ***86%***
Muni Screenlines Total	~~24,352~~ 24,415	~~33,515~~ 33,485	73%	*33,237*	*43,188*	77%	~~*673*~~ *369*	~~*33,910*~~ *33,606*	~~*79*~~ *78%*	~~*700*~~ *314*	~~*33,937*~~ *33,551*	~~*79*~~ *78%*
Individual Routes												
22 Fillmore IB	501	882	57%	539	882	61%	163	702	80%	129	668	76%
22 Fillmore OB	340	882	39%	455	882	52%	245	700	79%	350	805	**91%**
48 Quintara / 24th Street IB	119	252	47%	95	252	38%	149	244	**97%**	118	213	85%
48 Quintara / 24th Street OB	199	252	79%	244	252	**97%**	224	468	**186%**	319	563	**223%**
T Third IB	1,097	3,808	29%	1,554	5,712	27%	~~323~~ 377	~~1,877~~ 1,931	~~33~~ 34%	~~410~~ 447	~~1,964~~ 2,001	~~34~~ 35%

(Revised) Table 4.E.25 Continued

Muni Screenline	Baseline			Cumulative			Cumulative Plus Project – Residential			Cumulative Plus Project – Commercial		
	Ridership	Capacity	Utilization	Ridership	Capacity	Utilization	Project Trips	Ridership	Utilization	Project Trips	Ridership	Utilization
T Third OB	1,931	3,808	51%	3,327	5,712	58%	~~215~~ 296	~~3,542~~ 3,623	~~62~~ 63%	~~152~~ 253	~~3,479~~ 3,580	~~61~~ 63%

Note:

Bold indicates capacity utilization of 85 percent or greater.

Source: San Francisco Planning Department, "Transit Data for Transportation Impact Studies," May 2015; Fehr & Peers, 2016. See Appendix D in the Transportation Impact Study for Transit Line Capacity Calculations.

* **(Revised) Table 4.E.26: Muni Downtown Screenlines – Cumulative Conditions P.M. Peak Hour**

Muni Screenline	Baseline			Cumulative			Cumulative Plus Project – Residential			Cumulative Plus Project – Commercial		
	Ridership	Capacity	Utilization	Ridership	Capacity	Utilization	Project Trips	Ridership	Utilization	Project Trips	Ridership	Utilization
Northeast												
Kearny/Stockton	2,444	3,327	73%	6,295	8,329	76%	0	6,295	76%	0	6,295	76%
Other lines	~~903~~ 991	~~1,155~~ 1,435	~~78~~ 69%	1,229	2,065	60%	71	1,300	63%	51	1,280	62%
Screenline Total	*~~3,347~~ 3,435*	*~~4,482~~ 4,762*	*~~75~~ 72%*	*7,524*	*10,394*	*72%*	*71*	*7,595*	*73%*	*51*	*7,575*	*73%*
Northwest												
Geary	2,913	3,621	80%	2,996	3,621	83%	0	2,996	83%	0	2,996	83%
California	1,349	1,752	77%	1,766	2,021	**87%**	0	1,766	**87%**	0	1,766	**87%**
Sutter/Clement	523	630	83%	749	756	**99%**	0	749	**99%**	0	749	**99%**
Fulton/Hayes	1,544	1,838	84%	1,762	1,878	**94%**	0	1,762	**94%**	0	1,762	**94%**
Balboa	537	974	55%	776	974	80%	0	776	80%	0	776	80%
Screenline Total	6,866	8,815	78%	*8,049*	*9,250*	**87%**	*0*	*8,049*	***87%***	*0*	*8,049*	***87%***
Southeast												
Third Street	1,836	3,808	48%	2,300	5,712	40%	~~280~~ 356	~~2,580~~ 2,656	~~45~~ 46%	~~208~~ 295	~~2,508~~ 2,595	~~44~~ 45%
Mission	1,927	2,632	73%	2,673	3,008	**89%**	0	2,673	**89%**	0	2,673	**89%**
San Bruno/ Bayshore	1,761	2,134	83%	1,817	2,134	**85%**	0	1,817	**85%**	0	1,817	**85%**
Other lines	1,213	~~1,675~~ 1,612	~~72~~ 75%	1,582	1,927	82%	~~76~~ 0	~~1,658~~ 1,582	~~**86**~~ 82**%**	~~87~~ 0	~~1,669~~ 1,582	~~**87**~~ 82**%**

(Revised) Table 4.E.26 Continued

Muni Screenline	Baseline			Cumulative			Cumulative Plus Project – Residential			Cumulative Plus Project – Commercial		
	Ridership	Capacity	Utilization	Ridership	Capacity	Utilization	Project Trips	Ridership	Utilization	Project Trips	Ridership	Utilization
Screenline Total	*6,737*	*~~10,249~~ 10,186*	*66%*	*8,372*	*12,781*	66%	*356*	*8,728*	*68%*	*295*	*8,667*	*68%*
Southwest												
Subway lines	5,433	6,804	80%	5,692	6,804	84%	~~304~~ 18	~~5,996~~ 5,710	**~~88~~** 84%	~~354~~ 21	~~6,046~~ 5,713	**~~89~~** 84%
Haight/Noriega	1,065	1,596	67%	1,265	1,596	79%	0	1,265	79%	0	1,265	79%
Other lines	655	840	78%	380	840	45%	0	380	45%	0	380	45%
Screenline Total	*7,153*	*9,240*	*77%*	*7,337*	*9,240*	79%	*~~304~~ 18*	*~~7,641~~ 7,355*	*~~83~~ 80%*	*~~354~~ 21*	*~~7,691~~ 7,358*	*~~83~~ 80%*
Muni Screenlines Total	*~~24,103~~ 24,191*	*~~32,786~~ 33,003*	*~~74~~ 73%*	*31,282*	*41,665*	75%	*~~731~~ 445*	*~~32,013~~ 31,727*	*~~77~~ 76%*	*~~700~~ 367*	*~~31,982~~ 31,649*	*~~77~~ 76%*
Individual Routes												
22 Fillmore IB	436	939	46%	549	939	58%	230	779	83%	301	850	**91%**
22 Fillmore OB	400	939	43%	512	939	55%	213	725	77%	177	689	73%
48 Quintara / 24th Street IB	160	252	63%	184	252	73%	211	395	**157%**	274	458	**182%**
48 Quintara / 24th Street OB	213	252	85%	175	252	69%	196	371	**147%**	161	336	**133%**
T Third IB	1,940	3,808	51%	3,758	5,712	66%	~~280~~ 356	~~4,038~~ 4,114	~~71~~ 72%	~~208~~ 295	~~3,966~~ 4,053	~~69~~ 71%

(Revised) Table 4.E.26 Continued

Muni Screenline	Baseline			Cumulative			Cumulative Plus Project – Residential			Cumulative Plus Project – Commercial		
	Ridership	Capacity	Utilization	Ridership	Capacity	Utilization	Project Trips	Ridership	Utilization	Project Trips	Ridership	Utilization
T Third OB	1,742	3,808	46%	2,219	5,712	39%	~~304~~ 375	~~2,523~~ 2,594	~~44~~ 45%	~~354~~ 405	~~2,573~~ 2,624	~~45~~ 46%

Note:

Bold indicates capacity utilization of 85 percent or greater.

Source: San Francisco Planning Department, "Transit Data for Transportation Impact Studies," May 2015; Fehr & Peers, 2016. See Appendix D in the Transportation Impact Study for Transit Line Capacity Calculations.

The Northwest Downtown screenline would operate below the 85 percent capacity utilization threshold under future 2040 Cumulative conditions in the a.m. peak hour. ~~The Southwest Downtown screenline would operate below the 85 percent capacity utilization threshold under future 2040 Cumulative conditions in the p.m. peak hour. Cumulative impacts to these screenlines would be less than significant.~~ The "California" and "Fulton/Hayes" sub-corridors would operate at 86 percent and 99 percent capacity utilization in the a.m. peak hour under future 2040 Cumulative conditions in the a.m. peak hour, resulting in significant cumulative impacts. However, the Proposed Project would not contribute trips to these sub-corridors during the a.m. peak hour and the Proposed Project would not contribute considerably to these significant cumulative impacts. All other sub-corridors within the Northwest Downtown screenline would operate below the 85 percent capacity utilization under future 2040 Cumulative conditions in the a.m. peak hour.

~~The Southwest Downtown screenline would operate above the 85 percent threshold in the a.m. peak hour both with and without the Proposed Project in year 2040. However, even with the Proposed Project (under either the Maximum Residential or Maximum Commercial scenario), the capacity utilization would be lower than the Baseline Condition, and therefore, considered a less- than-significant cumulative impact.~~

The Northwest Downtown screenline would operate above the 85 percent threshold in the p.m. peak hour without the Proposed Project, resulting in a significant cumulative impact. Because the Proposed Project is estimated to contribute no riders to this screenline, the Proposed Project would not contribute considerably to the significant cumulative impact. The "California", "Sutter/Clement", and "Fulton/Hayes" sub-corridors within the Northwest Downtown screenline would operate above the 85 percent threshold in the p.m. peak hour, which would be a significant cumulative impact. However, as with the overall Northwest Downtown screenline, the Proposed Project would not contribute riders to these sub-corridors and therefore the Proposed Project would not contribute considerably to the significant cumulative impact on these sub-corridors in the p.m. peak hour. All other sub-corridors within the Northwest Downtown screenline would operate within the 85 percent threshold in the p.m. peak hour. ~~No mitigation is required.~~

The Southeast Downtown screenline would operate below the 85 percent capacity utilization threshold under future 2040 Cumulative conditions in the a.m. and p.m. peak hours. The "Mission" and "San Bruno/Bayshore" sub-corridors would exceed the 85 percent utilization threshold in the a.m. and p.m. peak hours and the "other lines" sub-corridor would exceed the 85 percent utilization threshold in only the a.m. peak hour, which would be significant cumulative impacts. However, the Proposed Project would not contribute riders to these sub-corridors in either peak hour and therefore, the Proposed Project would not contribute considerably to the significant cumulative impact in either peak hour. All other sub-corridors within the Southeast Downtown screenline would continue to operate below the 85 percent capacity utilization threshold in the a.m. and p. m. peak hours.

The Southwest Downtown screenline would operate above the 85 percent threshold in the a.m. peak hour both with and without the Proposed Project in year 2040. However, even with the Proposed Project (under either the Maximum Residential or Maximum

Commercial scenario), the capacity utilization would be lower than the Baseline Condition, and therefore considered a less-than-significant cumulative impact.

The Southwest Downtown screenline would operate below the 85 percent capacity utilization threshold under future 2040 Cumulative conditions in the p.m. peak hour. Cumulative impacts to these screenlines would be less than significant.

Therefore, the Proposed Project would not create or contribute considerably to any significant cumulative impact to the Downtown screenlines or to sub-corridors within the screenlines. No mitigation is required.

Section 4.F, Noise and Vibration

* The following revision has been made to Footnote 11 on EIR p. 4.F.8 (new text is underlined and deletions are shown in ~~strikethrough~~):

> [11] Two long-term measurements (LT-1 and LT-2) were collected by Vibro-Acoustic Consultants (VACC) in the central and eastern portions of the 28-Acre Site, one long-term measurement (LT-3) was taken near the northeastern boundary of the 28-Acre Site, and one long-term measurement (LT-4) was collected by VACC along Illinois Street (north of the Mixed-Use District project site) from May 11 to May 16, 2012 (96 hours). Five short-term measurements (ST-1 through ST-5, 15 to 30 minutes) were also conducted by VACC during this same period in the vicinity of the BAE Systems Ship Repair facility, which are located north of the Mixed-Use District project site (see Attachment 1 of Appendix ~~F~~ C for noise measurement data). The complete VACC report is included in Attachment 1 of the *Pier 70 Mixed-Use District Project, Noise Technical Memorandum,* San Francisco, CA, Case No. 2014-001272ENV, by Orion Environmental Associates (December 2016).

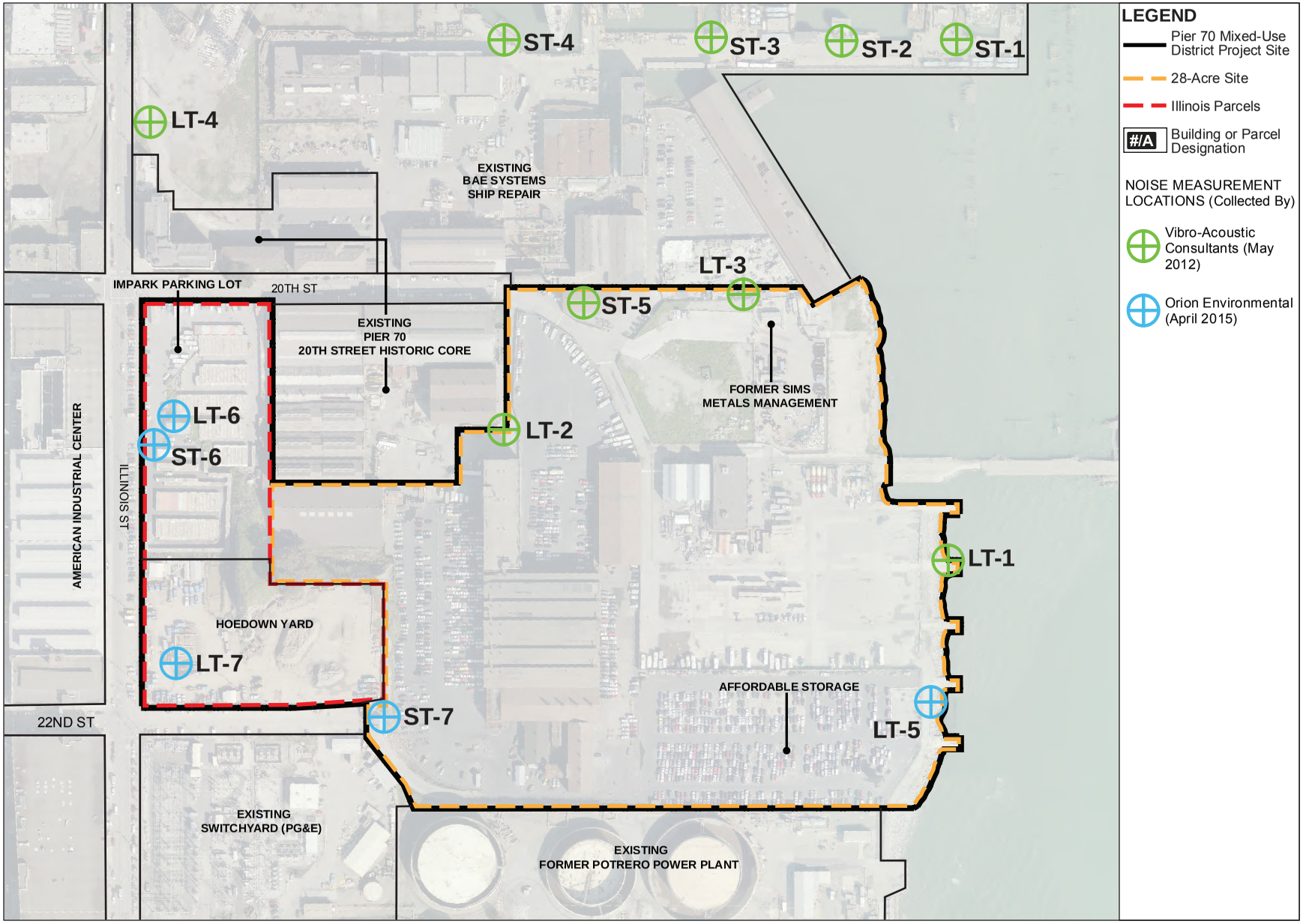
* The scale bar has been revised on Figure 4.F.1: Noise Measurement Locations, EIR p. 4.F.9, and Figure 4.F.2: Noise Sensitive Receptors in the Project Vicinity, EIR p. 4.F.16. These figures, accurately depict location of noise measurement locations and noise sensitive receptors relative to the project site. The revised figures are shown on the following pages.

* The second sentence of the first paragraph of Mitigation Measure M-NO-1: Construction Noise Control Plan, on p. 4.F.33, has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> Therefore, prior to construction, a Construction Noise Control Plan shall be prepared by the project sponsors and submitted to the ~~Department of Building Inspection~~ Port.

* The last bulleted item on p. 4.F.35 (part of the discussion in Mitigation Measure M-NO-1) has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

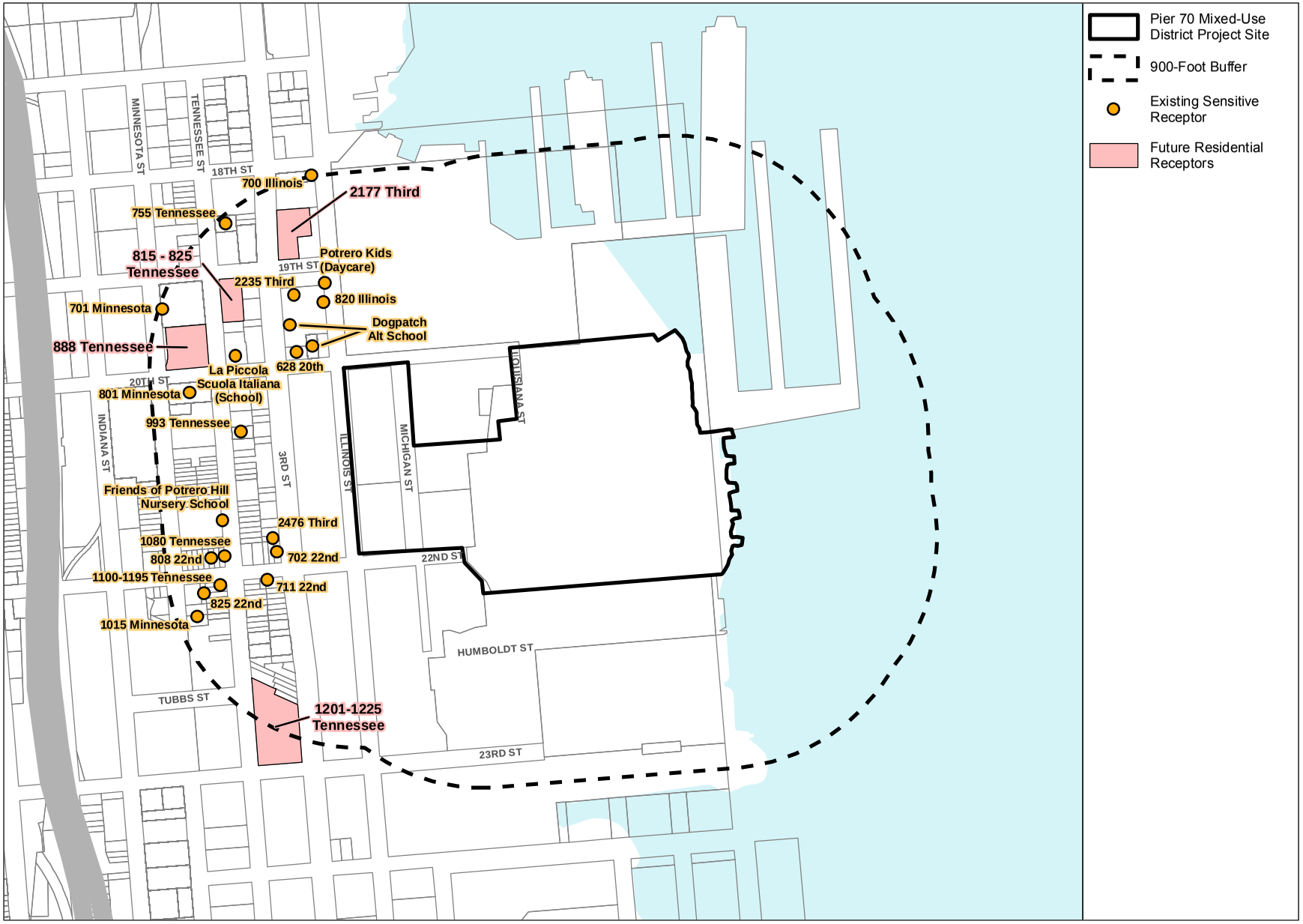
- Prior to the issuance of each building permit, along with the submission of construction documents, submit to the Port ~~Planning Department and Department of Building Inspection or the Port~~, as appropriate, a plan to track and respond to complaints pertaining to construction noise. The plan shall include the following measures: (1) a procedure and phone numbers for notifying ~~the Department of~~



Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2015)

PIER 70 MIXED-USE DISTRICT PROJECT

(REVISED) FIGURE 4.F.1: NOISE MEASUREMENT LOCATIONS



Source: SWCA/Turnstone (2016)

PIER 70 MIXED-USE DISTRICT PROJECT

(REVISED) FIGURE 4.F.2: NOISE-SENSITIVE RECEPTORS IN THE PROJECT VICINITY

~~Building Inspection or~~ the Port, the Department of Public Health, and the Police Department (during regular construction hours and off-hours); (2) a sign posted on-site describing permitted construction days and hours, noise complaint procedures, and a complaint hotline number that shall be answered at all times during construction; (3) designation of an on-site construction complaint and enforcement manager for the project; and (4) notification of neighboring residents and non-residential building managers within 300 feet of the project construction area and the American Industrial Center (AIC) at least 30 days in advance of extreme noise-generating activities (such as pile driving) about the estimated duration of the activity.

* Note 1 in Table 4.F.11: Noise Compatibility by Parcel - Maximum Residential Scenario, on EIR p. 4.F.64, has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

[1] Traffic noise levels were first estimated for each project roadway based on future estimated traffic volumes, and then adjusted for distance to the edge of the road rights-of-way to represent the maximum noise level at closest possible location of a building façade. Noise levels by façade are listed for each parcel and building on the project site in Attachment 2 of Appendix ~~F~~ C, Project On-Site Noise Exposure by Parcel. The above table summarizes these estimates by presenting the lowest and highest combined noise levels for each parcel at the edge of the adjacent or closest road rights-of-way.

* Note 1 in Table 4.F.12: Noise Compatibility by Parcel - Maximum Commercial Scenario, on EIR p. 4.F.68, has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

[1] Traffic noise levels were first estimated for each project roadway based on future estimated traffic volumes, and then adjusted for distance to the edge of the road rights-of-way to represent the maximum noise level at closest possible location of a building façade. Noise levels by façade are listed for each parcel and building on the project site in Attachment 2 of Appendix ~~F~~ C, Project On-Site Noise Exposure by Parcel. The above table summarizes these estimates by presenting the lowest and highest combined noise levels for each parcel at the edge of the adjacent or closest road rights-of-way.

* The first sentence of the first bulleted item under Mitigation Measure M-NO-6: Design of Future Noise-Sensitive Uses, on EIR p. 4.F.71, has been revised, as follows (new text is underlined):

Orient bedrooms away from major noise sources (i.e., major streets, open space/recreation areas where special events would occur, and existing adjacent industrial uses, including but not limited to the AIC, PG&E Hoedown Yard (if it is still operating at that time), Potrero Substation, and the BAE site) and/or provide additional enhanced noise insulation features (higher STC ratings) or mechanical ventilation to minimize the effects of maximum instantaneous noise levels generated by these uses even though there is no code requirement to reduce L_{max} noise levels.

* The second sentence of the first complete paragraph on EIR p. 4.F.73 has been updated to include the revised title of Mitigation Measure M-NO-7, as follows (new text is underlined):

Implementation of Mitigation Measure M-NO-7: Noise Control Plan for Special Event Outdoor Amplified Sound, shown below, would ensure that sound levels generated by amplified equipment would be consistent with Section 2909 of the City's Police Code, which establishes a not-to-exceed (except through a variance) noise standard for fixed sources of noise and from events subject to regulation by the Entertainment Commission.

* The second complete paragraph on EIR p. 4.F.73 has been updated to include the revised title of Mitigation Measure M-NO-7, as follows (new text is underlined):

Therefore, with implementation of Mitigation Measure M-NO-7: Noise Control Plan for Special Event Outdoor Amplified Sound, and with compliance with Sections 47.2, 1060.1 and 2909 of the Police Code, periodic and temporary noise increases associated with special events would be less than significant.

* On EIR p. 4.F.73, the title of Mitigation Measure M-NO-7 has been revised, as follows (new text is underlined):

Mitigation Measure M-NO-7: Noise Control Plan for Special Event Outdoor Amplified Sound

Section 4.G, Air Quality

The following text has been added after the last sentence of the first paragraph on EIR p. 4.G.1 (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR.

The effects of airborne serpentine health hazards are discussed in Section 4.P, Hazards and Hazardous Materials.

* Footnote 53 on EIR p. 4.G.34 has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

[53] Fehr & Peers, ~~Transportation Impact Study, Pier 70 Waterfront Site Special Use District (SUD) Project, Screencheck Draft,~~ *Pier 70 Mixed-Use District Project Transportation Impact Study*, December 2016.

* Several changes have been made to Mitigation Measure M-AQ-1a: Construction Emissions Minimization, on EIR pp. 4.G.42-4.G.44. First, Item A, on p. 4.G.42, has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

A. *Construction Emissions Minimization Plan.* Prior to issuance of a site permit, the project sponsors shall submit a Construction Emissions Minimization Plan (Plan) to the Port or Planning Department ~~Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist~~. The Plan shall detail project compliance with the following requirements:

* Second, the second sentence of item iii under listed item 2 in Measure M-AQ-1a on EIR p. 4.G.43 has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> Should the project sponsor determine either that an off-road vehicle that meets Tier 4 emissions standards or that renewable diesel are not commercially available, the project sponsor shall submit documentation to the satisfaction of ~~the ERO~~ Port or Planning Staff and, for the former condition, shall identify the next cleanest piece of equipment that would be use, in compliance with Table M-AQ-1-1.

* Third, Item B of the Measure M-AQ-1a on EIR p. 4.G.44, has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> B. *Reporting.* Quarterly reports shall be submitted to ~~the ERO~~ Port or Planning Staff indicating the construction activities undertaken and information about the off-road equipment used, including the information required in Section A(5). In addition, reporting shall include the approximate amount of renewable diesel fuel used.
>
> Within 6 months of the completion of all project construction activities, the project sponsors shall submit to ~~the ERO~~ Port or Planning Staff a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. The final report shall include detailed information required in Section A(5). In addition, reporting shall include the actual amount of renewable diesel fuel used.

* Item C in Mitigation Measure M-AQ-1b: Diesel Backup Generator Specifications, on EIR p. 4.G.45, has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> C. For each new diesel backup generator permit submitted to BAAQMD for the project, anticipated location, and engine specifications shall be submitted to the ~~San Francisco Planning Department~~ Port Staff for review and approval prior to issuance of a permit for the generator from the San Francisco DBI or the Port. Once operational, all diesel backup generators shall be maintained in good working order for the life of the equipment and any future replacement of the diesel backup generators shall be required to be consistent with these emissions specifications. The operator of the facility at which the generator is located shall maintain records of the testing schedule for each diesel backup generator for the life of that diesel backup generator and provide this information for review to the ~~Planning Department~~ Port within 3 months of requesting such information.

* Several changes have been made to Mitigation Measure M-AQ-1f: Transportation Demand Management, on EIR pp. 4.G.47-4.G.50. First, the first two sentences of the first paragraph of the measure on p. 4.G.47, have been revised, as follows (new text is underlined):

> The project sponsors shall prepare and implement a Transportation Demand Management (TDM) Plan with a goal of reducing estimated daily one-way vehicle trips by 20 percent compared to the total number of daily one-way vehicle trips identified in the project's

Transportation Impact Study at project build-out. To ensure that this reduction goal could be reasonably achieved, the TDM Plan will have a monitoring goal of reducing by 20 percent the daily one-way vehicle trips calculated for each building that has received a Certificate of Occupancy and is at least 75% occupied compared to the daily one-way vehicle trips anticipated for that building based on anticipated development on that parcel, using the trip generation rates contained within the project's Transportation Impact Study.

* Second, the first sentence of the first full paragraph on p. 4.G.48 has been revised, as follows (new text is underlined):

> The TDM Plan shall include specific descriptions of each measure, including the degree of implementation (e.g., for how long will it be in place~~, how many tenants or visitors will it benefit, on which locations within the site will it be placed, etc.~~), and the population that each measure is intended to serve (e.g. residential tenants, retail visitors, employees of tenants, visitors, etc.).

* Third, the first sentence of "Timing" under "TDM Plan Monitoring and Reporting" on p. 4.G.48 has been revised, as follows (new text is underlined):

> Monitoring data shall be collected and reports shall be submitted to Planning Department staff every year (referred to as "reporting periods"), until five consecutive reporting periods display the fully built project has met the reduction goal, at which point monitoring data shall be submitted to Planning Department staff once every three years.

* Fourth, the following text has been added as a next-to-last item in the list under "Components" on EIR p. 4.G.49:

> - Degree of Implementation: The monitoring report shall include descriptions of the degree of implementation (e.g., how many tenants or visitors the TDM Plan will benefit, and on which locations within the site measures will be/have been placed, etc.).

* Fifth, the second sentence of the paragraph under "TDM Plan Adjustments" in Mitigation Measure M-AQ-1f on EIR p. 4.G.49 has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> The TDM Plan adjustments shall be made in consultation with ~~Planning Department~~ Port staff and may require refinements to existing measures (e.g., change to subsidies, increased bicycle parking), inclusion of new measures (e.g., a new technology), or removal of existing measures (e.g., measures shown to be ineffective or induce vehicle trips).

* Mitigation Measure M-AQ-1h: Offset Operational Emissions, on EIR p. 4.G.51, has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

Prior to issuance of the final certificate of occupancy for the final building associated with Phase 3, or after build-out of 1.3 million square feet of development, whichever comes first, the project sponsors, with the oversight of ~~the ERO~~ Port Staff, shall either:

(1) Directly fund or implement a specific offset project within San Francisco to achieve reductions of 25 tons per year of ozone precursors and 1 ton of PM10. This offset is intended to offset the estimated annual tonnage of operational ozone precursor and PM10 emissions under the buildout scenario realized at the time of completion of Phase 3. To qualify under this mitigation measure, the specific emissions offset project must result in emission reductions within the SFBAAB that would not otherwise be achieved through compliance with existing regulatory requirements. A preferred offset project would be one implemented locally within the City and County of San Francisco. Prior to implementation of the offset project, the project sponsors must obtain ~~the ERO~~ Port Staff's approval of the proposed offset project by providing documentation of the estimated amount of emissions of ROG, NOx, and PM10 to be reduced (tons per year) within the SFBAAB from the emissions reduction project(s). The project sponsors shall notify ~~the ERO~~ Port Staff within 6 months of completion of the offset project for verification; or

(2) Pay a one-time mitigation offset fee to the BAAQMD's Strategic Incentives Division in an amount no less than $18,030 per weighted ton of ozone precursors and PM10 per year above the significance threshold, calculated as the difference between total annual emissions at build out under mitigated conditions and the significance threshold in the EIR air quality analysis, which is 25 tons per year of ozone precursors and 1 ton of PM10, plus a 5 percent administrative fee, to fund one or more emissions reduction projects within the SFBAAB. This one-time fee is intended to fund emissions reduction projects to offset the estimated annual tonnage of operational ozone precursor and PM10 emissions under the buildout scenario realized at the time of completion of Phase 3 or after completion of 1.3 million sf of development, whichever comes first. Documentation of payment shall be provided to ~~the ERO~~ Port Staff.

Acceptance of this fee by the BAAQMD shall serve as an acknowledgment and commitment by the BAAQMD to implement one or more emissions reduction project(s) within 1 year of receipt of the mitigation fee to achieve the emission reduction objectives specified above, and provide documentation to ~~the ERO~~ Port Staff and to the project sponsors describing the project(s) funded by the mitigation fee, including the amount of emissions of ROG, NOx, and PM10 reduced (tons per year) within the SFBAAB from the emissions reduction project(s). If there is any remaining unspent portion of the mitigation offset fee following implementation of the emission reduction project(s), the project sponsors shall be entitled to a refund in that amount from the BAAQMD. To qualify under this mitigation measure, the specific emissions retrofit project must result in emission reductions within the SFBAAB that would not otherwise be achieved through compliance with existing regulatory requirements.

Section 4.I, Wind and Shadow

* In Mitigation Measure M-WS-1: Identification and Mitigation of Interim Hazardous Wind Impacts, the discussion under "Requirements" on EIR pp. 4.I-58-4.I.60 has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

A wind impact analysis shall be required prior to building permit issuance for any proposed new building that is located within the project site and meets the conditions described above. All feasible means (e.g., changes in design, relocating or reorienting certain building(s), sculpting to include podiums and roof terraces, adding architectural canopies or screens, or street furniture) to eliminate hazardous winds, if predicted, shall be implemented. After such design changes and features have been considered, the additional effectiveness of landscaping may also be considered.

1. Screening-level analysis. A qualified wind consultant approved by ~~the Planning Department's Environmental Review Officer (ERO)~~ Port Staff shall review the proposed building design and conduct a "desktop review" in order to provide a qualitative result determining whether there could be a wind hazard. The screening-level analysis shall have the following steps: For each new building proposed that meets the criteria above, a qualified wind consultant shall review and compare the exposure, massing, and orientation of the proposed building(s) on the subject parcel to the building(s) on the same parcel in the representative massing models of the Proposed Project tested in the wind tunnel as part of this EIR and in any subsequent wind analysis testing required by this mitigation measure. The wind consultant shall identify and compare the potential impacts of the proposed building(s) to those identified in this EIR, subsequent wind testing that may have occurred under this mitigation measure, and to the City's wind hazard criterion. The wind consultant's analysis and evaluation shall consider the proposed building(s) in the context of the "Current Project Baseline," which, at any given time during construction of the Proposed Project, shall be defined as any existing buildings at the site, the as-built designs of all previously-completed structures and the then-current designs of approved but yet unbuilt structures that would be completed by the time of occupancy of the subject building.

   (a) If the qualified wind consultant concludes that the building design(s) could not create a new wind hazard and could not contribute to a wind hazard identified by prior wind tunnel testing for the EIR and in subsequent wind analysis required by this mitigation measure, no further review would be required. If there could be a new wind hazard, then a quantitative assessment shall be conducted using wind tunnel testing or an equivalent quantitative analysis that produces comparable results to the analysis methodology used in this EIR.

   (b) If the qualified wind consultant concludes that the building design(s) could create a new wind hazard or could contribute to a wind hazard identified by prior wind tunnel testing conducted for this EIR and in subsequent wind analysis required by this mitigation measure, but in the consultant's professional judgment the building(s) can be modified to reduce such impact to a less-than-significant level, the consultant shall notify ~~the ERO~~ Port Staff and the building applicant. The consultant's professional judgment may be informed by the use of "desktop" analytical tools, such as computer tools relying on results of prior wind tunnel testing for the Proposed Project and other projects (i.e., "desktop" analysis does not include new wind tunnel testing). The analysis shall include consideration of wind location, duration, and speed of wind. The building applicant may then propose changes or supplements to the design of the proposed building(s) to achieve this result. These changes or supplements may include, but are not limited to, changes in design, building orientation, sculpting to include podiums

and roof terraces, and/or the addition of architectural canopies or screens, or street furniture. The effectiveness of landscaping may also be considered. The wind consultant shall then reevaluate the building design(s) with specified changes or supplements. If the wind consultant demonstrates to the satisfaction of ~~the ERO~~ Port Staff that the modified design and landscaping for the building(s) could not create a new wind hazard or contribute to a wind hazard identified in prior wind tunnel testing conducted for this EIR and in subsequent wind analysis required by this mitigation measure, no further review would be required.

(c) If the consultant is unable to demonstrate to the satisfaction of ~~the ERO~~ Port Staff that no increase in wind hazards would occur, wind tunnel testing or an equivalent method of quantitative evaluation producing results that can be compared to those used in the EIR and in any subsequent wind analysis testing required by this mitigation measure is required. The building(s) shall be wind tunnel tested in the context of a model that represents the Current Project Baseline, as described in Item 1, above. The testing shall include all the test points in the vicinity of a proposed building or group of buildings that were tested in this EIR, as well as all additional points deemed appropriate by the consultant to determine the wind performance for the building(s). Testing shall occur in places identified as important, e.g., building entrances, sidewalks, etc., and there may need to be additional test point locations considered. At the direction and approval of the ~~Planning Department~~ Port, the "vicinity" shall be determined by the wind consultant, as appropriate for the circumstances, e.g., a starting concept for "vicinity" could be approximately 350 feet around the perimeter of the subject parcel(s), subject to the wind consultant's reducing or increasing this radial distance. The wind tunnel testing shall test the proposed building design(s), as well as the Current Project Baseline, in order to clearly identify those differences that would be due to the proposed new building(s). In the event the wind tunnel testing determines that design of the building(s) would increase the hours of wind hazard or extent of area subject to hazardous winds beyond those identified in prior wind testing conducted for this EIR and in subsequent wind tunnel analysis required by this mitigation measure, the wind consultant shall notify ~~the ERO~~ Port Staff and the building applicant. The building applicant may then propose changes or supplements to the design of the proposed building(s) to eliminate wind hazards. These changes or supplements may include, but are not limited to, changes in design, building orientation, sculpting building(s) to include podiums and roof terraces, adding architectural canopies or screens, or street furniture. All feasible means (changes in design, relocating or reorienting certain building(s), sculpting to include podiums and roof terraces, the addition of architectural canopies or screens, or street furniture) to eliminate wind hazards, if predicted, shall be implemented to the extent necessary to mitigate the impact. After such design changes and features have been considered, the additional effectiveness of landscaping at the size it is proposed to be installed may also be considered. The wind consultant shall then reevaluate the building design(s) with specified changes or supplements. If the wind consultant demonstrates to the satisfaction of ~~the ERO~~ Port Staff that the modified design would not create a new wind hazard or contribute to a wind hazard identified in prior wind tunnel testing conducted for this EIR and in

subsequent wind analysis required by this mitigation measure, no further review would be required.

If the proposed building(s) would result in a wind hazard exceedance, and the only way to eliminate the hazard is to redesign a proposed building, then the building shall be redesigned.

* The last sentence of Mitigation Measure M-WS-2: Wind Reduction for Rooftop Winds, on EIR p. 4.I.60, has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

The wind consultant shall demonstrate to the satisfaction of ~~the ERO~~ Port Staff that the building design would not create a new wind hazard or contribute to a wind hazard identified in prior wind testing conducted for this EIR.

Section 4.J, Recreation

The paragraph under the heading "Bay Trail" on EIR pp. 4.J.9 has been revised, as shown below (new text is underlined and deletions are shown in ~~strikethrough~~):

The Bay Trail is a planned 500-mile hiking and bicycling path that would encircle San Francisco and San Pablo bays and follow the shoreline of 9 counties, pass through 47 cities, and cross ~~4.5~~7 toll bridges. Approximately ~~345~~ 350 miles of the Bay Trail have been completed, including off-street paved trails, dirt/gravel trails, and on-street pathways. The Bay Trail provides scenic recreation for hikers, joggers, bicyclists, skaters, and wheelchair users. It also offers a setting for wildlife viewing and environmental education, and serves as a commute alternative for bicyclists. Within San Francisco, several segments of the Bay Trail are complete, including an on-street segment that runs in a north-south direction from China Basin to Terry A. Francois Boulevard and Illinois Street where it crosses the Islais Creek Channel. Illinois Street is immediately west of the project site and is included as a segment of the Bay Trail. South of the project site past the Islais Creek Channel, off-street segments of the Bay Trail are also complete on Cargo Way, India Basin Shoreline Park, and Heron's Head Park.

The paragraph under the heading "San Francisco Blue Greenway" on EIR pp. 4.J.9-4.J.10 has been revised, as shown below (new text is underlined and deletions are shown in ~~strikethrough~~):

The San Francisco Blue Greenway is a project to ~~improve and expand the public open space network along the City's Central and Southern Waterfront~~ complete the San Francisco Bay Trail and the San Francisco Bay Area Water Trail from the China Basin Channel to the San Francisco County Line. The San Francisco Parks Alliance began planning the Blue Greenway in 2004 as part of an effort to ~~complete a 13-mile portion of the Bay Trail from China Basin in the north to Candlestick Point State Recreation Area in the south.~~ link established open spaces; create new recreational opportunities and green infrastructure; provide public access through the implementation of the Bay Trail, the San Francisco Bay Water Trail, and green corridors to surrounding neighborhoods; install public art and interpretive elements; support stewardship; and advocate for full waterfront access as an element of all planning and development processes throughout southeastern San Francisco.[12] Portions of the Blue Greenway have already been completed, such as

Heron's Head Park and Warm Water Cove. Illinois Street is included as a Linking Street[13] in the Blue Greenway connecting Mission Bay and Bayview Hunters Point. In addition, a planned shoreline segment of the Blue Greenway, between the future Crane Cove Park to the north and the existing Warm Water Cove Park to the south, is mapped in the ROSE and extends through the project site. This shoreline trail would connect with a waterfront park, planned as part of the Proposed Project, and the future Power Plant Shoreline Access to the south of the project site.[14] The Blue Greenway also incorporates water access trail facilities, such as the existing boat launches at Mission Creek Park and Pier 52, and a boat launch planned at the future Crane Cove Park. ~~Portions of the Blue Greenway have already been completed, such as Heron's Head Park and Warm Water Cove.~~

[Footnotes 12, 13 and 14 on EIR p. 4.J.10]

[12] San Francisco Parks Alliance, Blue Greenway History. Available online at http://www.sfparksalliance.org/our-work/blue-greenway/history. Accessed November 11, 2015.

[13] The Blue Greenway Design Standards define Linking Streets as streets that connect between individual open spaces and generally run parallel to the shoreline edge alongside the Port's southern waterfront.

[14] San Francisco Planning Department, ROSE, p. 27. Available online at http://www.sf-planning.org/ftp/General_Plan/index.htm. Accessed September11, 2015.

The fourth sentence of the first full paragraph on EIR p. 4.J.18 has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

The *Bay Plan* identifies priority uses for the San Francisco Bay shoreline. These priority uses are identified on the *Bay Plan* maps and are defined as Ports, Water-related Industry, Water-oriented Recreation, Airports, or Wildlife Refuges. Some of these priority use areas surpass BCDC's permit jurisdiction that consists of land within 100 feet of the San Francisco Bay shoreline. According to *Bay Plan* Map No. 5 (Central Bay), Pier 70 is part of the "Central Basin" and is ~~identified as a Water-related Industry priority use area.~~ in a Port Priority Use Area. Policies related to this area are further specified in the *San Francisco Waterfront Special Area Plan*, as described below. The Proposed Project would not include development that would be inconsistent with *Bay Plan* recreation and public access policies (see Chapter 3, Plans and Policies, p. 3.11).

Two new sentences have been added to the first paragraph under the heading "Open Space" on EIR p. 4.J.29, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

The Proposed Project would include 9 acres of public open space under both development scenarios (see Figure 2.15: Proposed Open Space Plan, in Chapter 2, Project Description, p. 2.46) as a public benefit approved by the San Francisco electorate by ballot measure on November 4, 2014 ("Proposition F"). The proposed open space would supplement other existing or planned amenities near the project site, such as the future Crane Cove Park, and would include extensions of the Blue Greenway and Bay Trail along the eastern portion of the 28-Acre Site. Trails provided by the Proposed Project's Waterfront Promenade and Waterfront Terrace and the future Crane Cove Park would be integrated into the Bay Trail system as additional "spine" segments for point access to the Bay.

Section 4.K, Utilities and Service Systems

* The following revision has been made to the second full sentence of the first paragraph on EIR p. 4.K.39 (new text is underlined):

> The 900-foot-long, 54-inch sewer line connecting the 20th and 22nd streets discharge structures would also be relocated to the east, beneath the proposed Waterfront Terrace, Slipways Commons, and Waterfront Promenade.

Section 4.L, Public Services

The last sentence on EIR p. 4.L.12, which continues on p. 4.L.13, has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> The SFUSD manages ~~15~~ 12 early education schools, ~~72~~ 64 elementary schools (K-5), ~~12~~ 13 middle schools (grades 6-8), ~~15~~ 19 high schools (grades 9-12), ~~4~~ 9 County and Court schools, 13 charter schools, and ~~3~~ 5 continuation/alternatively-configured schools with a total enrollment of ~~more than 53,000~~ 55,320 students.[51]

Footnote 51, on EIR p. 4.L.13, cited in this text, has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> [51] San Francisco Unified School District (SFUSD), SFUSD's ~~2013-15 Strategic Plan. Available online at http://www.sfusd.edu/en/assets/sfusd-staff/about-SFUSD/files/SFUSD%20Strategic%20Plan.pdf. Accessed September 14, 2015.~~ *2016-19 Strategic Plan*, p. 2. Available online at http://www.sfusd.edu/en/assets/sfusd-staff/about-SFUSD/files/2016-19-strategic-plan.pdf. Accessed March 9, 2017.

The following revision has been made to the last sentence of the first complete paragraph on EIR p. 4.L.14 (new text is underlined and deletions are shown in ~~strikethrough~~):

> The public high school nearest the project site is ~~the International Studies Academy~~ John O' Connell High School at ~~655 De Haro Street~~ 2355 Folsom Street, approximately ~~0.7~~ 1.4 mile west of the project site. ~~The International Studies Academy~~ John O' Connell High School has an enrollment of ~~128~~ 378 students.

Section 4.M, Biological Resources

* An agency name has been corrected in the last sentence on EIR p. 4.M.1, which continues on p. 4.M.2:

> Information on natural communities, plant and animal species, and sensitive biological resources was obtained from regional databases, plans, and reports relevant to the Proposed Project, including the California Natural Diversity Database (CNDDB),[1] the California Native Plant Society (CNPS) Electronic Inventory,[2] California Department of Fish and Wildlife (CDFW),[3,4] the U.S. Fish and Wildlife Service (USFWS),[5] the National Oceanic and Atmospheric Administration (NOAA) Report on the Subtidal Habitats and Associated Biological Taxa in San Francisco Bay,[6] long-term regional studies such as the Regional Monitoring Program for Water Quality in San Francisco Bay,[7] the Interagency

Ecological Program (IEP) for San Francisco Bay,[8] standard biological literature, eBird.org,[9] biological reports and studies from other waterfront locations in the project vicinity,[10,11,12,13] and focused and reconnaissance-level surveys of the project site.

* The last sentence of the paragraph under "Protection of Birds and Their Nests" on EIR p. 4.M.39 has been deleted, as follows (deletions are shown in ~~strikethrough~~):

Under Section 3503 of the California Fish and Game Code, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto. Section 3503.5 of the code prohibits take, possession, or destruction of any birds in the orders Falconiformes (hawks) or Strigiformes (owls), or of their nests and eggs. Migratory non-game birds are protected under Section 3800, whereas other specified birds are protected under Section 3505. Any loss of fertile eggs or nesting raptors, or any activities resulting in nest abandonment, would constitute a significant impact. ~~Project impacts on birds of prey would not be considered "significant" in this EIR unless the species are known to, or have a high potential to, nest on the site or rely on it for primary foraging.~~

The first paragraph on EIR p. 4.M.49, the third paragraph on EIR p. 4.M.50, and the first paragraph on EIR p. 4.M.51 (all portions of the Impact BI-1 discussion) and Mitigation Measure M-BI-1: Worker Environmental Awareness Program Training, on EIR p. 4.M.51 have been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

Construction Impacts

Construction activities within both the 20th/Illinois Parcel and the 28-Acre Site, especially those that involve heavy machinery, may adversely affect nesting bird species within 0.25 mile of the project site during the nesting season (January 15–August 15). The project site's proximity to San Francisco Bay and its current lack of activity result in a more attractive environment for birds to nest than other San Francisco locations (e.g., the Financial District) that have higher levels of site activity and human presence. Caspian tern and western gull nesting is documented at Piers 60 and 64, north of the project site and within this radius. Dilapidated piers northeast of the project site could provide potential nesting sites for these species and for double-crested cormorant. Osprey has previously nested south of the project site at Pier 80, also within 0.25 mile of the Proposed Project, and could forage or nest within the terrestrial study area. Although not previously documented in the project vicinity, American peregrine falcon could nest in or on existing buildings on the project site. Project activities would not disrupt foraging activities of California least tern or California brown pelican, which may use open water habitat and shorelines of the project study area; these species do not nest locally. Common species, such as mourning dove, house finch, Anna's hummingbird, black phoebe, barn swallow, cliff swallow, red-tailed hawk, and red-shouldered hawk, also have the potential to nest on the ground, within ruderal vegetation, eucalyptus trees, or in existing buildings on the project site. Each of these species and their nests are afforded protection by the MBTA and California Fish and Game Code. The Proposed Project is required to comply with these regulations to avoid take of individual birds, eggs, and their nests.

Project construction activities and an increased human presence at the project site are expected to generate noise and visual disturbance that could adversely affect bird breeding and nesting behaviors at the project site and nearby. Proposed Project construction activities that may cause visual disturbance, alter the ambient noise environment, or introduce short-term loud noise events resulting in avoidance response (flushing) include, but are not limited to, making shoreline protection improvements; constructing new buildings; making improvements to existing structures; constructing transportation and circulation improvements; adding new and upgraded utilities and infrastructure; constructing geotechnical and shoreline improvements (that require soldier pile driving or impact pile driving); and making improvements to publicly owned open space. A variety of construction activities, equipment, and schedules would be associated with each of these general types of construction.

Both long- and short-term loud noises can affect bird foraging and roosting by temporarily disturbing these behaviors, and may deter bird use of an area (including nesting) if such noises persist over the long term. However, overall avian activity within the study area is not expected to substantially change with project implementation because habitat value for birds foraging and nesting within the project site and vicinity would not substantially change (e.g., in-water foraging and nesting in eucalyptus trees on Irish Hill). Noise disturbance generally falls into two main categories: impulse and continuous. Impulse disturbances often used in demolition activities include single actions like blasts, or multiple actions like jackhammers and pile drivers. Continuous noise includes typical construction work area activities and roadway noise. Bird disruption from visual or noise disturbance varies, but typically birds will avoid disturbance areas and move to more preferable environments. However, some species inhabit noisy areas and may indirectly benefit from reduced competition and predation.[123]

Birds currently residing in both the terrestrial and marine study areas are accustomed to varying levels of ambient noise emanating from existing human activities in the area. For example, pedestrians and vehicular traffic are constant throughout the day and various Port activities are ongoing in the project vicinity on a regular basis. The primary sources of noise in the project vicinity are BAE Systems ship repair facilities, various industrial activities (e.g., American Industrial Center operations), construction activities along Illinois Street, and traffic on local streets surrounding the project site (Illinois, 20th, and 22nd streets) and the I-280 freeway corridor, located 0.25 mile west of the project site. Typical noise levels for some construction activities anticipated during project implementation would exceed ambient levels in the project vicinity. Construction activities that would substantially alter the noise environment could disrupt birds attempting to nest, disrupt parental foraging activity, or displace mated pairs with territories in the project vicinity. Given the long build-out period for the Proposed Project, the potential impacts of noise and visual disturbance on breeding birds are likely to occur over several nesting seasons, with the highest potential impacts associated with initial disturbance to idle parcels of the site. As the project progresses and the level of disturbance to the site increases with parcel development, nesting birds are less likely to be attracted to the site and the potential for construction-related impacts on birds and their nests decreases over time as the site is gradually built out and human activity increases.

The loss of an active nest attributable to project activities would be considered a significant impact under CEQA. Moreover, disruption of nesting migratory or native birds is not permitted under the MBTA or California Fish and Game Code. Thus, the loss

of any active nest by, for example, removing a tree~~,~~ or shrub, or demolishing a building containing an active nest, or causing visual or noise disturbance which leads to nest abandonment, must be avoided under Federal and California law. Mitigation Measure M-BI-1a: Worker Environmental Awareness Program Training, shown below, requires all project personnel involved in demolition or ground-disturbing work to attend an environmental training session prior to beginning work to educate workers on sensitive resources within and surrounding the project site and the regulatory environment protecting them, general and project-specific protection measures and protocols to be implemented during construction, and consequences for non-compliance with ~~project-specific~~ protection measures. This measure, in combination with Mitigation Measure M-BI-1b: Nesting Bird Protection Measures, and compliance with the MBTA and California Fish and Game Code, would avoid or reduce potential impacts on migratory and special-status birds to a less-than-significant level.

Mitigation Measure M-BI-1a: Worker Environmental Awareness Program Training

Project-specific Worker Environmental Awareness Program (WEAP) training shall be developed and implemented by a qualified biologist[123A] and attended by all project personnel performing demolition or ground-disturbing work prior to beginning demolition or ground-disturbing work on site for each construction phase. The WEAP training shall ~~generally~~ include, but not be limited to, education about the following:

a) Applicable State and Federal laws, environmental regulations, project permit conditions, and penalties for non-compliance.

b) Special-status plant and animal species with the potential to be encountered on or in the vicinity of the project site during construction.

c) Avoidance measures and a protocol for encountering special-status species including a communication chain.

d) Preconstruction surveys and biological monitoring requirements associated with each phase of work and at specific locations within the project site (e.g., shoreline work) as biological resources and protection measures will vary depending on where work is occurring within the site, time of year, and construction activity.

e) Known sensitive resource areas in the project vicinity that are to be avoided and/or protected as well as approved project work areas, access roads, and staging areas.

f) Best management practices (BMPs) (e.g., straw wattles or spill kits) and their location around the project site for erosion control and species exclusion, in addition to general housekeeping requirements.

Mitigation Measure M-BI-1b: Nesting Bird Protection Measures

The project site's proximity to San Francisco Bay and its current lack of activity result in a more attractive environment for birds to nest than other San Francisco locations (e.g., the Financial District) that have higher levels of site activity and human presence. Nesting birds and their nests shall be protected during

construction by implementation of the following measures for each construction phase:

a) To the extent feasible, conduct initial activities including, but not limited to, vegetation removal, tree trimming or removal, ground disturbance, building demolition, site grading, and other construction activities which may compromise breeding birds or the success of their nests (e.g., CRF, rock drilling, rock crushing, or pile driving), outside of the nesting season (January 15–August 15).

b) If construction during the bird nesting season cannot be fully avoided, a qualified wildlife biologist[123B] shall conduct pre-construction nesting surveys within 14 days prior to the start of construction or demolition at areas that have not been previously disturbed by project activities or after any construction breaks of 14 days or more. Surveys shall be performed for suitable habitat within 250 feet of the project site in order to locate any active passerine (perching bird) nests and within 500 feet of the project site to locate any active raptor (birds of prey) nests, waterbird nesting pairs, or colonies.

c) If active nests are located during the preconstruction bird nesting surveys, a qualified biologist shall evaluate if the schedule of construction activities could affect the active nests and if so, the following measures would apply:

   i. If construction is not likely to affect the active nest, construction may proceed without restriction; however, a qualified biologist shall regularly monitor the nest at a frequency determined appropriate for the surrounding construction activity to confirm there is no adverse effect. Spot-check monitoring frequency would be determined on a nest-by-nest basis considering the particular construction activity, duration, proximity to the nest, and physical barriers which may screen activity from the nest. The qualified biologist may revise his/her determination at any time during the nesting season in coordination with the Port of San Francisco or Planning Department.

   ii. If it is determined that construction may affect the active nest, the qualified biologist shall establish a no-disturbance buffer around the nest(s) and all project work shall halt within the buffer until a qualified biologist determines the nest is no longer in use. Typically, these buffer distances are 250 feet for passerines and 500 feet for raptors; however, the buffers may be adjusted if an obstruction, such as a building, is within line-of-sight between the nest and construction.

   Modifying nest buffer distances, allowing certain construction activities within the buffer, and/or modifying construction methods in proximity to active nests shall be done at the discretion of the qualified biologist and in coordination with the Port of San Francisco or Planning Department, who would notify CDFW. Necessary actions to remove or relocate an active nest(s) shall be coordinated with the Port of San Francisco or Planning Department and approved by CDFW.

iii. Any work that must occur within established no-disturbance buffers around active nests shall be monitored by a qualified biologist. If adverse effects in response to project work within the buffer are observed and could compromise the nest, work within the no-disturbance buffer(s) shall halt until the nest occupants have fledged.

iv. Any birds that begin nesting within the project area and survey buffers amid construction activities are assumed to be habituated to construction-related or similar noise and disturbance levels, so exclusion zones around nests may be reduced or eliminated in these cases as determined by the qualified biologist in coordination with the Port of San Francisco or Planning Department, who would notify CDFW. Work may proceed around these active nests as long as the nests and their occupants are not directly impacted.

The following new footnotes have been added to EIR p. 4.M.51 as part of these revisions. The new footnotes will be assigned their proper sequential numbers in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly. There are no changes to Footnote 123, but it is shown below to complete the series of notes cited in the text. These revisions do not change any of the analyses or conclusions of the EIR.

[123] Francis, Clinton D., Catherine P. Ortega, and Alexander Cruz, Noise Pollution Changes Avian Communities and Species Interactions. *Current Biology* 19:1415–1419. August 25, 2009.

[123A] Typical experience requirements for a "qualified biologist" include a minimum of four years of academic training and professional experience in biological sciences and related resource management activities, and a minimum of two years of experience conducting surveys for each species that may be present within the project area.

[123B] Typical experience requirements for a "qualified biologist" are described in the previous footnote.

* Several changes have been made to Mitigation Measure M-BI-3: Pile Driving Noise Reduction for Protection of Fish and Marine Mammals, on EIR pp. 4.M.67-4.M.68. First, the second sentence of the measure's first paragraph on p. 4.M.67 has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> This Plan shall be reviewed and approved by ~~the City of San Francisco or other designated City, State, or Federal agency, as determined by the San Francisco Planning Department~~ Port Staff.

* Second, the third sentence of the last paragraph on EIR p. 4.M.67 has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> This plan shall be reviewed and approved by ~~the Planning Department Environmental Review Officer or other City-designated person~~ Port Staff.

* Third, the first sentence of the last paragraph on EIR p. 4.M.68 has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> Alternatively, the project sponsors may consult with NOAA directly and submit evidence to their satisfaction of ~~the Environmental Review Officer~~ Port Staff of NOAA consultation.

Section 4.O, Hydrology and Water Quality

The following text has been added following the last paragraph on EIR p. 4.O.7 (new text is underlined):

> **PG&E OFFSHORE SEDIMENT AREA**
>
> As also discussed in Section 4.P, Hazards and Hazardous Materials (EIR pp. 4.P.34-4.P.35), investigations by PG&E have detected elevated polycylic aromatic hydrocarbon (PAH) concentrations in the sediments offshore of the Potrero Power Plant and 28-Acre Site in an area referred to as the Offshore Sediment Area, shown on Figure 4.P.1, p. 4.P.3. The PAHs are likely the result of the historical manufactured gas plant, power plant, and other industrial operations at the Potrero Power Plant; the investigation and remediation of the sediments is the responsibility of PG&E.
>
> In 2010, PG&E implemented an Interim Remedial Measure along the San Francisco Bay shoreline near the property boundary between Pier 70 and the Potrero Plant, as shown on Figure 4.P.1.[12A] This measure included placement of a revetment to stabilize the sediments and limit erosion, and also to limit direct contact with the sediments by visitors to the site, including an armor layer of interlocked large stones underlain by filter rock to facilitate drainage. These improvements are anchored with toe protection to provide stability against scouring and undermining. As an additional protective measure, PG&E installed a reactive core mat between the sediments and the overlying armor consisting of reactive material (organoclay) encapsulated in a non-woven core matrix bound between two layers of geotextile fabric. The organoclay is designed to prevent potential migration of nonaqueous-phase liquid (NAPL), such as coal tar, and related organic constituents from the sediments and the geotextile fabric is designed to provide stability and physical separation between the surrounding materials and the organoclay.
>
> Based on PG&E's investigations, the Offshore Sediment Area is divided into two zones requiring remediation: the Nearshore Zone and the Transition Zone. The Nearshore Zone extends approximately 50 to 75 feet east from the bayside of the former slipways at the 28-Acre Site. The Transition Zone extends another approximately 100 to 150 feet bayward from the Nearshore Zone. For remedial planning purposes, the Nearshore Zone is also divided into three segments. Segment 1 and the northern portion of Segment 2 are adjacent to the 28-Acre Site, as shown on Figure 4.P.1, p. 4.P.3. Reaches I and II of the Proposed Project's shoreline improvements are located to the north of the Offshore Sediment Area. Reach III is partially within Segment 1 and Reach IV of the shoreline improvements is within the northern portion of Segment 2.
>
> PG&E prepared a remediation plan for the Offshore Sediment Area in February 2017.[12B] The planned remedial approach for the offshore sediments includes dredging up to several feet of sediment from all three segments of the Nearshore Zone to remove those

sediments with the highest concentration of PAHs and placement of an engineered erosion protection cap or revetment over the entire Nearshore Zone.[12C] In Segment 1 (adjacent to the 28-Acre Site and Reach III of the shoreline improvements), the approach also includes using Enhanced Monitored Natural Recovery to enhance the natural recovery of contaminated sediments by accelerating natural sedimentation rates and encouraging the recolonization of benthic organisms that live in the sediments.

In Segment 2 (which includes Reach IV of the shoreline improvements), a 1-foot-thick reactive cap will be installed beneath the revetment to prevent the migration of dissolved PAHs in the pore water of the sediments through the revetment. PG&E's remedial action in Segment 2 will also include replacement of the revetment constructed as part of the Interim Remedial Measure. The new revetment will extend from a maximum elevation of approximately 9 feet NAVD88 to a minimum elevation of -6 feet NAVD88, about 4 feet below MLLW. PG&E anticipates implementing the offshore sediment remediation in the late spring of 2019.

In accordance with the February 2017 remedial action plan, PG&E will also prepare a risk management and monitoring plan specifying measures to be implemented after the offshore sediment remediation is completed to ensure that the remediation performs as intended, and that future actions do not compromise the integrity of the cap in the Nearshore Zone.[12D] The risk management and monitoring plan will specify requirements for:

- Long-term monitoring;
- Adaptive management activities including upkeep of cap elements, reapplication of treatment media within in situ treatment areas or implementation of other engineering controls;
- Conducting intrusive activities which may encounter impacted sediment and may require restoration of caps (e.g., notification, environmental oversight, and sediment management procedures);
- Handling and disposing potentially affected materials that may be encountered during future subsurface activities; and
- Submittals to the RWQCB for engineering controls, as necessary.

The RWQCB may also consider requesting land use restrictions to restrict access and certain activities that could disrupt the Offshore Sediment Area where residual contamination exists. These restrictions may require the maintenance of any remedial caps or remedial systems, may restrict certain types of activities (e.g., anchoring in the cap areas), and may require protection of caps and remedial systems.

Additional remediation is planned in the Transition Zone, 100 to 150 feet offshore. However, Proposed Project activities would not affect the sediments in this zone, so the planned remediation approach is not discussed.

New footnotes have been added to EIR p. 4.O.7 as part of this text change, as shown below (new text is underlined). These revisions do not change any of the analyses or conclusions of the EIR. The new footnotes will be assigned their proper sequential numbers in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly.

[12A] Haley & Aldrich, *Offshore Sediment Area Remediation Plan*, p. 10.

[12B] Haley & Aldrich, Draft Remedial Action Plan, Offshore Sediment Area, Potrero Power Plant Site, San Francisco, California, February 2017 (hereinafter referred to as "*Offshore Sediment Area Remediation Plan*").

[12C] Haley & Aldrich, *Offshore Sediment Area Remediation Plan*, Section 7.

[12D] Haley & Aldrich, *Offshore Sediment Area Remediation Plan*, p. 69.

The following revisions have been made to the first paragraph under the heading "Water Quality Effects of In-Bay Construction Activities" on EIR pp. 4.O.49-4.O.50 (new text is underlined and deletions are shown in ~~strikethrough~~):

Water Quality Effects of In-Bay Construction Activities

As discussed in "Wetlands and Other Jurisdictional Waters" in Section 4.M, Biological Resources, pp. 4.M.18-4.M.19, San Francisco Bay is a navigable water of the United States. Therefore, San Francisco Bay is considered a jurisdictional water of the U.S. regulated by the Corps under both Section 404 of the CWA and Section 10 of the Rivers and Harbors Act. Activities in the Bay are also regulated by the BCDC under the McAteer-Petris Act. The elevation where jurisdiction begins for each of these is as follows: ~~up to the~~

- Both Section 10 of the Rivers and Harbors Act and the McAteer-Petris Act regulate in-water activities below the mean high water mark (also referred to as the mean high tide line), which is at an elevation of 5.7 feet NAVD88 (94.3 feet project datum) at the project site. ~~San Francisco Bay is also CWA up to~~
- Section 404 of the CWA regulates in-water activities below the high tide line which is at an elevation of 7.4 feet NAVD88 (96.0 feet project datum) at the project site.

These waters are also regulated by the RWQCB as Waters of the State ~~and BCDC regulates the fill and extraction of materials in San Francisco Bay below the mean high water mark~~ (see Impact BI-4 in Section 4.M, Biological Resources, pp. 4.M.69-4.M.71~~, for further discussion of the requirements specified by these regulations~~). Therefore, any work along San Francisco Bay shoreline below the mean high tide line ~~which is at an elevation of 7.4 feet NAVD88 (96.0 feet project datum)~~ is considered construction in the Bay.

The following revision has been made to the text under the heading "Repairs to Shoreline Protection System" on EIR p. 4.O.50 (new text is underlined):

Repairs to Shoreline Protection System in Reaches I, III, and IV

The shoreline protection system in Reaches I, III, and IV would improve the shoreline protection above the high water mark, which is at an elevation of 5.7 feet NAVD88 (94.3 feet project datum). In Reach I, the existing riprap revetment would be repaired by removing the riprap and placing new geotextile fabric and riprap materials. Improvements in Reaches III and IV would include repair of the existing slope protection features with armor stone, which would also involve some rearrangement of existing riprap and associated soil disturbance. In addition, some concrete debris would be

removed from Reach III and replaced with engineered riprap between the craneways. Those activities conducted below the high tide line would be considered in-bay construction activities. The repairs in Reach IV would overlap with the new revetment to be installed in Segment 3 of PG&E's Offshore Sediment Remediation between the elevations of approximately 9 feet NAVD88 and 5.7 feet NAVD88, including the revetment over PG&E's Interim Remedial Measure.

The following revision has been made to the text under the heading "Repair of Combined Sewer Discharge Structures and Construction of New Outfall" on EIR p. 4.O.51 (new text is underlined):

The existing 20th and 22nd streets CSD structures would remain in approximately the same locations and would be repaired. The repairs may include reconstruction or repair of the existing outfall pipe, foundation, adjacent rock slope, and headwalls. Flap gates to control intrusion of San Francisco Bay water would be constructed, if necessary, and any blockages would be removed. Repair of the structures may require a sheet pile cofferdam at each location to allow for dewatering of the construction area to facilitate construction. The 22nd Street Outfall is within Segment 2 of PG&E's Offshore Sediment Area. The extent of excavation has not been determined for construction of the proposed stormwater outfall that would be constructed under Options 2 and 3, but excavation would likely extend below the high tide line.

The following revision has been made to the text under the heading "Impact Discussion and Conclusion for In-Bay Construction Activities" on EIR p. 4.O.51 (new text is underlined and deletions are shown in ~~strikethrough~~):

Excavation, fill, and construction activities for improvements to the shoreline protection system in Reaches I, III, and IV; the repairs or replacement of the bulkhead in Reach II; repairs to the two CSD structures; and construction of the stormwater outfall, would be considered in-bay construction and would result in short-term disturbance of localized San Francisco Bay sediments. The disturbance would temporarily re-suspend these sediments in San Francisco Bay waters, which could result in temporary adverse water quality effects including increased turbidity and suspended solids in the immediate vicinity of the construction activities. The sediments may also contain chemicals from historic activities, including those identified in the offshore sediments adjacent to Reaches III and IV from Pacific Gas and Electric Company (PG&E) activities (see description of PG&E's Offshore Sediment Area in the Setting on p. 4.O.7 ~~Section 4.P, Hazards and Hazardous Materials, pp. 4.P.34-4.P.35, for a description of PG&E's plans for remediation of the offshore sediments)~~. Turbidity is a condition in which the concentration of particles suspended in the water is increased, making the water appear cloudy. The suspended solids can lower the levels of dissolved oxygen levels in water, increase the salinity of the water, and decrease light penetration into the water. In addition, nutrient loading can occur as a result of resuspension of sediments. However, the overall water quality effect would be minor because of the very small area that would be disturbed and the temporary nature of the disturbance.

Two elements of this in-bay construction would overlap with PG&E's Offshore Sediment Area: the shoreline improvements planned in Reach IV would overlap with the new

revetment installed in Segment 2 of PG&E's Offshore Sediment Area between the elevations of approximately 9 feet NAVD88 and 5.7 feet NAVD88, and repairs to the 22nd Street CSD structure would be conducted within the limits of the revetment constructed in Segment 2. However, water quality impacts associated with these construction activities would be minimized with implementation of the requirements of PG&E's risk management and monitoring plan as required by the RWQCB. Such coordination with the remediation would be ensured through the project sponsors' notification of the RWQCB of construction activities in conformance with Section 6.3 of the Pier 70 Risk Management Plan (RMP), as required by Mitigation Measure M-HZ-3a (see p. 4.P.61).

~~Further, these~~ All of the in-bay construction activities would be subject to the requirements of a Section 10 and Section 404 permit from the Corps that would receive water quality certification from the RWQCB in accordance with Section 401 of the CWA. Further, placement of fill below the high water mark could be subject to a permit from the BCDC, which would ensure that the water quality policies of the Bay Plan are implemented, including Water Quality Policy 4 which requires coordination with the appropriate local, State, and Federal agencies when a project is located within an area polluted with toxic or hazardous substances. The permits would specify BMPs for the protection of water quality such as use of floating booms and/or silt curtains to control the dissipation of bottom sediments during pile and rock installation. Implementation of water quality control measures as part of compliance with the Section 10 or Section 404 permit requirements, subject to water quality certification by the RWQCB, along with the requirements of the BCDC permit and PG&E's risk management and monitoring plan, would ensure that the anticipated temporary water quality impacts related to construction activities in San Francisco Bay would be less than significant. No mitigation is necessary.

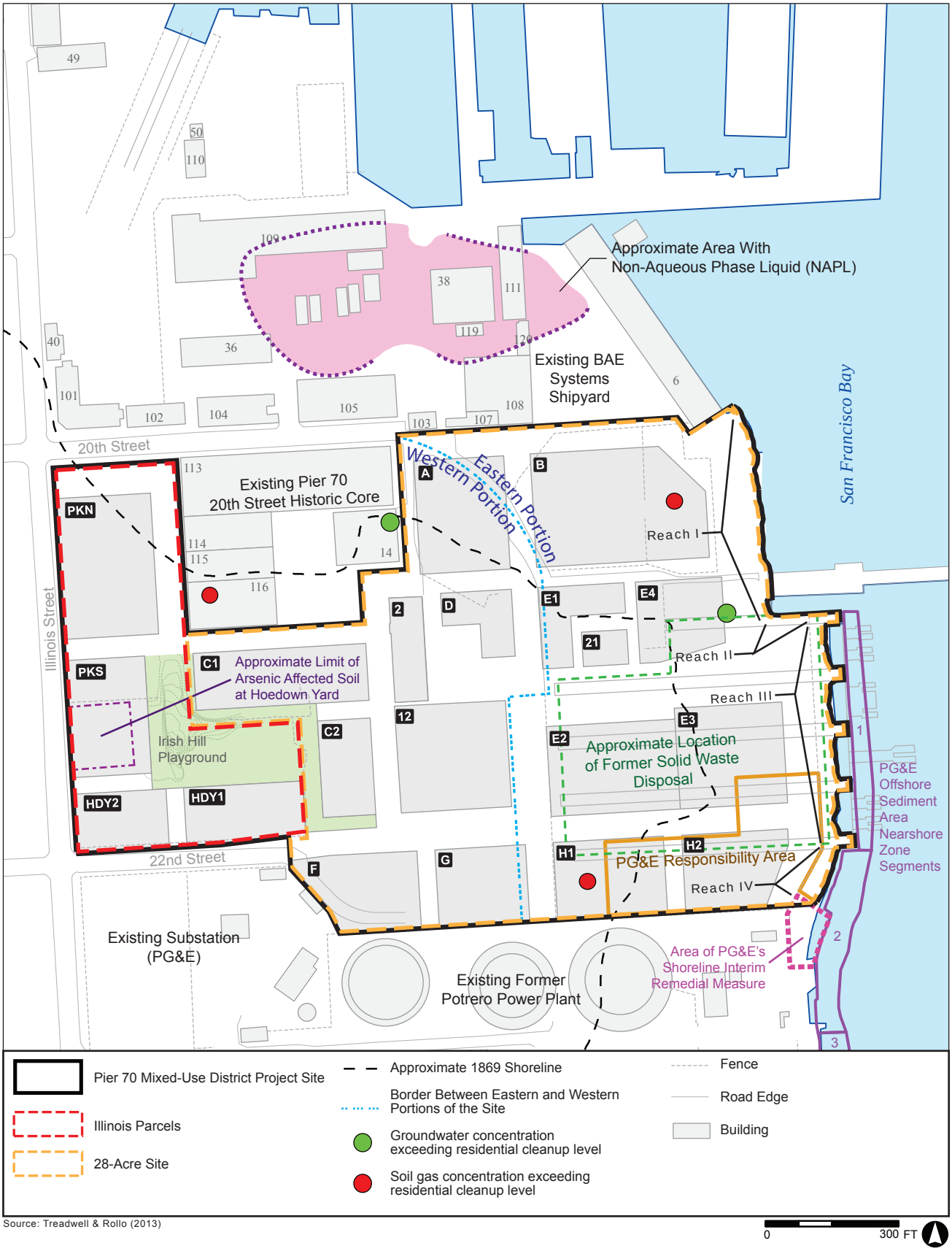
Section 4.N, Geology and Soils

* The following revision has been made to Footnote 8 on EIR p. 4.N.2 (new text is underlined and deletions are shown in ~~strikethrough~~):

[8] Treadwell & Rollo, *Illinois Parcels Preliminary Geotechnical Evaluation*, pp. ~~8~~ 3 and ~~9~~ 4.

Section 4.P, Hazards and Hazardous Materials

Figure 4.P.1: Sample Locations and Areas of Identified Impact, on EIR p. 4.P.3, has been revised to show the location of the Interim Remedial Measure, and Reaches I through IV of the shoreline improvements proposed under the Pier 70 Mixed-Use District Project. The revised figure is shown on the following page.



Source: Treadwell & Rollo (2013)

PIER 70 MIXED-USE DISTRICT PROJECT

(REVISED) FIGURE 4.P.1: SAMPLE LOCATIONS AND AREAS OF IDENTIFIED IMPACT

* The following revision has been made to Footnote 20 on EIR p. 4.P.10 (new text is underlined and deletions are shown in ~~strikethrough~~):

> [20] ~~Environmental Data Resources, Pier 70, 20th Street/Illinois Street, San Francisco, CA 94107. Inquiry Number 3149453.2s, August 18, 2011.~~ Geosyntec Consultants, Pier 70 Phase I ESA, Appendix B, August 18, 2011.

The following revisions have been made to the text under the heading "PG&E Responsibility Area," on EIR pp. 4.P.15-4.P.16 (new text is underlined and deletions are shown in ~~strikethrough~~):

> PG&E RESPONSIBILITY AREA
>
> Hydrocarbon-based dense non-aqueous phase liquid[40] (DNAPL) has been identified within some portions of the fill material adjacent to and beneath the pier which forms the edge of the three southernmost slipways in the southern portion of the 28-Acre Site (Parcels H1 and the southernmost part of the Waterfront Terrace), adjacent to the former Potrero Power Plant.[41] The DNAPL is associated with former manufactured gas plant operations in the northern portion of the power plant property. Site investigations conducted by the Port and PG&E identified two localized areas within the Pier 70 area where the accumulated DNAPL ~~is at least~~ ranges in thickness from 1 to 4 feet ~~foot thick~~ as well as additional areas of discontinuous DNAPL.[42] The area where DNAPL is present within the 28-Acre Site is referred to as the PG&E Responsibility Area and is shown on Figure 4.P.1, p. 4.P.3.
>
> As approved by the RWQCB on ~~December 27, 2012~~ July 7, 2016,[~~43~~] PG&E's remediation of the DNAPL area within the 28-Acre Site will include excavating the continuous DNAPL areas at the southernmost slipway to a depth of about ~~23~~ 25 feet, approximately two feet below the top of the young bay mud layer, and backfilling the excavations with clean fill.[~~43~~] [~~44~~] Durable cover(s), consisting of pavement, hardscape, or clean fill ~~and vegetation~~ over a demarcation layer, will be installed over the excavated and backfilled areas. With future development of the site, concrete slabs, asphalt, or new buildings may also act as a durable cover. Areas of discontinuous DNAPL will remain at the project site and ~~PG&E will prepare an RMP for controlling exposure to chemicals left in place during future use of the PG&E Responsibility Area. The RWQCB has also required a deed restriction be imposed on this property, limiting future land uses.~~ PG&E will conduct long-term groundwater monitoring to monitor for potential off-site migration of chemicals left in place. Some of the concrete ~~structures~~ top slab associated with the slipways may be demolished during excavation of the continuous DNAPL. If this occurs, the slab will be replaced with a reinforced concrete slab spanning the slipway walls to re-establish a self-supported load bearing concrete slab of similar strength and dimension as the existing concrete slab. At least a portion of the excavated soil would be considered a California hazardous waste based on the presence of naturally occurring asbestos and soluble concentrations of chromium, nickel, and lead. PG&E anticipates beginning these remediation activities at Pier 70 in the fourth quarter of 2017, prior to development under the Proposed Project.[44] ~~Based on sampling of the in-place soil in 2014, at least a portion of the excavated soil would be considered a California hazardous waste based on soluble concentrations of chromium, nickel, and lead.~~[45] Once remediation of the PG&E

Responsibility Area is completed, construction activities within this area and future use of this area will be governed by the Pier 70 RMP.

The following revisions have been made to the footnotes cited in this text (new text is underlined and deletions are shown in ~~strikethrough~~). Subsequent footnotes will be renumbered accordingly in the consolidated Final EIR. There are no changes to Footnotes 40 or 42, but they are shown below to complete the series of notes cited in the text.

[40] Many common contaminants are liquids that, like oil, are not soluble in water and do not readily mix with water. These are referred to as non-aqueous phase liquids. A dense non-aqueous phase liquid (DNAPL) is a liquid that is denser than water and can sink through the groundwater and accumulate on underlying layers of fine geologic materials such as clay.

[41] Haley & Aldrich, Draft Remedial Action Plan, Northeast Area of the Potrero Power Plant Site and a Portion of the Southeast Area of Pier 70, Potrero Power Plant Site, San Francisco, California. ~~July 7, 2015~~ January 2016, pp 12 and 13.

[42] Discontinuous DNAPL refers to DNAPL that is present as isolated droplets adhering to the soil matrix. These isolated droplets are not interconnected and there is no possibility for the DNAPL to flow.

[43] ~~Haley & Aldrich, Report on the Northeast Area of the Former Potrero Power Plant and a Portion of the Southeast Area of Pier 70 Feasibility Study, Potrero Power Plant Site, San Francisco, California. December 20, 2012, Section 5.~~ California Regional Water Quality Control Board, San Francisco Bay Region, Resolution No. R2-2016-0027, Approval of the Remedial Action Plan for: Potrero Power Plant Northeast Area and a Portion of the Southeast Area of Pier 70, Potrero Power Plant Site, 1201 Illinois Street, City and County of San Francisco, July 7, 2016.

[44] Haley & Aldrich, Draft Remedial Action Plan, Northeast Area of the Potrero Power Plant Site and a Portion of the Southeast Area of Pier 70, Potrero Power Plant Site, San Francisco, California. January 2016, p. 32.

~~[44] Pacific Gas & Electric web site, Potrero Power Plant, Cleanup Areas and Recent Activities. Available online at http://www.pge.com/en/about/environment/taking-responsibility/mgp/Potrero/cleanup-andactivities/index.page. Accessed December 11, 2015.~~

~~[45] Haley & Aldrich, Upland Remediation Pre-Design Investigation Report, Northeast Area of the Potrero Power Plant and a Portion of the Southeast Area of Pier 70, Potrero Power Plant Site, San Francisco, California. June 18, 2014, p. 25.~~

The text under the heading "Offshore Sediments" on EIR pp. 4.P.34-4.P.35 has been revised, as shown below (new text is underlined and deletions are shown in ~~strikethrough~~):

PG&E Offshore Sediments ~~Area~~

Investigations by PG&E have detected elevated PAH concentrations in the sediments offshore of the Potrero Power Plant and 28-Acre Site in an area referred to as the Offshore Sediment Area shown on Figure 4.P.1, p. 4.P.3. The PAHs are likely the result of the historical manufactured gas plant, power plant, and other industrial operations at the Potrero Power Plant; the investigation and remediation of the sediments is the responsibility of PG&E.

Based on PG&E's investigations, the PG&E Offshore Sediment Area is divided into two zones requiring remediation:[58A]

- The Nearshore Zone which extends approximately 50 to 75 feet east (bayward) from the edge of ~~shoreline and includes areas within~~ the former slipways at the 28-Acre Site. The sediments in this zone contain construction debris, remnants of wooden and concrete pilings, and similar debris associated with former industrial operations. This zone exhibits the highest PAH concentrations found in surface sediments within the Offshore Sediment Area.
- The Transition Zone which extends another approximately 100 to 150 feet bayward from the Nearshore Zone. The sediments in this zone contain PAHs at concentrations that are much lower than in the Nearshore Zone, but greater than the Central San Francisco Bay ambient sediment concentrations.

For remedial planning purposes, the ~~Offshore Sediment Area~~ Nearshore Zone is also divided into three segments. Segment 1 and the northern portion of Segment 2 are adjacent to the 28-Acre Site, as shown on Figure 4.P.1, p. 4.P.3. Reaches I and II of the Proposed Project's shoreline improvements are located to the north of the Offshore Sediment Area. Reach III is partially within Segment 1 and Reach IV of the shoreline improvements is within the northern portion of Segment 2. T~~t~~he southern portion of PG&E's Segment 2 and all of Segment 3 are located to the south of Pier 70 and are adjacent to the Potrero Power Plant. ~~and o~~Only a portion of Segment 3 is included on ~~the f~~Figure 4.P.1.

PG&E prepared a remediation plan for the Offshore Sediment Area in February 2017.[58B] The ~~preferred~~ planned remedial approach ~~alternative~~ for the offshore sediments includes dredging up to several feet of sediment from all three segments of the Nearshore Zone to remove those sediments with the highest concentration of PAHs and placement of an engineered erosion protection cap over the entire Nearshore Zone.[58C] In Segment 1 (adjacent to the 28-Acre Site and Reach III of the shoreline improvements), the approach also includes using Enhanced Monitored Natural Recovery to enhance the natural recovery of contaminated sediments by accelerating natural sedimentation rates and encouraging the recolonization of benthic organisms that live in the sediments. In Segment 2 (which includes Reach IV of the shoreline improvements), a 1-foot-thick reactive cap will also be installed beneath a new revetment to prevent the migration of dissolved PAHs in the pore water of the sediments through the revetment. PG&E anticipates implementing the offshore sediment remediation in the late spring of 2019.

In 2010, PG&E implemented an Interim Remedial Measure along the Bay shoreline near the property boundary between Pier 70 and the Potrero Plant, as shown on Figure 4.P.1.[58D] This measure is described in Section 4.O, Hydrology and Water Quality (p. 4.O.7).

In accordance with the July 2017 remedial action plan, PG&E will also prepare a risk management and monitoring plan specifying measures to be implemented after the offshore sediment remediation is completed to ensure that the remediation performs as intended, and that future actions do not compromise the integrity of the cap in the Nearshore Zone. The risk management and monitoring plan is described in more detail on p. 4.O.7).

Additional remediation is planned in the Transition Zone, 100 to 150 feet offshore. However, project activities would not affect the sediments in this zone so the planned remediation approach is not discussed.

~~The RWQCB approved this remedial approach on December 11, 2015, and PG&E is currently preparing a remedial action plan for implementation of the selected remedy.[59] The draft remedial action plan was expected to be submitted to the RWQCB by mid-2016, but had not yet been submitted as of November 2016.~~

Footnote 59 on EIR p. 4.P.35 has been deleted as part of this text change, and new footnotes have been added (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions are shown below. The new footnotes will be assigned their proper sequential numbers in the consolidated Final EIR and subsequent footnotes will be renumbered accordingly.

[58A] Haley & Aldrich, Draft Remedial Action Plan, Offshore Sediment Area, Potrero Power Plant Site, San Francisco, California, February 2017 (hereinafter referred to as "*Offshore Sediment Area Remediation Plan*"), p. 3.

[58B] Haley & Aldrich, *Offshore Sediment Area Remediation Plan.*

[58C] Haley & Aldrich, *Offshore Sediment Area Remediation Plan*, Section 7.

[58D] Haley & Aldrich, *Offshore Sediment Area Remediation Plan*, p. 10.

~~[59] San Francisco Bay Regional Water Quality Control Board, Approval of October 9, 2015, Draft Feasibility Study Report, Offshore Sediment Area, Protrero Power Plant, City and County of San Francisco. December 11, 2015.~~

The following revision has been made to Mitigation Measure M-HZ-3b on EIR p. 4.P.62 (new text is underlined):

Mitigation Measure M-HZ-3b: Implement Well Protection Requirements of the Pier 70 Risk Management Plan

In accordance with Section 6.11 of the Pier 70 RMP, the project sponsors shall review available information prior to any ground-disturbing activities to identify any monitoring wells within the construction area, including any wells installed by PG&E in support of investigation and remediation of the PG&E Responsibility Area within the 28-Acre Site. The wells shall be appropriately protected during construction. If construction necessitates destruction of an existing well, the destruction shall be conducted in accordance with California and DPH well abandonment regulations, and must be approved by the RWQCB. The Port shall also be notified of the destruction. If required by the RWQCB, DPH, or the Port, the project sponsors shall reinstall any groundwater monitoring wells that are part of the ongoing groundwater monitoring network.

The following revisions have been made to Impact HY-5 and Mitigation Measure M-HZ-5 on EIR pp. 4.P.64-4.P.65 (new text is underlined and deletions are shown in ~~strikethrough~~):

Impact HZ-5: Operation of the Proposed Project within the PG&E Responsibility Area would expose residents, site workers, and site visitors to hazardous materials in the soil, creating a significant hazard to the public or the environment. (Less than Significant with Mitigation)

As described in the Environmental Setting on pp. 4.P.15-4.P.16, site investigations conducted by the Port and PG&E identified two localized areas in the southeast portion of the 28-Acre Site where the accumulated DNAPL ~~is at least~~ ranges in thickness from 1

to 4 feet ~~foot thick or has accumulated~~ in areas where ~~of~~ discontinuous DNAPL have accumulated.[89] The area of both continuous and discontinuous DNAPL, referred to as the PG&E Responsibility Area, is shown on Figure 4.P.1, p. 4.P.3. Parcel H2, the eastern portion of Parcel H1, and the southeast corner of Parcel E3 of the project site are included within this area. As discussed in the Project Description, Parcel E3 would be developed during Phase 4 of the Proposed Project which would commence in 2024 (see Table 2.5). Parcels H1 and H2 would be developed during Phase 5, which would commence in 2027.

As the responsible party for the contamination, PG&E will be conducting site remediation with regulatory oversight by the RWQCB that involves excavating the continuous DNAPL areas at the southernmost slipway to a depth of about ~~23~~ 25 feet and backfilling the excavations with clean fill.[90] Durable cover(s), consisting of pavement, hardscape, or clean fill ~~and vegetation~~ over a demarcation layer, will be installed over the excavated and backfilled areas and the entire area containing discontinuous DNAPL to prevent exposure to chemicals in the subsurface soil. ~~An RMP will be prepared for controlling exposure to chemicals left in place during future use of the property and a deed restriction restricting future land uses will be issued.~~ The existing pavement throughout the PG&E Responsibility Area will serve as the durable cover in the unexcavated areas until improvements constructed under the Proposed Project are completed. Once constructed, the project improvements would provide a durable cover in accordance with the Pier 70 RMP.

PG&E anticipates completing these remediation activities by ~~2017~~ 2018,[91] ~~prior to~~ well before construction ~~of the Proposed Project beginning in 2018~~ would commence in Parcels H1, H2, and E3. However, implementation of the remediation activities in the PG&E Responsibility Area is outside of the project sponsors' control. In the unlikely event that ~~If~~ PG&E's remediation activities are delayed, construction of the proposed development on Parcels H1, H2, and E3 could preclude implementation of the planned remediation and future construction workers and site occupants could be exposed to health risks if the existing pavement were removed from this area and development commenced prior to implementation of PG&E's remediation ~~the presence of DNAPL would continue to threaten water quality~~, which would be considered a significant impact. This impact would be reduced to a less-than-significant level with implementation of Mitigation Measure M-HZ-5: Delay Development on Proposed Parcels H1, H2, and E3 Until Remediation of the PG&E Responsibility Area is Complete, requiring the project sponsors to ensure that project construction on Parcels H1, H2, and E3 does not begin until remediation activities in the PG&E Responsibility Area have been completed to the satisfaction of the RWQCB, consistent with the terms of the remedial action plan prepared by PG&E and approved by RWQCB. Implementation of this measure would ensure that future site occupants and workers would not be exposed to residual DNAPL or associated vapors at levels that would cause substantial health risks.

Mitigation Measure M-HZ-5: Delay Development on Proposed Parcels H1, H2, and E3 Until Remediation of the "PG&E Responsibility Area" is Complete

The project sponsors shall not start construction of the proposed development or associated infrastructure on proposed Parcels H1, H2, and E3 until PG&E's remedial activities in the PG&E Responsibility Area within and adjacent to these

parcels have been completed to the satisfaction of the RWQCB, consistent with the terms of the remedial action plan prepared by PG&E and approved by RWQCB. During subsequent development, the project sponsors shall implement the requirements of the Pier 70 RMP within the PG&E Responsibility Area, as enforced through the recorded deed restriction on the Pier 70 Master Plan Area.

The following revisions have been made to the footnotes cited in this text (new text is underlined and deletions are shown in ~~strikethrough~~). These revisions do not change any of the analyses or conclusions of the EIR. Subsequent footnotes will be renumbered accordingly in the consolidated Final EIR. There are no changes to Footnote 89, but it is shown below to complete the series of notes cited in the text.

[89] Discontinuous DNAPL refers DNAPL that is present as isolated droplets adhering to the soil matrix. These isolated droplets are not interconnected and there is no possibility for the DNAPL to flow.

[90] ~~Haley & Aldrich, Report on the Northeast Area of the Former Potrero Power Plant and a Portion of the Southeast Area of Pier 70 Feasibility Study, Potrero Power Plant Site, San Francisco, California. December 20, 2012, Section 5.~~ Haley & Aldrich, Draft Remedial Action Plan, Northeast Area of the Potrero Power Plant Site and a Portion of the Southeast Area of Pier 70, Potrero Power Plant Site, San Francisco, California. January 2016.

[91] ~~Pacific Gas & Electric web site, Potrero Power Plant, Cleanup Areas and Recent Activities. Available online at http://www.pge.com/en/about/environment/taking-responsibility/mgp/Potrero/cleanup-and-activities/index.page. Accessed December 11, 2015.~~ Ibid.

Section 4.Q, Minerals and Energy Resources

* The last sentence on EIR p. 4.Q.3 has been revised as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

PG&E's renewable electricity procurement was ~~23.8~~ 28.0 percent of its retail sales for ~~2013~~ 2014 and is anticipated to be ~~31.3~~ 43.0 percent by 2020.

Section 4.R, Agriculture and Forest Resources

* The following revision has been made to Footnote 2 on EIR p. 4.R.1 (new text is underlined and deletions are shown in ~~strikethrough~~):

[2] California Department of Conservation, San Francisco Bay Area Important Farmland 2010. Available online at ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/regional/2010/bay_area_fmmp2010.pdf. Accessed August 21, 2015. See also California Department of Conservation, Important Farmland Categories. Available at http://www.conservation.ca.gov/dlrp/fmmp/mccu/Pages/map_categories.aspx. Accessed June 27, 2017.

CHAPTER 7, ALTERNATIVES TO THE PROPOSED PROJECT

* The last sentence of the second paragraph on p. 7.19 has been revised, as follows (new text is underlined and deletions are shown in ~~strikethrough~~):

> The remaining seven structures on the project site (Buildings 11, 15, 16, 19, 25, 32, and 66), containing ~~123,200~~ 92,945 gsf, would be demolished.

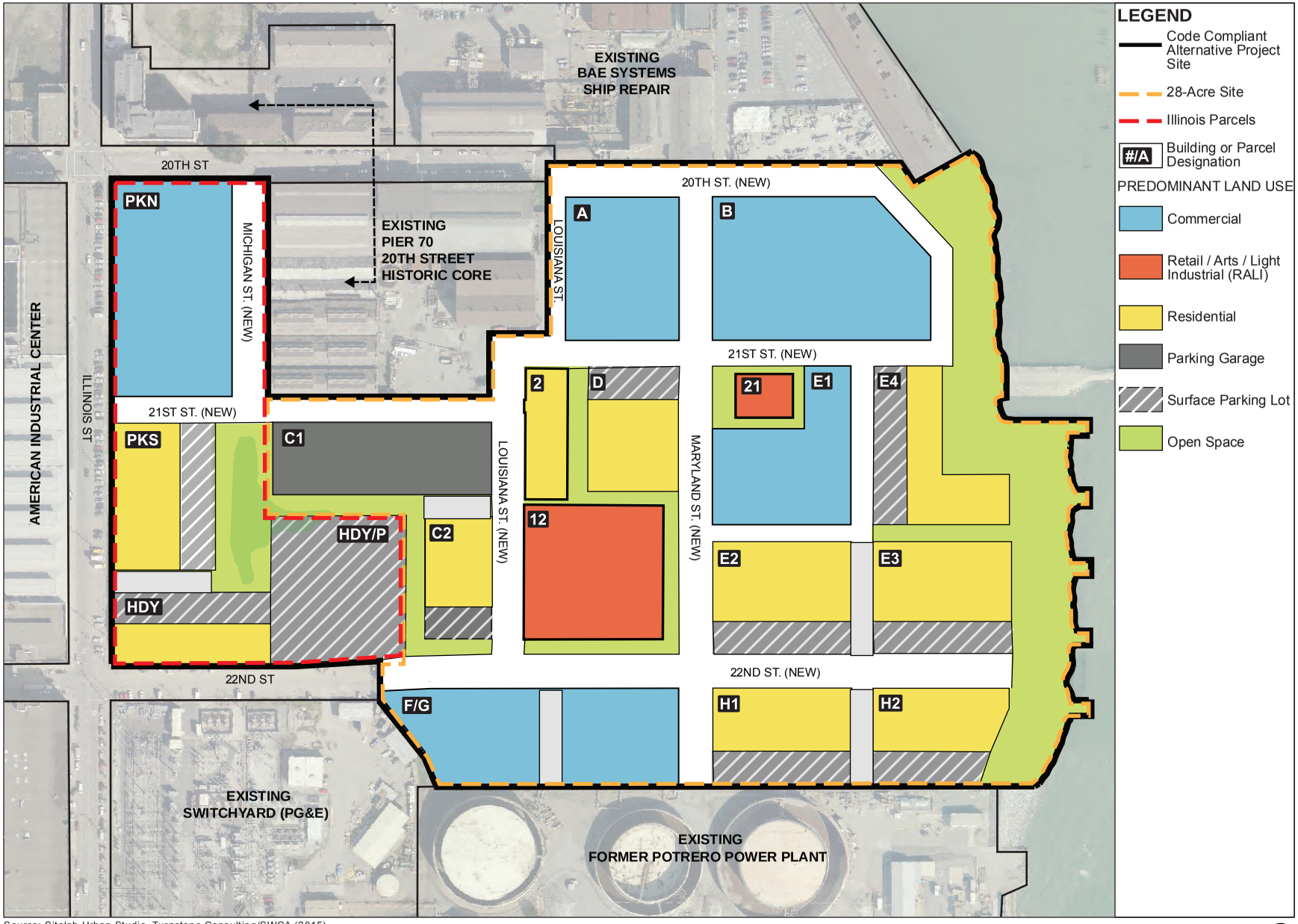
* The scale bar has been revised on the following figures in Chapter 7. These figures accurately depict the land use designations and maximum heights for the Code Compliant Alternative and Pier 70 Master Plan Alternative. The revised figures are shown on the following pages.

- Figure 7.1: Code Compliant Alternative – Land Use Plan, EIR p. 7.17
- Figure 7.2: Code Compliant Alternative – Maximum Height Plan, EIR p. 7.18
- Figure 7.3: 2010 Pier 70 Master Plan Alternative – Land Use Plan, EIR p. 7.58
- Figure 7.4: 2010 Pier 70 Master Plan Alternative – Maximum Height Plan, EIR p. 7.60

CHAPTER 8, AUTHORS AND PERSONS CONSULTED

The following revision has been made to EIR p. 8.2 (new text is underlined):

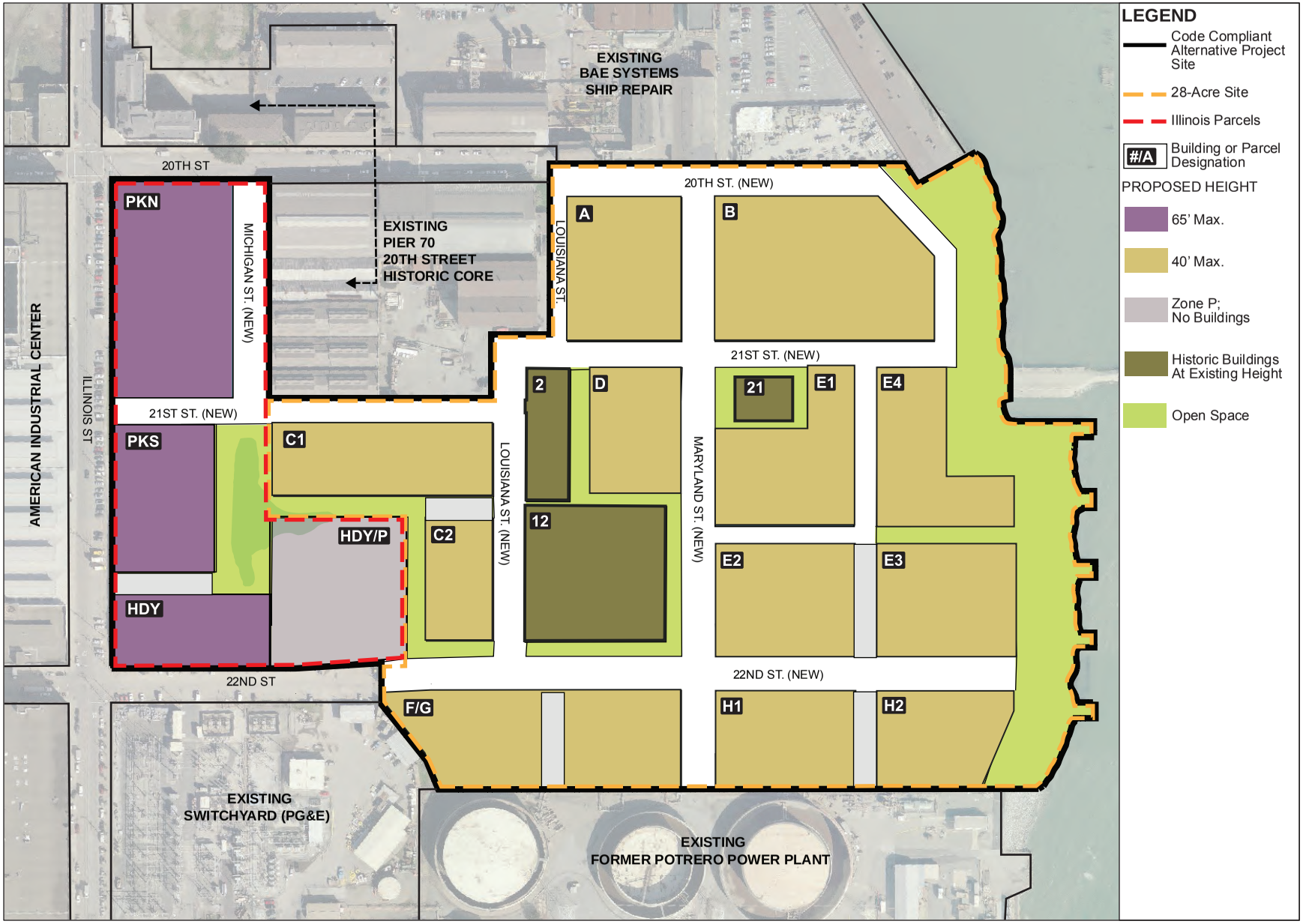
> **Environmental Science Associates, Inc.** (*Air Quality, Biological Resources, Cultural Resources, and Hydrology and Water Quality*)
> 550 Kearny Street, Suite 800
> San Francisco, CA
>
> Karl Heisler
> Chris Sanchez
> Rachel Danielson
> Robert Battalio
> Louis White
> Sheila McElroy
> Brad Brewster



Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2015)

PIER 70 MIXED-USE DISTRICT PROJECT

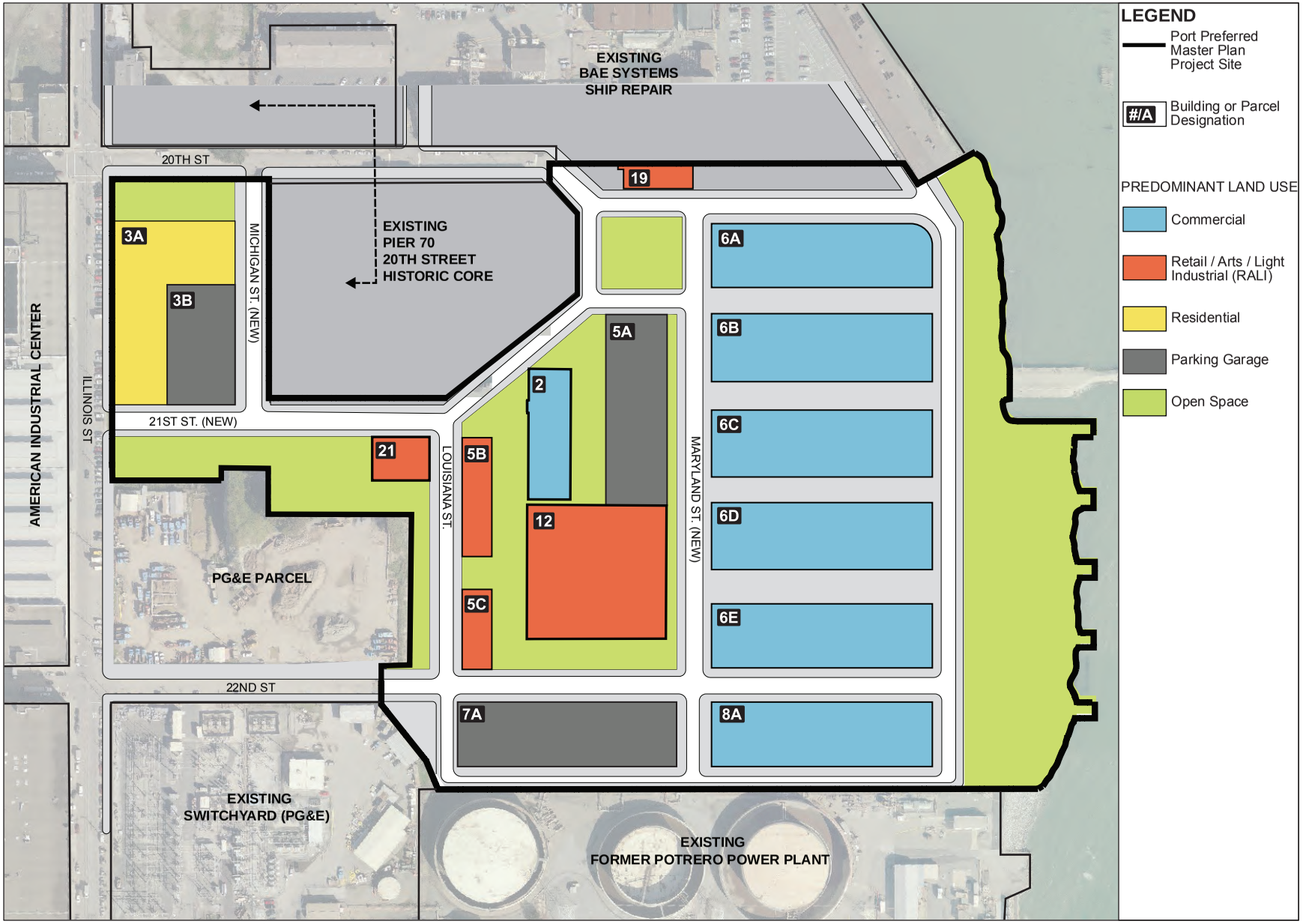
(REVISED) FIGURE 7.1: CODE COMPLIANT ALTERNATIVE - LAND USE PLAN



Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2015)

PIER 70 MIXED-USE DISTRICT PROJECT

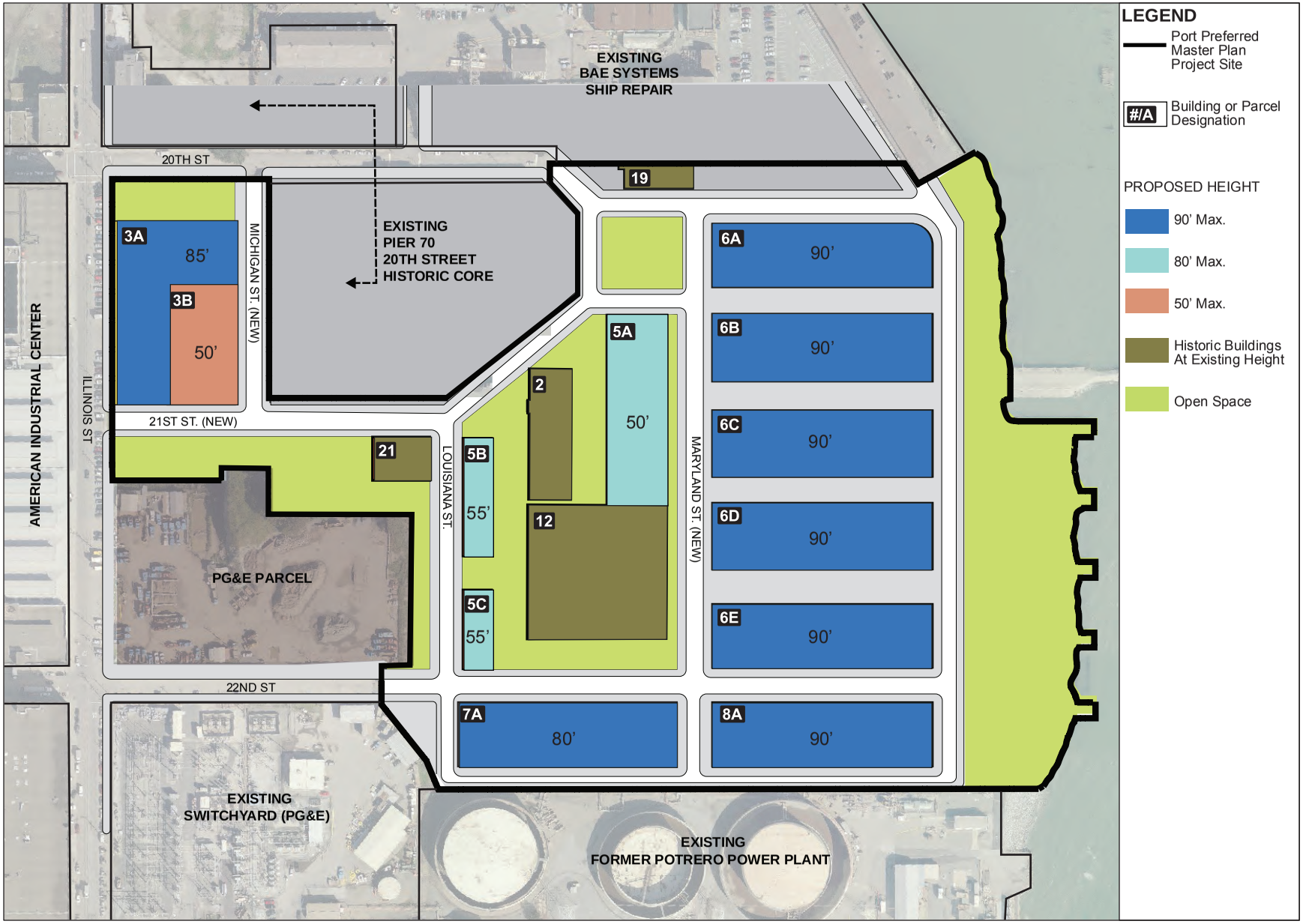
(REVISED) FIGURE 7.2: CODE COMPLIANT ALTERNATIVE - MAXIMUM HEIGHT PLAN



Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2015)

PIER 70 MIXED-USE DISTRICT PROJECT

(REVISED) FIGURE 7.3: 2010 PIER 70 MASTER PLAN ALTERNATIVE - LAND USE PLAN



Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2015)

PIER 70 MIXED-USE DISTRICT PROJECT

(REVISED) FIGURE 7.4: 2010 PIER 70 MASTER PLAN ALTERNATIVE - MAXIMUM HEIGHTS PLAN

ATTACHMENT A: PUBLIC HEARING TRANSCRIPT COMMENTS

In The Matter Of:

S.F. PLANNING COMMISSION

HEARING IN RE:

Pier 70

February 9, 2017

CLARK REPORTING & VIDEO CONFERENCING

2140 SHATTUCK AVE. STE. 405

BERKELEY, CA 94704

510.486.0700/FAX: 486.1078

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SAN FRANCISCO PLANNING COMMISSION

PUBLIC HEARING

February 9, 2017
1:31 P.M.

PUBLIC HEARING ON THE DRAFT ENVIRONMENTAL IMPACT REPORT

PIER 70 MIXED-USE DISTRICT PROJECT

CLARK REPORTING & VIDEO CONFERENCING
2140 SHATTUCK AVENUE STE. 407
BERKELEY, CA 94704
510.486.0700

Commission Chambers, Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

REPORTED BY: Siew G. Ung, CSR No. 13994, RPR

SPEAKERS

SECRETARY IONIN

COMMISSIONERS:

PRESIDENT HILLIS
COMMISSIONER JOHNSON
COMMISSIONER RICHARDS
COMMISSIONER MOORE
COMMISSIONER METZGER

SPEAKERS:

MELINDA HUE
KELLY PRETZER
JUDE DECKENBACH
MARTI McKEE
MICHAEL GINTER
PETER LINENTHAL
STEVEN FIDEL HERRAIZ
PHILIP ANASOVICH
LISA TEHRANI
J.R. EPPLER
COREY SMITH
ALISON HEATH
RICK HALL
RICH SUCRE

SAN FRANCISCO, CALIFORNIA;

THURSDAY, FEBRUARY 9, 2017, 1:31 P.M.

***

SECRETARY IONIN: Commissioners, this will place us on Item 9 for Case No. 2014-001272ENV.

PRESIDENT HILLIS: This is the Pier 70 Mixed-Use District Project. This is a Draft Environmental Impact Report. Please note that written comments will be accepted at the planning department until 5:00 p.m. on February 21st, 2017.

MS. HUE: Good afternoon, President Hillis, members of the Commission. I am Melinda Hue, Planning Department staff.

The item before you is review and comment on the Pier 70 Mixed-Use District Project Draft Environmental Impact Report or Draft EIR pursuant to the California Environmental Quality Act, or CEQA, and San Francisco's local procedures for implementing CEQA.

The item before you is the Public Hearing to Receive Comments on the Draft EIR for the Pier 70 Mixed-Use District Project.

I am joined today by my colleagues, Rick Cooper, Senior Environmental Planner, Alana Callagy, Environmental Planner, and Rich Sucre, Historic Preservation Technical Specialist. Members of the

consultant team and the project sponsor team, which include Forest City and the Port of San Francisco are also present.

The project sponsor, Kelly Pretzer with Forest City, will provide you a brief overview of the project.

MS. PRETZER: Thank you, Melinda. Good afternoon, President Hillis and members of the Commission. Thank you, Jonas.

My name is Kelly Pretzer with Forest City and along with the Port of San Francisco, we are project sponsors for the Pier 70 Mixed-Use District Project. We were most recently before you in November of 2016 giving an informational presentation to the Commission on the overall project site plan, program and character.

If I could have the -- oh, thank you.

As you will recall, the Pier 70 Project has been in the making for ten years, beginning with the Port's development of the Preferred Master Plan document endorsed in 2010.

From there, the Port issued a competitive solicitation and Forest City was ultimately selected as the Port's development partner for a portion of Pier 70. Forest City had been working on the Pier 70 project for the last six years.

Over that period of time, there have been

dozens of events with thousands of participants, each providing input and influencing the guiding principles that make the project what it is.

Most recently, we held a series of open houses in October and November that drew over 500 attendees. This feedback that we heard from community members has flowed directly into the Land Use Plan. We have been thoughtful about how we have laid out the plan to ensure that what is created is an urban waterfront district that is authentic to Dogpatch and to San Francisco.

We have included uses that you don't often find in master-planned communities. Things like PDR, light industrial, and a significant arts component. We have ensured a mix of housing and commercial office space and intermixed those uses across the site to provide for an active place during the day and night, weekday or weekend.

For the housing on the 28-acre site, 30 percent of all units will be provided at below-market rate, and those units will be provided on-site.

As a reminder, the Pier 70 Special Use District, or SUD, is comprised of two distinct subareas, the 28-acre site and the 7-acre Illinois parcels.

In 2014, the Pier 70 project was the first to go to the ballot under the requirements of

Proposition B. In November of 2014, Proposition F, which authorized a height increase at Pier 70 from 40 feet to 90 feet was approved by 73 percent of the voters along with guiding policies as to the public benefits to be provided by the project.

We know that this resounding approval was a direct result of the time and care taken to solicit input from community members and neighbors, and to make sure that that input was reflected in the project that is here before you today.

Indeed, Proposition F was endorsed by a host of stakeholders and organizations including The Dogpatch Neighborhood Association and the Potrero Boosters.

And as a reminder, the rezoning of the site did not take effect with the passage of Proposition F, but rather awaited a full and complete CEQA analysis that must take place prior to any rezoning action -- is the reason that we are here before you today.

One of the key pieces of feedback we heard in 2014 was to ensure that not every building at the site was built to 90 feet. While Proposition F authorized a height increase across the site, the proposed project includes a varied-height plan, with buildings ranging from 50 to 90 feet, and lower-scale heights adjacent to parks and open space. We wanted to be responsive to

community feedback about a variety of building heights as well as views from 20th, 22nd and Potrero Hill.

For informational purposes, a few before and after views of the project from various points on Potrero Hill are included. These represent the height plan that is studied in the DEIR as well as grading increases at the site in order to protect from future sea level rise.

This view is from 20th Missouri Street without the project. And here is the view with the project.

Another view from 20th and Mississippi Street, a bit further up the hill. Without the project, and with the project.

And finally a view from 22nd and Wisconsin Street without the project and with the project.

Additional features of the project include the rehabilitation of three buildings totaling more than 280,000 square feet. Buildings 2 and 12 shown here in rendering on the left and right respectively are displayed.

The proposed project site plan is oriented around historic buildings at the site, preserving key viewsheds and emphasizing the relationship between rehabilitated buildings and open spaces.

The land plan for the project before you is

consistent with the Port's 2010 Preferred Master Plan, which identified key resources across Pier 70 as either: Very significant, significant, or context, and identified which resources were to be rehabilitated.

The diagram shown here is reflective of the entire Pier 70 Master Plan area and shows the extensive rehabilitation, shown in gray, proposed across the site.

The architecture of future buildings at Pier 70 will be regulated by the Pier 70 SUD design for development. We look forward to providing the Commission with an informational presentation on this document and proposed design standards and guidelines at a meeting in the near future.

The proposed project also includes 9 acres of parks and open space, including an extensive waterfront park that creates access to San Francisco Bay where none has previously existed. The landscape architecture team, field operations, has worked on other post-industrial projects including the High Line in New York.

This team brings a great sensitivity and care to the preservation of the industrial feeling of the site, while also ensuring that open spaces are useable and amenities to the neighborhood.

The project's open-space design is highly

informed by the former industrial use of the area as well as the Union Ironworks Historic District, and reuse of industrial artifacts as public art is core to our approach.

The vast open space network includes a variety of types of spaces, including a children's playground, active recreation, pass- -- passive spaces as well as spaces for events and markets.

For context -- excuse me.

Finally, to touch on some of the public benefits and the project utilities and infrastructure, the proposed project will elevate the existing site to protect all buildings from the high end of the estimated range of sea level rise for 2100.

Other key features are 9 acres of parks and open space, and that 30 percent of all units at the 28-acre site offered at below-market rate.

Additionally, the project has committed to replacement studio space for tenants of the Noonan Building at Pier 70, and that space will be permanently affordable.

But the project is not just replacement of the space currently in the Noonan Building. The project will build a dedicated arts facility that is four times the size of what exists at the site today in order to

continue the tradition of arts at Pier 70.

In addition, the project is the first privately funded development that is committed to a 30 percent local hire requirement for construction work as well as a LBE utilization goal.

With regard to transportation, the groundwork had been laid for transit infrastructure that serves the revitalization of Pier 70 through the significant investment -- of -- in the T line as well as on the central subway.

Closest to the Pier 70 site, the central subway will increase capacity of the T by 50 percent as well as reduce headways. Most importantly, this will happen before any new residents or workers arrive at Pier 70.

But we know that the project must also be responsible for its own transportation demands, and this is addressed at multiple levels.

First, the project itself will be designed to prioritize bicycle and pedestrian safety as well as encourage alternative modes of transportation. The project will have an aggressive TDM program, which includes operation of a shuttle to connect to regional transit, as well as education and incentive programs to encourage Pier 70 residents and workers to drive less.

As a layer above this, the project's EIR requires annual monitoring and a 20 percent reduction in project trips from those identified in the EIR. And finally, the project will generate significant fees to improve the local transit and transportation network.

This concludes my presentation on the Pier 70 Mixed-Use District Project.

And thank you very much for the opportunity.

PRESIDENT HILLIS: Thank you, Ms. Pretzer.

MS. HUE: Thank you, Kelly.

As a reminder, the item before the Commission today is to receive comments on the Draft EIR and not the project. As Kelly said, there will be future informational hearings regarding the project itself.

The Draft EIR concluded that the proposed project would result in project-specific and cumulative significant unavoidable impacts related to transportation and circulation, specifically transit and loading; noise, specifically increases in ambient noise levels; and air quality, specifically increases in criteria air pollutants.

The Draft EIR found that other impacts related to archeological resources, historic architectural resources, transportation and circulation, noise and vibration, air quality, wind, biological resources,

geology and paleontological resources, hydrology and hazards and hazardous materials, could be mitigated to a less-than-significant level.

A hearing to receive the Historic Preservation Commission or HPC's comments on the Draft EIR was held on February 1st, 2017. I have provided you a copy of the HPC's letter.

At the hearing, the majority of the HPC, six out of seven commissioners, concurred with the analysis and conclusions in the Draft EIR and felt that the proposed mitigation measures would reduce historic resource impacts to a less-than-significant level.

Commissioner Pearlman dissented with the majority opinion and disagreed with the conclusions in the Draft EIR and felt that the demolition of the existing contributors, Buildings 15, 16, 25, 32 and 66, would cause a substantial adverse impact to the historic district, which could not be mitigated to a less-than-significant-level with the proposed mitigation measures.

Further comments requested an amendment to improvement measure ICR4(b) for the public interpretation program to include a wayfinding program that reflects the site's three eras of history and activity. The HPC also requested more information about

the site's development and circulation patterns and view corridors.

Today comments should be directed toward the adequacy and accuracy of information contained in the Draft EIR. For members of the public who wish to speak, please state your name for the record. Also, please speak slowly and clearly so that the court reporter can make an accurate transcript of today's proceedings.

Staff is not here to answer comments today. Comments will be transcribed and responded to in writing in the Comments and Responses Document, which will respond to all verbal and written comments received and make revisions to the Draft EIR as appropriate.

Those who are interested in commenting on the Draft EIR in writing, by mail or email, may submit their comments to the Environmental Review Officer at 1650 Mission Street, Suite 400, San Francisco by 5:00 p.m. on February 21st, 2017.

After the comment period ends on February 21st, the planning department will prepare a Comments and Responses Document which will contain our responses to all relevant comments on the Draft EIR heard today and sent in writing to the planning department by 5:00 p.m. on February 21st.

Unless the commissioners have questions, I

would respectfully suggest that the hearing on this item be opened. Thank you.

PRESIDENT HILLIS: Great. Thank you.

So we will open this item for public comment, comment on the Draft Environmental Impact Report for Pier 70. I have several speaker cards.

Jude Deckenbach, Marti McKee, Michael Ginter, and Lisa Tehrani. If your name has been called, you can line up on the screen side of the room and speak in any order.

Go ahead.

SPEAKER: In any order?

PRESIDENT HILLIS: Sure. Any order.

MS. DECKENBACH: Good afternoon, Commissioners. My name is Jude Deckenbach, and I'm here from Friends of Jackson Park. And as always, when I come before you, I speak about open space and recreational programming.

O-FoJP1
1
(RE-3)

I'm going to direct my report -- my comments to Section 4(j), which was -- in the Draft EIR, which was about recreation.

The thresholds for determining the significance of the impact which are consistent with the environmental checklist of Appendix G of the State CEQA guidelines, for the purpose of this analysis, the

following applicable thresholds were used to determine whether implementing the proposed project would result in a significant impact on recreation.

Implementation of the proposed project would have a significant effect on recreation if the project would: Increase the use of existing neighborhood or regional parks or other recreational facilities such that the substantial physical deterioration of the facilities would occur or be accelerated.

Also from this section: An increase in the local population could contribute to or accelerate the deterioration of existing parks and recreational facilities if the demand generated by the new residents were to create an overuse of existing facets. In particular, amenities such as grass, sportsfield, or play structures are more susceptible to deterioration more than resilient hardscaped facilities such as concrete bike paths.

1 (RE-3) cont'd

And while I think that it's great that there's 9 acres of open space so that the people who work there or live there can go and sit outside, and they can walk along the water, there is no recreational programming on this site.

2 (RE-2)

Therefore, people are going to come to the two recreational facilities that are in Potrero Hill,

3 (RE-3)

Potrero Rec Center and Jackson Park down here. And with the implementation of the maximum residential scenario, this population of the area within the .5-mile buffer zone -- we're like three blocks outside that.

They're going to -- the population is going to increase from 5,404 people to over 12,000 people. Where are these people going to play? If they play -- if they want to play tennis, if they want to play basketball, if they are one of the over-a-thousand residents per week who use the ball fields at Jackson, they are going to come to these facilities. It's going to increase usage. It's going to increase the deterioration.

I'm saying that I think it's incumbent upon the cities to improve and upgrade the current existing resident -- recreational facilities. I mean, Jackson Park fields have not been graded since last century. 1999, but still, last century.

So I object to how they are saying that they would not -- that it's inaccurate that there won't be a significant impact on these recreational facilities because there will. Thank you.

3 (RE-3) cont'd

PRESIDENT HILLIS: Thank you, Ms. Deckenbach. Next speaker, please.

MS. McKEE: Good afternoon, Commissioners. My name is Marti McKee, and I'm speaking in support of the

I-McKee 1 (ME-1)

Pier 70 development plan.

I'm one of about 40 working artists in Pier 70's Noonan Building. We are printmakers, sculptors, painters, photographers, filmmakers and writers. We have small creative businesses such as an illustrator, web designer, letterpress operation, fabric -- fabric and clothing designers. Our claim to fame is that, well, -- the well-known Bay Area painter, Frank Lobdell had his studio in the Noonan Building for many years and worked from his third-floor studio well into the 1990s.

We all talk a lot about what's happening to artists in San Francisco in the Bay Area. So many new developments displace artists and small businesses. I just don't think it can be said enough that for San Francisco to continue to be a vibrant hub of art and culture, artists must be protected.

While our beloved Noonan Building will be torn down as part of the Pier 70 development, we are very pleased to be included in the future. We trust and believe in Forest City's commitment to replace our studio space within the Pier 70 project. And equally important, a rent schedule that will ensure space continues to be affordable.

Yes, I'm looking out for my own interests, but more importantly, the future generations of artists

1 (ME-1) cont'd

looking to work and live in San Francisco. Forest City recently presented the conceptual plans for the development to the Noonan Building artists. We were quite impressed. We look forward to being part of this exciting new development that preserves us, historical buildings, open space, and access to the Bay combined with the residential, commercial, retail and light-industrial components.

1 (ME-1) cont'd

Again, we commend Forest City to their -- for their commitment to protecting working artists and incorporating us into the future.

Thank you.

PRESIDENT HILLIS: Thank you. Next speaker, please.

O-OE

MR. GINTER: Good afternoon, Commissioners. My name is Michael Ginter. I'm the senior business representative for Operating Engineers Local Union No. 3. I'm also a delegate for the San Francisco Building and Construction Trades Counsel. We are in full support of this project.

1 (ME-1)

This is a project the basic outlines of which was overwhelmingly approved by city voters. Forest City is a responsible developer, and we are confident that the DEIR is a careful and thought- -- thorough effort, and that Forest City will adequately address any

concerns.

This is a neighborhood that has waited a long time for its transformation and revival, and that revival will -- will be another important step in bringing the life of the City back to the shores of the -- of the Bay.

This project will also bring good-paying jobs to our local community, local hire, and local apprenticeship hire as well.

Thank you.

PRESIDENT HILLIS: Thank you. Mr. Gintner. Next speaker, please.

MR. LINENTHAL: Hello, Commissioners. My name is Peter Linenthal. I've lived on Potrero Hill for 40 years, and I have been a part of the Potrero Hill Archives Project, a history project in the neighborhood for 30 years, and I direct it now.

I'm here to comment on the cultural resources section of the Draft EIR.

It's very easy to take the landscape that we encounter every day for granted and to assume that it's always been that way. But that's really not the case.

When you walk down Illinois Street today, this is what you see of Irish Hill, rising to the east. But what -- what you wouldn't know, looking at that, is that

1 (ME-1) cont'd

O-PHAP 1 (CR-6)

the white section here is what remains of Irish Hill.

Originally, it was a huge hill, eight or ten blocks inside -- size, with 90 steps going up to the top, housing a vibrant community that -- which Steven Herraiz will tell you about shortly.

This is Figure 2.7, the maximum-use residential scenario.

This is -- this is Illinois Street, and Irish Hill is in this area.

The plans so far -- there's a variety of plans, but they -- they hide what remains of Irish Hill behind either residential or commercial buildings along Illinois so that you would only -- you would only see them through these narrow openings along 21st or 22nd.

I -- I think it would be much better if the developers came up with a plan that didn't hide -- hide Irish Hill. Potrero Hill and Dogpatch are a part of the City that have undergone some of the most dramatic geological changes. Mission Bay was filled in. When you drive by the 280 Freeway, there's a huge landscaped wall.

People don't realize that the hill originally gradually went down to the bay. Also, earth from Irish Hill was used to build out more industrial land along Pier 70, so that history shouldn't be lost, and I hope

1 (CR-6) cont'd

Irish Hill can remain visible --

PRESIDENT HILLIS: Thank you.

MR. LINENTHAL: So people can learn that history.

PRESIDENT HILLIS: Thank you. Next speaker, please.

I-Fidel Herraiz

MR. HERRAIZ: Good afternoon, Commissioners. My name is Steven Fidel Herraiz, and I am an independent research historian, and I have been studying Irish Hill for the last three years.

I brought a picture of Irish Hill as it was at the end of the 1800s.

This is what Irish Hill -- this is what Irish Hill used to look like. It was a thriving neighborhood that housed 1,100 people.

I've been a historian for many years, and I have never studied an area that literally is like a ghost town that has no physical reminders of its existence.

All that's left of Irish Hill is the small piece of land that Peter showed you. I have been working very hard to be sure that people understand Irish Hill and learn about it.

There are many hills in San Francisco. All of the hills in San Francisco have their own histories.

1 (CR-6) cont'd

1 (CR-6)

They have reminders of what was there. They have new buildings, old structures. Irish Hill has none of that. Irish Hill literally was a neighborhood that disappeared.

I've read the EIR, and I'm very pleased that Irish Hill will not be razed -- that that last chunk of Irish Hill will stay. However, as Peter mentioned, the visibility of it will be completely impaired.

As you can see, from this view, which is from Illinois Street, you would be able to see Irish Hill. Now, if you go to Illinois Street today, you can still see the clump of Irish Hill that is there. However, with the -- the buildings that are going to be put there, the view of Irish Hill will be completely obscured, and it would really affect the public's access to this place.

1 (CR-6) cont'd

Parts of the EIR were talking about the digging of parts of Irish Hill to make the road to go through to the machine shop area. The digging that will take place on Irish Hill is very minimal, maybe 3 percent of the hill, but the digging could also reveal many architectural and archeological things that people haven't really seen for a hundred years.

The hill that is there -- that is there today has not been touched, really, for 100 years. 1918 was

2 (CR-1)

when the last excavations were there, and I just -- I brought a few artifacts to show you.

Okay. This is a woman's dress boot. I found this on Irish Hill. It's full of mud. It actually has, still, the frills of the little leather laces that it was -- it had.

This is a beer bottle from Irish Hill. Irish Hill was a very raucous neighborhood. There were many saloons, working-class men. This is how beer was bottled before the turn of the century. If you got hit on the head with this, you would be in series trouble. It's very heavy.

Here I have the head of a clawhammer. I have a porcelain canning lid, so people on Irish Hill obviously canned their own food, built their own things.

I have here Dr. Mung's Essence of Opium, which was a painkiller. It was reported to be safe for children, however, it was easily -- easily mismanaged and actually ended up killing quite a few babies, unfortunately.

2 (CR-1) cont'd

PRESIDENT HILLIS: Thank you, sir. Your time is up.

Thank you. Next speaker, please.

MR. ANASOVICH: Good afternoon, Commissioners. My name is Philip Anasovich. I've lived on Potrero Hill

for 32 years. I live at 298 Missouri Street. I just wanted to add my voice to the others you've heard this afternoon.

I'm an architect and member of the AIA. I have seen the plans, the development plans, and I think it's really a shame that we're not going to take advantage, from what it looks like, of the particular spot of Irish Hill.

I think that if it were a more open space, many cities have public parks, open areas, which give character to the neighborhood. Here is an opportunity to make this a special spot in the neighborhood, and from what I've seen, they are going to wall it off on three sides.

So I -- I'd like to say that I'd like to see the City and the Port request alternate development plans for this particular area. I'm sure there are alternates. We have very talented architects and landscape architects working on this project. We could have a park with a playground with a cafe. It could be a very commendable and wonderful asset to the neighborhood.

And the -- I just want to say that I think it's wonderful that we're saving and developing Pier 70. I think it's about time, and I hope that -- it -- it is

I-Anasovich
1
(ME-1)

-- I have studied Pier 70 as a cultural landscape. It's important historically, and it's very sensitive, so let's try to get the developer on board with that vision.

1 (ME-1) cont'd

Thank you very much.

PRESIDENT HILLIS: Thank you. Next speaker, please.

MS. TEHRANI: Hello, Commissioners. My name is Lisa Tehrani. I'm with Friends of Potrero Hill Rec Center, and I live on Potrero Hill.

I-Tehrani

I just want to speak with regard to the recreation portion of the Draft EIR. As Potrero Hill Rec Center, the increase of 6,800 new residents is that -- is going to have an impact on the existing open space and recreational facilities in -- in Potrero Hill and in Dogpatch.

1 (RE-3)

The EIR says that it will have a less-than-significant impact. I disagree with that. The Rec Center, as is identified, will be used and even though the EIR or DEIR said that there would be -- there's some improvements happening to the Potrero Hill Recreational Center in the form of the 2012 Park Bond, they are not big changes, and there's still a lot of opportunity to improve upon the 9 acres of space that exists at the top of the hill for the entire community,

including the Pier 70 future community.

There will be a 50 percent increase of residents to the area, and it will have an impact on the function and usage of that facility and of Jackson Park. And so I disagree with that finding, and I think there needs to be some cushioning for the existing recreational facilities and further -- further consideration for those impacts.

1 (RE-3) cont'd

Thank you.

PRESIDENT HILLIS: Thank you, Ms. Tehrani. Mr. Eppler.

MR. EPPLER: Thank you, President Hillis, Commissioners. My name is J.R. Eppler. I am president of the Potrero Boosters Neighborhood Association, and I'm here to give a little bit of context to the comments that you are receiving from the neighborhood and remind you of the situation we are facing in that area.

O-PBNA1

1 (TR-1)

We are certainly working along with our neighbors in Dogpatch, going to be providing robust written comments to the Draft EIR, but we want to make sure that the issues of the Draft E- -- EIR get a full hearing because only through addressing them will Pier 70 be a success.

And we want Pier 70 to be a success because from our perspective, the project had been a positive

role model for neighborhood cooperation. They spent considerable time engaging with the neighborhood, both formal and informal, and when Prop. F, which sent the height limits for the project, passed with over 72 percent of the City's vote, it did so with the support of both the Boosters and the Dogpatch Neighborhood Association.

And that Design for Development document that they are going to be coming to you with has drawn rave reviews from the neighborhood people that have engaged with them in developing that document.

But with all the good things that are going to go on within the boundaries of Pier 70, it doesn't alleviate the extraordinary stresses the project will place on our insufficient public infrastructure outside of the project's borders.

Now, I have gone on at length here about how transit and transportation infrastructure in Dogpatch, Mission Bay and Potrero Hill is inadequate to withstand the impact of the eastern neighborhood's plan alone.

For context, Dogpatch is doubling its population this year, and within the next five, will double it again. That's under the Eastern Neighborhoods Plan. That doesn't count the other mega projects in the area other than Pier 70, which include Mission Rock, the

1 (TR-1) cont'd

Chase Center, the redevelopment of the -- the Potrero Power Plant, and the rebuild of Potrero Hill's Public Housing.

That's all just within the study area for transit and transportation before the Pier 70 Project. And that's in addition to UCSF's expansion into the Dogpatch neighborhood, with impacts for which the University is exempt from mitigating with their usual tools and taxes and fees.

So my neighbors have gone on in detail about recreation and historic resources, and we'll hear more about transit and transportation, and we'll submit our written comments. But I felt it was important to remind the Commission that there are significant issues that need to be addressed as a result of this process.

I believe they can be addressed. Forest City is working with us to address them, and that will help, but at the end of the day it's -- a lot of it is just not Forest City's issue to address. They are the issues of the City and County of San Francisco.

No fleet of private shuttles is going to alleviate the impact of over a hundred thousand person trips per weekday from Pier 70 alone, particularly in light of the other large projects going on in the area.

So I ask the planning commission to look

1 (TR-1) cont'd

forward to our written comments and to help us in probing the City into providing those resources necessary to mitigate the impacts of this project and provide for a successful asset on our waterfront.

1 (TR-1) cont'd

Thank you.

PRESIDENT HILLIS: Thank you. Mr. Smith.

MR. SMITH: Good afternoon, Commissioners. Corey Smith on behalf of the San Francisco Action Coalition speaking in support of the Draft EIR here today.

Needless to say, this had been ten years in the making. It is certainly a planning process that speaks volumes to what we have in San Francisco, but it is, absolutely, a nice milestone, and we are happy to be here speaking in support.

O-SFAC 1 (ME-1)

With regards to the residential impact, we will take every opportunity to encourage everybody to maximize the amount of housing we can get in the project itself, both with the market-rate aspect and the subsidized/affordable.

Also want to mention that with so much going on in this part of the city, that this project will generate millions of dollars of impact fees that will go to the improvements that we have been talking about that will be desperately needed and one of the wonderful

benefits we have of private development.

So speaking in support, again, thank you very much.

PRESIDENT HILLIS: Thank you. Ms. Heath.

MS. HEATH: Alison Heath with Grow Potrero Responsibly.

There's quite a bit to discuss, but I will limit my comments today to the problem of putting too many people in an area with inadequate public transit options.

Certainly, population growth anticipated with this project is not less than significant. The number of residential units has the potential to exceed the entire total allowed under the Central Waterfront -- Waterfront Plan all at once and all by itself.

It also exceeds ABAG's growth projections for the entire Port of San Francisco, burdening us with much more than our so-called fair share.

Throw into the mix 2.2 million square feet of commercial space and close to 10,000 workers on-site everyday, shoppers and diners, and it should be no surprise that the development would generate 131- to 141,000 person trips a day.

With nearly 3,400 parking places on-site and unlimited -- limited transit options, the danger is that

1 (ME-1) cont'd

O-GPR1

1 (TR-2)

2 (PH-2)

1 (TR-2) cont'd

this will be a 20th century, car-centric enclave/exclave, with projections that half of people coming and going will rely on cars.

What concerns me and should concern you is that the Draft EIR finds no significant impacts from traffic, ignoring the level of service studies that already were done by the developer last year.

Under that LOS analysis, this single development would bring 30 intersections to Level F, which is pretty much a constant traffic jam.

Think about what this means for pedestrian safety, air quality, bicycle safety and access by emergency vehicles.

Ironically, VMT analysis was supposed to encourage alternative modes of transit, but here we have an environmental report that is using VMT to cloud the reality of so few options that in the future, only 21 percent of people will travel by public transit.

Frankly, this is a city problem. Reliance on promises of a patchwork of unregulated private shuttles, bikes and walkways still has 50 percent of people in automobiles.

Before moving forward with this project and with a nearly 14-acre India Basin and the 21-acre power plant developments, the City must develop a

1 (TR-2) cont'd

3 (TR-9)

4 (TR-4)

comprehensive network of public options so that we can stop pretending and finally put transit first.

4 (TR-4) cont'd

PRESIDENT HILLIS: Thank you. Next speaker, Mr. Hall.

I-Hall

MR. HALL: Thank you. I don't have any prepared comments, but I would like to just follow up and second what both J.R. and Alison -- Alison said.

But maybe just to also add my little piece, which is always, you know, about pacing. And that is, you know, getting the infrastructure in in time for what's -- what comes as the project is built.

You know, it takes like -- it seems to take like 30 years to put in a new subway. And you know, God knows it takes -- it seems to take forever -- even with -- when SFMTA has money, for them to spend it. I think there's a recent article on that.

So what I would -- what I would ask, and I will add my, you know, comments to the formal comments that come in. But just to raise your attention to the issue of pacing and the fact that we've got -- as far as I'm concerned, a wasted asset down there with the T Line.

1 (GC-1)

You know, I -- instead of seeing in -- in mitigations, things like: SFMTA will continue with this program, DSP, or this other program, let's get some

2 (TR-4)

specifics in there.

In order for this project to be built, they will have -- SFMTA is required to, as a mitigation, to put 'X' numbers of trains, yeah with, whatever -- 15-minute intervals onto the T line.

Let's get specific with both timing and pacing and stop accepting, basically, mitigations that are platitudes -- that aren't mitigations.

If they are not specific and they don't have timing, and they don't have money, they are not mitigations. They are platitudes.

2 (TR-4) con't

Thank you.

PRESIDENT HILLIS: Thank you. Is there any additional public comment on the Draft EIR? Seeing none, we'll open it up for commissioners' comments and questions.

Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you very much. Thank you very much to the staff. As always, you guys do a fantastic job on -- on your environmental analysis and whether people agree with certain sections or not, it's always a heroic effort to do this type of work for -- for these size of projects, so I definitely appreciate the efforts of both the project sponsor and the staff and those who have already contributed thus

A-CPC-Johnson 1 (GC-1)

far to this Draft EIR.

I'll be looking forward to seeing the response document because I do believe that there are a number of things that we have heard today -- that maybe commissioners will have to say, and that we'll see in the future in some of the written comments that are substantial, and they may even result in changes to the analysis.

So for that reason, I will actually also be presenting some written comments, but today, just a couple things I want to highlight up here at the hearing.

1 (GC-1) cont'd

So we got a memo -- sometimes we get things passed up to us -- that was actually from the Historic Preservation Commission, and just sort of summarized some of their discussion around this. And there was one dissenting commissioner who said that -- disagreed that the analysis of the historic resource impacts are -- are mitigated through the proposed mitigations. And I think I would have a tendency to agree.

My only -- the only thing I would say is -- I don't know if it requires a change in the project, but certainly, I believe that at least for that piece, we'll be looking at having a statement of -- what do we call it -- don't -- don't correct me -- the Statement of

2 (CR-2)

Overriding Considerations -- I was like "yes, what is it?"

I think we'll be looking at a Statement of Overriding Considerations on -- on that piece. I don't necessarily believe that the mitigations are -- are proper for the historic resources for the amount of changes that we are doing here.

I do feel like the new development will be contextual, and it will reference back to the history of Pier 70 in a proper manner, but that's not the same thing as keeping those historic resources.

2 (CR-2) cont'd

So a couple other things. On -- it was unclear to me, and it looks like the planning commission, when I look at the -- the list of approvals that need to go through the City, it does look like the Planning Commission will be seeing the Design for Development, and so I look forward to seeing this.

3 (PD-2)

But it wasn't clear to me, from my read of the EIR, whether or not the two parcels that are set aside for parking structures are the only parking that will be allowed on-site. That wasn't clear to me.

So there is a table that does say, in the different project options, how many on-street -- on-site -- on-street and off-street parking spaces will be allowed, but it's not clear that the off-street parking

4 (TR-11)

is 100 percent in those two sites -- parcels that are set aside for parking. And so if they are not, certainly that would be -- that would impact the traffic study -- impact the mode split.

I think that -- I'm sure there's going to be some resurgence, but even from my personal experience, actually growing up in a place -- Roseville Island, New York City, where they had that exact setup -- where you had an entire project, and the only parking allowed on the entire site was one parking structure at the end of the island, that actually significantly impacted mode split in any way that you don't have when every building has its own set of parking spots.

So that's something that I think is really important, and it impacts how we would look at the traffic study, and I would hope that that would be clarified in the project description.

And then great point from public comment on recreation. Typically, for a large project like this, you don't necessarily have specific programming of specific sites of open space. At this point, that was my experience with Mission Bay and also with Hunter's Point, that you don't necessarily see what is the exact programming.

However, there are very few active recreation

4 (TR-11) cont'd

5 (RE-2)

facilities outside of this Pier 70 project site, and I would hope that this may be an opportunity to do it a little bit different than other projects and actually think about that programming a little bit sooner.

So if we are going to have things like a basketball court/volleyball court or other types of active recreation, maybe sort of pencil those in a little bit earlier than normally you would see in a project this size.

Normally, you would just say, that's a pocket park over there and you do the programming later, but I think there's a reason to do it earlier in this case.

5 (RE-2) cont'd

And with that, I think otherwise, again, I think this is a great job. I think for the majority of the analysis, I feel that it is adequate to move forward with the EIR, and I'm looking forward to seeing the responses to some of the comments today and also what people will receive in writing.

6 (GC-1)

PRESIDENT HILLIS: Thank you. Ms. Pretzer, can you give us just an overview of this schedule and what ultimately will come back to the planning commission? I know we have got a fairly complicated transaction with the Port and a lease and development agreement -- or Mr. Sucre, sorry.

MR. SUCRE: Commissioner Hillis, yes. So

the -- in March, we are anticipating the first round of review on the Design for Development document, and then subsequently any -- any and all of the zoning map amendments as well as the final EIR will be coming back toward the Planning Commission for review as well as at the Port Commission before going on to the Board.

PRESIDENT HILLIS: So there is not a DA, there's a -- I mean, we have a design.

MR. SUCRE: There will be a DA, but this as well.

PRESIDENT HILLIS: Which will also come to the planning commission --

MR. SUCRE: Correct.

PRESIDENT HILLIS: -- and not to the Board. All right. Because there is always confusion about port zoning and whether we've got -- kind of, we are the ones who change the zoning or the Port Commission does that.

MR. SUCRE: Yeah.

PRESIDENT HILLIS: So thank you.

And I just want to add -- I think -- I think, you know the document is -- is well done and thorough. Some of the concerns that came up with active recreation, I think, we have heard on other projects like Sea Wall Lot 337 in -- in, kind of, where those uses will be.

A-CPC-Hillis
1
(GC-1)

I know the Port's got some issues about putting active recreation on its land because of the State limits, but it would be good to see more of that along the waterfront or other projects inside this city.

And then on the deferred -- on the design document, I think that would be critical. You show great renderings in the presentation of how the design kind of fits with the industrial esthetic and the landscape does too.

You know, I think that's important as we move forward. Pier 70 is a pretty special place, and keeping that kind of authenticity, I think is important, and that will come through in the design document.

Commissioner Richards.

COMMISSIONER RICHARDS: I, too, will be submitting my comments in writing. I -- I haven't been here the last couple weeks, and I haven't been through the entire document. However, the beauty of public comment, public testimony is that we actually get perspectives from -- on items from many different lenses. I recall our discussion on One Oak and vehicle miles traveled in terms of how that site sits, where it sits, what the VMT was in relationship to the regional averages, et cetera, and then what actually goes into defining the analysis, the assumptions of how current

1 (GC-1) cont'd

2 (ME-1)

A-CPC-Richards

1 (TR-3)

are they? Are they dated 1990, 2000, those kind of things, so I would like to recall that conversation with One Oak and make sure that we are all on the same page with what goes into the analysis in terms of the assumptions and the numbers.

1 (TR-3) cont'd

Regarding -- I mean, the numbers that some of the public -- Ms. Heath brought up regarding the number of car trips a day. I mean, these sound like scary, big numbers in and out of a very congested place already.

I guess, when we had this kind of issue come up with 5M which is by no means as remarkably large or farther away, a simulation was done on exactly what this would look like. And, you know, these numbers get bandied about, but I have a hard time really trying to understand what it actually is going to look like if I were standing there.

When we did 5M, there were simulations done, and it actually made me feel a lot more comfortable around spacing and timing of the cars, how they gathered up at intersections, et cetera. And so that -- that would help me out a lot.

2 (TR-2)

I think Mr. Hall's comment about metering, not having the infrastructure come a decade later after the development in terms of being able to get in and out, getting ridership up to higher than hopefully the

3 (TR-4)

average on public transportation, we have something to think about.

You know, we already have -- we got eastern neighborhoods, you know, severely -- the infrastructure hasn't kept pace with the demand for infrastructure, and here we are adding more load to an already-burdened situation.

So I think -- in terms of mitigations, the exact number of T cars needed to get these people in and out are really good things to try to understand.

Regarding the recreation space, we have -- we already have a -- based on all the other projects that we have heard, a burdened recreation system with very few, you know, public amenities, Jackson Square Playground and the Rec Center, and some -- I think to one of the public's point and maybe Commissioner Johnson's point, really understanding how the open space is going to be programmed really goes a long way to understanding exactly what the load is going to be on the other public spaces, if there is no actual programming.

So if I do want to play ball, the only place I can go is Jackson Playground, I don't think I can pick up a ballgame, and it's a blank open space, you know, these kinds of things.

3 (TR-4) cont'd

4 (RE-2)

So anyways, I look forward to moving this along and also submitting more comments.

PRESIDENT HILLIS: Great. Commissioner Moore.

COMMISSIONER MOORE: Given the size of this project and the length of time people have worked on it, the DIR comments are relatively sparse in comparison to other projects of similar size where we sat here for hours and hours.

I attribute that to the thoroughness of the work that has already gone into the planning and into the many questions that enormous numbers of people in various working groups have brought to the project, which makes equation[sic] of clearly-structured EIR, I think, significantly easier.

The one comment that resonates with me is Mr -- Commissioner Pearlman's request to dig a little bit deeper into the history of the settlement patterns of the area, including a clearer justification of why we are moving toward a traditional street grid, which he considers to be uncharacteristic and disrespectful of the historic district.

That is not a dealbreaker, but illuminating that discussion for public decision makers would, I think, work with -- be help -- in any -- larger than just a specific-area illustration of those principles,

4 (RE-2) cont'd

A-CPC-Moore

1 (GC-1)

2 (CR-4)

when juxtaposed against the design decisions you are making, I think makes it easier for people to understand, and you have a easier buy-in.

2 (CR-4) cont'd

Generally, I am comfortable with it. I commend Forest City for all the work that has gone into this for so long, and I look forward for this to bring forward to comments which -- by which we can all support this EIR.

3 (GC-1)

PRESIDENT HILLIS: Thank you. Commissioner Johnson.

A-CPC-Johnson

COMMISSIONER JOHNSON: Thank you very much. I also want to just say one last thing about the -- some of the comments that we heard from the public today, and sort of prefacing, probably, some of the responses that will be -- that we'll get based on those.

So for EIRs, I think it's important for people to realize that they are based on the project sponsor's project, and the mitigations are based on things that the -- the project sponsor can do.

7 (GC-1)

When it comes to talking about the City and County sometimes, mitigations will reference laws or other regulations or rules that the project sponsor can put in place that may mitigate certain impacts, but I think it's going to be chal- -- EIRs typically won't do things like require the MTA to create a new bus line as

8 (TR-4)

a mitigation to a potential transit or traffic issue.

And I think that that is a little bit of a shortcoming of just the way that this process is designed, but I just want to say that a lot of those points are well taken, and I hope that our sister agencies are able to take those comments and -- especially the MTA, and really think about the circulation of -- of the -- some of the newer or improved -- especially bus lines in that area.

When I look at this, I'm reminded of some of the conversations we had about Hunter's Point Shipyard when originally the 49ers stadium was supposed to be in the shipyard, there was this idea of a hub where all the buses would come, and it was problematic for a number of reasons.

And now obviously, the 49ers have moved to Santa Clara, and so that idea no longer -- no longer made any sense. And I think for Pier 70, it's worth having that same conversation about what does the circulation pattern look like and make sure that those overlap with the Transit Effectiveness Project and with other plans that MTA and other transit agencies may have.

PRESIDENT HILLIS: Great. So seeing no other comments, we'll close this hearing. We'll remind the

8
(TR-4)
cont'd

public that comments will be accepted in written form until February 21st at 5:00.

Thank you to the Port and the Planning Department. Thank you to Forest City for all your work in getting us here. I know it's been a long time.

And we can move on to the next item. Thanks.

(Proceedings concluded at 2:25 p.m.)

STATE OF CALIFORNIA)
)
COUNTY OF MARIN)

I, Siew Ung, a Certified Shorthand Reporter, do hereby certify:

That said proceedings were taken before me at the time and place therein set forth and were taken down by me in shorthand and thereafter transcribed into typewriting under my direction and supervision;

I further certify that I am neither counsel for nor in any way related to any party to said proceedings, nor in any way interested in the outcome thereof.

In witness whereof, I have hereunto subscribed my name.

2/21/2017

_____
Siew Ung
CSR No. 13994, RPR, CSR

ATTACHMENT B: DRAFT EIR COMMENT LETTERS

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Wednesday, February 22, 2017 2:13 PM
To: Cooper, Rick (CPC); Hue, Melinda (CPC)
Subject: Fwd: Pier 70 DEIR Comment Ltr 2-21-17
Attachments: Pier 70 DEIR Comment Ltr 2-21-17.pdf; ATT00001.htm

Follow Up Flag: Follow up
Flag Status: Flagged

Lisa M. Gibson
Acting Environmental Review Officer/
Director of Environmental Planning

Sent from my iPhone

Begin forwarded message:

> **From:** "Maureen Gaffney" <MaureenG@abag.ca.gov>
> **Date:** February 22, 2017 at 2:00:56 PM PST
> **To:** "Lisa.Gibson@sfgov.org" <Lisa.Gibson@sfgov.org>
> **Cc:** "Ben Botkin" <BenB@abag.ca.gov>
> **Subject: Pier 70 DEIR Comment Ltr 2-21-17**
>
> Good Afternoon Ms. Gibson,
>
> With apologies for lateness, attached please find comments on the Pier 70 Draft EIR from the San Francisco Bay Trail and San Francisco Bay Area Water Trail.
>
> Thank you,
> Maureen Gaffney
>
> SF Bay Trail
> ABAG
> 375 Beale Street
> San Francisco, CA 94105
> Phone: (415) 820-7909

February 21, 2017

Lisa M. Gibson
Acting Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Subject—Pier 70 Mixed-Use District Project DEIR

Dear Ms. Gibson:

Thank you for the opportunity to provide comments on the above referenced document. Both the San Francisco Bay Trail and the San Francisco Bay Area Water Trail are projects administered by ABAG. As our comments regarding the Water Trail are minimal, we have combined comments from both projects into a single letter. We are excited to see this project moving forward. 1 (RE-1)

General Comments

In several locations, the document refers to the San Francisco Bay Trail as having 345 of 500 miles complete. Please note that there are currently 350 miles of complete Bay Trail throughout the nine-county Bay Area, and that the ultimate goal is for all seven of the regions toll bridges to feature bicycle and pedestrian facilities that will be part of the Bay Trail (versus the currently referenced 4.5).

Bay Trail Alignment

The mission and goal of the Bay Trail is a continuous, fully separated path for cyclists and pedestrians located directly adjacent to the shoreline, running through all nine Bay Area counties and 47 cities. In areas where this is not feasible due to topography, sensitive environments, or incompatible land uses, the trail alignment may run inland to avoid these barriers while still providing a continuous route. Illinois Street is one of these locations. At the time of the original 1989 Bay Trail Plan, industrial uses of the waterfront in this area prevented public access to and along the shoreline. All around the region, the Bay Trail Project continually seeks opportunities to move the alignment closer to the shoreline as opportunities arise. Pier 70, the future Crane Cove Park, and the future development of the power plant property south of Pier 70 all represent such opportunities for the Bay Trail. 2 (RE-2)

Bay Trail Spine vs. Spur

The Bay Trail identifies two main types of trail within the planned 500-mile system: Spine segments which form the backbone of the continuous alignment through the nine counties and 47 cities, and Spur segments offering point access to the bay. In regards to the opportunities for shoreline public access associated with Pier 70, the Port of San Francisco and the Bay Trail Project have discussed a proposed request to the Bay Trail Steering Committee to include the trails at Pier 70 as Spur segments once the project has cleared environmental review. Once the Pier 70 EIR is certified, the Bay Trail Steering Committee would welcome a request from the Port of San Francisco to officially add the Crane Cove Park and Pier 70 trails into the Bay Trail system. Future segments to the south at the power plant property and into Warm Water Cove are also excellent candidates for spur designation as those projects go through environmental review. 3 (RE-2)

The Blue Greenway

The DEIR description of the Blue Greenway appears to have missed an important aspect of its core mission—the "Blue" in the Blue Greenway. It is our understanding that the fundamental purpose of the Blue Greenway is to complete the San Francisco Bay Trail and the San Francisco Bay Area Water Trail between AT&T Park and the County's southern border. No mention of the Water Trail is made in the several descriptions of the Blue Greenway provided throughout the document. Please also note that the Bay Trail is complete on Cargo Way, Heron's Head Park, and India Basin Shoreline Park in addition to the existing segment along Illinois Street and at Bayfront Park adjacent to Terry Francois. 4 (RE-1)

Thank you again for the opportunity to comment on this important project. If you have any questions about the Bay Trail or the Bay Water Trail, please do not hesitate to contact me at maureeng@abag.ca.gov or by phone at (415) 820-7909.

Sincerely,

Maureen Gaffney
Senior Bay Trail Planner

Cc: Ben Botkin, San Francisco Bay Water Trail

A-BCDC

San Francisco Bay Conservation and Development Commission

455 Golden Gate Avenue, Suite 10600, San Francisco, California 94102 tel 415 352 3600 fax 415 352 3606

February 23, 2017

Lisa Gibson
City and County of San Francisco
Planning Department
1650 Mission Street, Suite 400
San Francisco, California 94103

SUBJECT: Draft Environmental Impact Report (DEIR) for Pier 70 Mixed-Use District Project; Case No. 2014-001272ENV; BCDC Inquiry File No. MC.MC.7415.025

Dear Ms. Gibson,

1 (PD-6)

On December 27, 2016, San Francisco Bay Conservation and Development Commission ("BCDC" or "the Commission") staff received the Draft Environmental Impact Report ("DEIR") prepared by the City and County of San Francisco Planning Department for the Pier 70 Mixed-Use District Project, proposed in a 35-acre area located adjacent to Pier 70, along San Francisco's southeast waterfront. The proposed project would consist of market-rate and affordable residential uses (between 3,735 and 6,868 residents), commercial uses and retail/arts/light-industrial uses (for a combined 1,582,230 to 2,749,300 gross square feet, and between 5,559 and 9,768 employees), a parking structure, geotechnical and shoreline improvements, new and upgraded utilities and infrastructure, transportation and street improvements, and publicly accessible open spaces (approximately 9 acres) including along the shoreline.

The Commission's staff has reviewed the DEIR and is submitting its comments regarding the document. Although the Commission itself has not reviewed the DEIR, the staff comments are based on the McAteer-Petris Act, the Commission's San Francisco Bay Plan ("Bay Plan")*, the Commission's San Francisco Waterfront Special Area Plan ("San Francisco Waterfront SAP"), the Commission's San Francisco Bay Area Seaport Plan ("Seaport Plan"), the Commission's federally-approved management program for the San Francisco Bay, and the federal Coastal Zone Management Act ("CZMA").

* Please note that, as used in the referenced Bay Plan policies, the word "should" is mandatory.

BCDC's Jurisdiction and Authority

The following paragraphs provide information about BCDC's jurisdiction and authority to clarify and provide additional context to the information provided in the DEIR.

Jurisdiction

The Commission has "Bay" jurisdiction over all areas of the Bay subject to tidal action up to the shoreline. The shoreline is located at the mean high tide line, except in marsh areas, where the shoreline is located at five feet above mean sea level. The Commission also has jurisdiction over managed wetlands, salt ponds, and the tidal portion of certain waterways, as identified in the McAteer-Petris Act. Additionally, the Commission has "shoreline band" jurisdiction over an area 100 feet landward of and parallel to the shoreline.

In accordance with the provisions of the McAteer-Petris Act, the Commission has designated certain areas within the 100-foot shoreline band for specific priority uses for ports, water-related industry, water-oriented recreation, airports and wildlife refuges. The Commission is authorized to grant or deny permits for development within these priority use areas based on the appropriate Bay Plan development policies pertaining to the priority use. Outside the area of the Commission's jurisdiction where permits from development are not required, the relevant Bay Plan policies are advisory in nature.

A small portion of the proposed project site falls within a Bay Plan-designated Port Priority Use Area, including an area adjacent to Building 6 and at the location of the proposed Pump Station. Port Priority Use Areas have been determined to be necessary for future port development and are reserved for port-related and other uses that will not impede development of the sites for port purposes. Any portion of the proposed project falling with the Port Priority Use Area must also be consistent with the relevant policies of the Seaport Plan and the Bay Plan policies on Ports.

As identified in the DEIR, the project site also falls within the scope of the San Francisco Waterfront SAP, which applies the requirements of the McAteer-Petris Act and the provisions of the Bay Plan to the San Francisco waterfront in greater detail, and which should be read in conjunction with both the McAteer-Petris Act and the Bay Plan. The San Francisco Waterfront SAP includes both general and geographic-specific policies that guide BCDC's regulatory decisions on permit applications, consistency determinations, and related matters.

1 (PD-6) cont'd

- For purposes of defining BCDC's jurisdiction, please clarify the location of the mean high tide line at the project site. The DEIR refers in several locations to a "high tide line" of +7.4 NAVD88, but in context it is unclear if this is synonymous with the mean high tide line, or if it represents the ordinary high water mark, the higher high tide line, or another mark.

2 (PD-6)

- The DEIR incorrectly identifies Pier 70 as Bay Plan-designated Water-Related Industry Priority Use Area (see page 4.J.18). The FEIR should indicate that a portion of the project site is designated by the Bay Plan as a Port Priority Use Area, and it should identify the role of the Seaport Plan and the Bay Plan policies on Ports in guiding BCDC's regulatory decisions on permit applications, consistency determinations, and related matters within Port Priority Use Areas. The FEIR should evaluate the consistency of the proposed land uses within the Port Priority Use Area given its use designation. 3 (PL-2)
- Please correct descriptions of the Bay Plan that refer to its most recent date of amendment as 2007. As identified elsewhere in the DEIR, the Bay Plan was amended in 2011 to incorporate Climate Change policies that are of relevance to the proposed project. 4 (PL-2)
- Please identify and consider the proposed project's consistency with the relevant general and geographic-specific policies of the San Francisco Waterfront SAP. Specifically, please see those policies specific to Public Access (page 8), View Corridors (page 10), and Permitted Uses on New or Replacement Fill (page 47). 5 (PL-1)
- We recommend inclusion of a figure in the FEIR that depicts the extent of the Commission's Bay and shoreline band jurisdiction, the mean high tide line, and an overlay of Port Priority Use Area. 6 (PD-6)

Authority 7 (PD-6)

As identified in the DEIR, a portion of the proposed project would occur within the Commission's jurisdiction and thus requires Commission authorization. Within the Commission's jurisdiction, permits are required for certain activities, including construction, changes of use, many land divisions, dredging, and dredged material disposal. Permits are issued if the Commission finds the activities to be consistent with the McAteer-Petris Act and the policies and findings of the Bay Plan, and in this project area, the San Francisco Waterfront SAP and Seaport Plan.

Pursuant the CZMA, the Commission also reviews federal projects for effects on the coastal zone, whether or not the projects are located within the Commission's coastal zone as defined by state law. For such projects, the Commission is required to concur with or object to the federal agency's determination or federal permit applicant's certification that a project is consistent with the Commission's laws and policies. Based on the inclusion of a number of federal permits in the "Project Approvals" section of the DEIR, the proposed project is likely subject to the Commission's regulatory authority under the CZMA. Any non-federal activity that requires either a federal permit or license or is supported by federal financial assistance that affects BCDC's coastal zone must be conducted in a manner that is fully consistent with the enforceable policies of BCDC's federally approved Coastal Management Program. Where a

project is subject to both the Commission's state law and federal jurisdictions, the Commission's Coastal Management Program provides that issuance of a permit under the McAteer-Petris Act will be deemed to be a concurrence with a consistency certification under the CZMA.

- In the FEIR, please identify BCDC's regulatory obligation to review project elements inside and outside its jurisdiction that require a federal permit or licenses, or that are supported by federal funding that affect any land or water use or natural resources of BCDC's coastal zone. Identify any elements of the proposed project that require a federal permit or license, or that are supported by federal financial assistance.

7 (PD-6) cont'd

Public Access

The DEIR states that, at present, the project site is largely fenced-off and public access to the shoreline is restricted. Under both its Maximum Residential and Maximum Commercial scenarios, the proposed project would include a network of public open spaces and public pedestrian and bike passages to and along the shoreline, including the Bay Trail. Three open space areas appear to be proposed within and adjacent to BCDC's shoreline band jurisdiction: a 1.2-acre "Waterfront Promenade," a 1-acre "Waterfront Terrace," and a 2.8-acre "Slipway Commons." Features within the Waterfront Promenade would include: a waterfront pedestrian and bicycle promenade, a café terrace, picnic and seating terraces, the Pier 70 craneway pier structures (for fishing and Bayfront viewing), viewing pavilions, and an event pavilion. Features within the Waterfront Terrace would include: a waterfront pedestrian and bicycle promenade, a viewing pavilion, a social lawn, eating/drinking area, and seating areas. Features within the Slipway Commons would include: a café terrace, an event plaza, and a viewing pavilion. According to the proposed phasing plans in the DEIR, no shoreline improvements would be provided under either scenario until Phase 4 of the proposed project (anticipated for completion in 2024-2026) and the shoreline improvements would be completed in Phase 5 (2027-2029).

- The construction of a project that would add 3,375 to 6,868 residents and 5,559 to 9,768 employees will by definition bring more people to the site. Section 66602 of the McAteer-Petris Act states, in part, "maximum feasible public access, consistent with a proposed project, should be provided." Bay Plan Public Access Policy No. 2 requires that "maximum feasible access to and along the waterfront and on any permitted fills should be provided in and through every new development in the Bay or on the shoreline." The FEIR should discuss the anticipated demand for shoreline public access given the addition of new residents, works, customers and other users expected at the site, and consider whether the proposed new public access areas are likely sufficient to accommodate these new users. The FEIR should also discuss nearby public shoreline areas, including the proposed Crane Cove Park, and consider the impacts the proposed

8 (PL-1)

project may have on public access at these locations. This information will be useful to the Commission in its evaluation of the adequacy of the public access proposed with the proposed project. 8 (PL-1) cont'd

- Bay Plan Public Access Policy No. 6 requires that, wherever appropriate, public access required as a condition of development is to be permanently guaranteed "by requiring dedication of fee title or easements at no cost to the public, in the same manner that streets, park sites, and school sites are dedicated to the public as part of the subdivision process in cities and counties." Please indicate in the FEIR those areas of the project site that are to be permanently guaranteed as public access, and the method by which those areas are to be guaranteed. Please indicate those areas that within the areas designated as open space in the DEIR that may not be fully public in nature, such as those that would be used for commercial operations such as cafes and shops. 9 (PL-1)

- The FEIR should discuss the parking and public transportation options that will be available to those members of the public who will visit the project site primarily to access the shoreline open space areas. Bay Plan Public Access Policy No. 9 discusses the connection between shoreline walkways and nearby parking and public transportation. Appearance, Design, and Scenic Views Policy No. 4 requires that parking areas be located away from the shoreline, but allows "some small parking areas for fishing access and Bay viewing." Public Access Design Guideline Objective No. 2 is to make public access usable, which can be accomplished by, among other actions "providing public parking for convenient access to the Bay." Please indicate the location of parking that would be provided outside of the parking pavilion, if any, and indicate whether any parking will be provided free of charge for users of the shoreline open space areas. For members of the public accessing the site via public transportation, please discuss the connections between the shoreline and stops for buses and trains, including the distances between the two points. 10 (TR-11)

- The DEIR indicates that the proposed viewing pavilions are large-scale public art and artifact pieces, which would be designed to emphasize the view of the horizon as well as accommodate a variety of public program uses such as cultural events and gatherings. The FEIR should discuss the consistency of these and any other large shoreline structures with Bay Plan policies on Appearance, Design, and Scenic Views. For instance, Bay Plan Appearance, Design, and Scenic Views Policy No. 10 requires that structures near the bay designed as landmarks "should be low enough to assure the continued visual dominance of the hills around the Bay." 11 (PL-1)

- The FEIR should consider the potential for facilities related to a variety of water-oriented recreational uses to be accommodated at the site, including but not limited to, swimming, fishing, and human-powered boating. The project sponsors have previously 12 (PL-1)

informed BCDC staff that such facilities are potentially incompatible with the site because of contaminants in the water, wind and wave action, and the potential for conflicts with nearby marine industrial uses. If such conflicts exist to the extent that they preclude or would require limited public access to the water, they should be analyzed as part of the FEIR. In the discussion, please consider the following policies and guidelines:

12 (PL-1) cont'd

- Bay Plan Recreation Policy No. 1 states, in part: "Diverse and accessible water-oriented recreational facilities, such as marinas, launch ramps, beaches, and fishing piers, should be provided to meet the needs of a growing and diversifying population, and should be well distributed around the Bay and improved to accommodate a broad range of water-oriented recreational activities for people of all races, cultures, ages and income levels."
- Bay Plan Recreation Policy No 3(e) on non-motorized small boats states, in part: "Where practicable, access facilities for non-motorized small boats should be incorporated into waterfront parks, marinas, launching ramps and beaches, especially near popular waterfront destinations." Facilities may not be practicable in certain instances where there is the potential for adverse affects on wildlife and their habitat, "or if such facilities would interfere with commercial navigation, or security and exclusion zones pose a danger to recreational boaters from commercial shipping operations."
- Public Access Design Guidelines Objective No. 2 is to make public access usable, which can be accomplished by, among other actions, "[t]aking advantage of existing site characteristics and opportunities, such as fishing, viewing, picnicking, swimming or boating."

- The DEIR indicates that the craneways are to be utilized for fishing. Please discuss in the FEIR BCDC Public Access Design Guidelines related to fishing facilities, which encourage the provision of fishing opportunities along the shoreline wherever feasible, particularly facilities that are designed to accommodate people with disabilities. Where boating conflicts or health considerations are present, facilities are to include public information about potential fishing hazards.

13 (PL-1)

- The FEIR should indicate whether the public access areas are designed to permit barrier-free access for persons with disabilities to the maximum extent feasible. Public Access Design Guidelines Objective No. 2 is to make public access usable, which can be accomplished by, among other actions "[i]ncorporating accessibility improvements into public access areas." Plan Recreation Policy No. 1 states, in part: "Diverse and *accessible* water-oriented recreational facilities...should be provided to meet the needs of a growing and diversifying population" (emphasis added).

14 (PL-1)

- While they are advisory in nature, we recommend that the project sponsors consult the San Francisco Bay Trail's Design Guidelines and Toolkit, which contains goals and directions for planning and trail design. This is not a regulatory document and its guidelines will not be the basis of the Commission's analysis of the proposed Bay Trail segment through the project site. However, the document was designed to be complementary to BCDC's public access policies and shoreline development guidelines, and thus may provide valuable guidance of a more specific nature than is found in the Bay Plan or BCDC's Public Access Design Guidelines. It may be appropriate to reference this resource in the FEIR. 15 (PL-1)

- Under the proposed phasing of the Maximum Residential and Maximum Commercial scenarios, no shoreline public access improvements would be provided until Phases 4 and 5 of the proposed project (2024-2029). Please discuss the anticipated condition of the shoreline during in the interim, and identify if there are any plans or the potential to provide shoreline access during this time. Please identify if any work is proposed or anticipated within BCDC's jurisdiction, including construction-related activities or staging, prior to 2024. 16 (PD-5)

Not included within the project site, but directly adjacent, is the existing Port-owned Pier 70. The DEIR describes the pier as "likely not structurally sound," and indicates that it would remain in place after the proposed project is constructed. The DEIR states that "its use by future site occupants and visitors could cause it to fail due to the increased loads." Proposed Mitigation Measure M-GE-3b would involve placement of a gate or equivalent at Pier 70 to prevent access and posting of a sign informing the public of potential risks associated with use of the structure and prohibiting public access. 17 (PD-11)

- The DEIR indicates that Pier 70 may be structurally unsound and that its use by future site occupants and visitors could cause it to fail. Please discuss the basis of this assessment. If brought up to safety standards, Pier 70 (or a portion thereof) has potential value as a public access and recreation resource. The project site boundaries exclude Pier 70 itself, though they do extend along the shoreline directly adjacent to Pier 70. The proposed project incudes as mitigation measure the installation of a gate and signage to prevent public access to the pier. In the FEIR, please reference Bay Plan Appearance, Design, and Scenic Views Policy No. 13, which encourages local governments, such as the project sponsor, to "eliminate inappropriate shoreline uses and poor quality shoreline conditions by regulation and by public actions (including development financed wholly or partly by public funds)."

The proposed response to rising sea levels at the site would result in a reduction of the accessible public access area as certain areas become periodically or permanently inundated by rising sea levels during the life of the proposed project. The DEIR explains on page 2.70: "The 18 (PD-8)

approximately 40-foot-wide zone between the Bay Trail and the water's edge would be designed to provide safe public access to the water in the near term. This zone would also function as the space where future adaptations could be creatively implemented based on the concepts of "Living with the Bay" and "Managed Retreat." Future adaptations in this area would allow for public access to retreat within the zone between the Bay Trail and shoreline. Adaptations could also include relocating and raising pathways and spur trails, or reconfiguring the shoreline protection to provide flatter slopes, wetlands and wave breaks." 18 (PD-8) cont'd

- Please clarify the process by which anticipated sea level rise adaption work in the 40-foot-wide zone between the Bay Trail and the water's edge would be planned and implemented. Will the planning process include any pre-determined "triggers" for action, such as when average water levels reach a certain elevation or at a certain future date? Commission staff will not expect that a definitive adaptation response be determined at this time, but it will be interested in understanding in more detail the potential adaptation responses being considered and if options exist that would ensure that required public access remains viable in the event of future sea level rise. Bay Plan Public Access Policy No 5 requires that public access "be sited, designed, managed and maintained to avoid significant adverse impacts from seal level rise and shoreline flooding," and Policy No. 6 requires that "[a]ny public access provided as a condition of development should either be required to remain viable in the even of future sea level rise or flooding, or equivalent access consistent with the project should be provided nearby."

Fill and Impacts to Bay Resources

The DEIR anticipates the need for filling of Bay waters for shoreline protection, and under certain alternatives, for outfall pipes associated with a stormwater treatment system. The DEIR indicates that the proposed project has the potential to impact special status marine species and their habitat, including longfin smelt, green sturgeon, Pacific herring, harbor seals, California sea lions, and native Olympia oysters, as well as other species of concern. 19 (PD-6)

- The FEIR should reference Section 66605 of the McAteer-Petris Act, which states, among other things, that further filing of the Bay should only be authorized if it is the minimum necessary to achieve the purpose of the fill and if harmful effects associated with its placement are minimized.
- As the amount of fill placed would differ with each of the alternative methods of shoreline protection and stormwater treatment, and as would their potential impacts, the FEIR should provide more information regarding the amount of fill each would require in order for the Commission to evaluate the potential effects associated with the fill and to determine whether the fill placement would need to be mitigated. Please 20 (PD-9)

consider if measures or construction techniques exist that would avoid or reduce the need to fill the Bay. 20 (PD-9) cont'd

- The DEIR indicates that the proposed project would include removal of fill at a ratio of at least 1:1 if required to mitigate for its impacts by regulatory agencies, and that compensation may include, among other things, removal of chemically treated wood along San Francisco's eastern waterfront. Pier 70 is described in the DEIR as dilapidated and dangerous to the public, and the DEIR indicates that it is constructed of creosoted wood. As mitigation is generally to be conducted at, or as close as possible, to the project site, the FEIR should discuss the potential to remove the pier in part or full to accomplish the mitigation requirements that may be associated with the proposed project. 21 (PD-9)

- The FEIR should discuss and analyze the proposed project's consistency with Bay Plan Subtidal Areas Policy No. 1, which requires that for any fill project, local and baywide effects are to be evaluated as to: "(a) the possible introduction or spread of invasive species; (b) tidal hydrology and sediment movement; (c) fish, other aquatic organisms and wildlife; (d) aquatic plants; and (e) the Bay's bathymetry." The FEIR should also discuss the requirement in the same policy that, "[p]rojects in subtidal areas should be designed to minimize and, if feasible, avoid any harmful effects." 22 (BI-5)

- The FEIR should discuss and analyze the proposed project's consistency with Bay Plan policies on Fish, Other Aquatic Organisms and Wildlife, which state, in part, that "specific habitats are needed to conserve, increase or prevent the extinction of any native species, species threatened or endangered...[and that] any species that provides substantial public benefits should be protected. Furthermore, the Commission cannot "authorize projects that would result in the 'taking' of any plant, fish, other aquatic organism or wildlife species listed as endangered or threatened pursuant to the state or federal endangered species acts, or the federal Marine Mammal Protection Act, or species that are candidates for listing under the California Endangered Species Act, unless the project applicant has obtained the appropriate 'take' authorizations from the U.S. Fish and Wildlife Service, National Marine Fisheries Service or the California Department of Fish and Game." Pursuant to these policies, the Commission must find that sensitive habitat (e.g., marshes, mudflats, and subtidal habitat) would be "conserved, restored, and increased" to the greatest extent feasible. 23 (BI-5)

- The FEIR's discussion on Hydrology and Water Quality and Hazards and Hazardous Materials should reference the role of the Commission and other resource agencies established in Bay Plan Water Quality Policy No. 4, which states in part, "[w]hen approving a project in an area polluted with toxic or hazardous substances, the Commission should coordinate with appropriate local, state and federal agencies to 24 (HY-2)

ensure that the project will not cause harm to the public, to Bay resources, or to the beneficial uses of the Bay." 24 (HY-2) cont'd

Shoreline Protection

The DEIR indicates that shoreline protection improvements under the proposed project would consist of: removing an existing rip-rap revetment and placing a new engineered riprap revetment (Reach I); repairing (with a sheet pile wall) or replacing (with a soldier pile wall) an existing bulkhead (Reach II); repairing a section of rip-rap revetment with armor stone and a crushed-rock leveling course, or replacing with a concrete structure incorporating steps (Reach III); and improvements and repairs to an existing revetment to create a smooth sloped revetment (Reach IV). 25 (PD-7)

- The Bay Plan establishes criteria by which new shoreline protection projects may be authorized and which existing shoreline protection may be maintained or reconstructed. Bay Plan Shoreline Protection Policy No. 1 establishes a number of criteria against which the Commission will examine the necessity for shoreline armoring and the appropriateness of the proposed method of armoring. For each of the proposed shoreline protection elements of the proposed project, please discuss: (1) the erosion and/or flood protection considerations necessitating shoreline protection; (2) why the type of protective structure proposed is the most appropriate for each area, given the use it is protecting, flood or erosion considerations, or other factors; (3) if the shoreline protection structure would be properly engineered to provide erosion control and flood protection for the life of the proposed project based on a 100-year flood event that takes future sea level rise into account; (4) how the shoreline protection structure would be designed to prevent significant impediments to physical and visual public access; and (5) how the shoreline protection structures on the north and south ends of the project site would be integrated with current or planned shoreline protection measures on adjacent properties.
- In the FEIR, please indicate and consider the proposed project's consistency with the requirements related to the construction of riprap revetments established in Bay Plan Shoreline Protection Policy No. 2. 26 (PL-1)
- In the FEIR, please indicate that shoreline protection structures authorized by the Commission are required under Bay Plan Shoreline Protection Policy No. 3 to be maintained according to a long-term maintenance program. 27 (PD-7)
- Bay Plan Water Quality Policy No. 7 requires that, wherever practicable, native vegetation buffer areas should be used in place of hard shoreline and bank erosion control methods (e.g., rock riprap) where appropriate and practicable. Bay Plan Shoreline Protection Policy No. 4 requires that "shoreline protection projects should 28 (PD-7)

include provisions for nonstructural methods such as marsh vegetation and integrate shoreline protection and Bay ecosystem enhancement, using adaptive management," whenever feasible and appropriate. The FEIR should discuss where the use of vegetation and ecosystem enhancement elements may be used in favor of or in addition to hard shoreline protection. 28 (PD-7) cont'd

- Please discuss shoreline dynamics at the project site in relation to the proposed shoreline protection structures, specifically whether the existing Pier 70 structure acts to dissipate wave energy. If Pier 70 were to fail or be removed from the Bay in the future, would the proposed shoreline protection structures provide adequate protection from wave action? 29 (PD-7)

Climate Change

The DEIR indicates that sea level rise adaptation measures incorporated into the proposed project would include: building the Bay Trail to a grade that would accommodate anticipated high water levels such that adaptation would not be necessary over the next 20 to 30 years; creating a temporary public access area between the Bay Trail and the water's edge that would be designed to provide safe public access to the water in the near term, and that would allow for public access to retreat within the zone between the Bay Trail and shoreline; and ultimately implementing adaptations such as relocating and raising pathways and spur trails or reconfiguring the shoreline protection to provide flatter slopes, wetlands, and wave breaks. 30 (PD-8)

- The Commission will review the proposed project's vulnerability to rising sea level, as well as proposed flood protection and adaptation measures. It would be helpful if the FEIR were to identify the Mean Higher High Water, the 100-year-flood elevation, anticipated site-specific information on flood risk, including from storm events and anticipating mid- and end-of-century sea levels. The FEIR should include a preliminary assessment of the proposed project's vulnerability to flooding and sea level rise. 31 (HY-1)
- The DEIR indicates that the proposed project "would include a public financing mechanism to pay for the cost of future improvements related to sea level rise adaptation, should such improvements be necessary, with the City and the Port responsible for implementing these strategies" (2.70). Please describe how such a financing mechanism would be function, the amount of funding believed to be necessary to fund future sea level rise adaptation efforts, and if the financing mechanism would be adequate to fund necessary adaptation efforts or if it is anticipated that additional funding would be required. 32 (PD-10)

Public Trust

As stated in the DEIR, the public trust doctrine holds that navigable waters and tidal lands are the property of the state and must be protected for public use and enjoyment. It appears 33 (PD-4)

that the portion of the proposed project within the Commission's jurisdiction is subject to the public trust.

- The FEIR should reference and discuss the Bay Plan policies on public trust lands, which require that the Commission, in taking actions on such land, "assure that the action is consistent with the public trust needs for the area and, in the case of lands subject to legislative grants, would also assure that the terms of the grant are satisfied and the project is in furtherance of statewide purposes." Public trust uses cited in the Bay Plan include commerce, navigation, fisheries, wildlife habitat, recreation and open space.
- The FEIR should indicate that the Commission's determination regarding a project's consistency with the public trust doctrine is done independently and in consultation with the State Lands Commission.
- The FEIR should discuss which of the proposed long-term adaptation strategies have the potential to adversely effect or reduce in size public access areas provided at the project site, and possible ways to minimize these effects.

33
(PD-4)
cont'd

Thank you for providing the staff with an opportunity to review the DEIR for the Pier 70 Mixed-Use District Project. We hope these comments aid you in preparation of the FEIR. If you have any questions regarding this letter or the Commission's policies and permitting process, please do not hesitate to contact me at (415) 352-3618 or ethan.lavine@bcdc.ca.gov.

Sincerely,

ETHAN LAVINE
Principal Regulatory and Permit Analyst

EL/cj
cc:
State Clearinghouse
Kelly Pretzer (via email)
Maureen Gaffney (via email)
Ben Botkin (via email)

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A-HPC

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February 1, 2017

Lisa M. Gibson
Acting Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Ms. Gibson,

On February 1, 2017, the Historic Preservation Commission (HPC) held a public hearing and took public comment on the Pier 70 Mixed-Use District Project Draft Environmental Impact Report (DEIR).

The HPC reviewed the DEIR and had the following comments:

- The majority of the HPC (six out of seven Commissioners) concurred with the analysis and conclusion in the DEIR, and concluded that the DEIR was adequate. The Commissioners agreed with the finding that there is no significant adverse impact to the Union Iron Works Historic District. They felt that while the proposed demolition of the adjoining buildings surrounding Building 12 would diminish some of the qualities of the historic district, there would still be enough remaining historic fabric and character-defining features to convey the district's significance. Furthermore, the Commissioners found that the proposed mitigations would result in a less than significant impact to the historic district. 1 (CR-2)

- Commissioner Pearlman dissented with the majority opinion, and disagreed with the analysis of historic resource impacts presented in the DEIR. Particularly, Commissioner Pearlman disagreed with the conclusion regarding the proposed demolition of the existing contributors. Commissioner Pearlman stated that the proposed demolition of the existing contributors (Buildings 15, 16, 25, 32 and 66), as well as the relocation of Building 21 to a new context, would cause a substantial adverse impact to the historic district. He stated that the demolition of these contributors would reduce the percentage of district contributors and cause a material impairment to the Union Iron Works Historic District. In addition, the proposed improvement/mitigation measures would not mitigate these impacts. Lastly, Commissioner Pearlman stated that the design of the proposed buildings and the introduction of a traditional street grid are uncharacteristic and disrespectful to the historic district. 2 (CR-2) 3 (CR-4)

- The HPC requested an amendment to the improvement measure (I-CR-4b) for public interpretation. Specifically, the public interpretation and/or wayfinding program should 4 (CR-7)

focus and include more information and documentation of the site's three eras of history and activity. 4 (CR-7) cont'd

- The HPC also requested more information about the site's development, circulation, and movement patterns and more renderings from various different view corridors. 5 (CR-4)

The HPC appreciates the opportunity to participate in review of this environmental document.

Sincerely,

Andrew Wolfram, President
Historic Preservation Commission

A-PGE

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 5:42 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: Fwd: PG&E Comment Letter for Pier 70 Draft EIR
Attachments: PGE Pier70 EIR-Comment-Ltr_20172117.pdf; ATT00001.htm

Lisa M. Gibson
Acting Environmental Review Officer/
Director of Environmental Planning

Sent from my iPhone

Begin forwarded message:

> **From:** "Morton Sadler, Sara" <s6mz@pge.com>
> **Date:** February 21, 2017 at 5:38:52 PM PST
> **To:** "'lisa.gibson@sfgov.org'" <lisa.gibson@sfgov.org>
> **Subject: PG&E Comment Letter for Pier 70 Draft EIR**
>
> Dear Ms. Gibson,
>
> Please find the attached comment letter for the Pier 70 Draft EIR. Let me know if you have any questions.
>
> Sincerely,
>
> Sara Sadler
> Senior Land Planner
> Environmental Management – Distribution & Shared Services
> Pacific Gas & Electric Co.
> 925-765-9858

A-PGE

Sara Morton Sadler
Senior Land Planner
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February 21, 2017

Lisa Gibson
Acting Environmental Review Officer
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San Francisco, CA 94103
lisa.gibson@sfgov.org

Re: Pier 70 Mixed-Use District Project Draft Environmental Impact Report

Dear Ms. Gibson:

Pacific Gas and Electric Company (PG&E) has reviewed the Pier 70 Redevelopment Project Draft Environmental Impact Report (DEIR) prepared by the San Francisco (SF) Planning Department (2016) and offers the following comments for consideration. By way of background, PG&E continues to prepare for environmental remediation of manufactured gas plant (MGP) related impacts to soil on the former Potrero Power Plant (PPP) and the Pier 70 property in addition to the offshore area sediments. PG&E prepared a remedial action plan for the Northeast Area of the PPP and a portion of the Southeast Area of Pier 70 (Northeast Area Remediation Project), which was approved by the Regional Water Quality Control Board (Water Board) and certified under CEQA in July 2015 (RAP, Haley & Aldrich 2015). The Northeast Area Remediation Project is scheduled to commence construction in second quarter of 2017. A feasibility study of the Offshore Sediment Area located in the nearshore zone adjacent to the PPP and Pier 70 properties has been through numerous investigations and studies resulting in a draft remedial action plan submitted to the Water Board in October of 2016 (Draft Offshore Sediment Area RAP; Haley & Aldrich 2016) to address contaminated sediment in the adjacent nearshore portion of the San Francisco Bay. Remediation of the Offshore Sediment Area is planned to commence in second quarter of 2019.

1 (HZ-2)

2 (HZ-3)

Comments on Project Description and Impacts

3 (PD-1)

1. Comment P S.3 The DEIR states that the Planning Code amendments would apply to the Hoedown Yard. The DEIR should clarify that if the Hoedown Yard sale is not approved then the analysis on page 7.57 of a no Hoedown Yard alternative would apply.

2. P.2-35: The DEIR states that: "Board of Supervisors Resolution No. 54-14, if the City exercises its option to purchase the Hoedown Yard from PG&E, proceeds from the sale of the Hoedown Yard would be directed to the City's HOPE SF housing program, which includes the Potrero Terrace and Annex HOPE SF project." Please clarify the text to indicate that once the property has been purchased from PG&E in accordance with the Option Agreement, the City has indicated that any proceeds received by the City related to the Option Agreement for the Hoedown Yard are earmarked for the City's HOPE SF projects. 4 (PD-1)

3. On p 2.72, there is a figure that shows a schematic of the proposed shoreline improvements. There are four reaches (Reaches I, II, III and IV) identified along the project shoreline, of which Reaches II (partially) and Reaches III and IV overlap with the Potrero Power Plant Site Offshore Sediment Area Nearshore Zone remediation areas. On p 2.73, there is a detailed description of the proposed improvements including repair of the 100-foot-long retaining wall in Reach II, improving the revetment to raise the grade between slipways and adding cantilevered decks for viewing and public access in Reach III, and flattening the grade and improving revetments in Reach IV. The text of the Pier 70 EIR details specific improvement plans to the shoreline and associated impacts, as follows: 5 (HY-2)

    a. In the discussion on p 4.M.69, the Pier 70 EIR describes impacts to waters and biology due to the construction of soldier piles along Reach II, and new revetment in waters and decks to along Reaches III and IV of the proposed shoreline improvement plan. <u>These impacts to waters and biological resources due to the construction of shoreline improvements may overlap with the Potrero Power Plant Site Offshore Sediment Area, Nearshore Zone Segment 1 engineered cap or Segment 2 reactive cap described in PG&E's Draft Remedial Action Plan (RAP) (Haley & Aldrich, 2016).</u>

    b. Starting on p 4.O.49, there is a detailed discussion of impacts to waters due to the construction of the shoreline improvement plan, which includes the use of armor stone to replace the riprap in Reach IV along the area known as the "northern revetment" just located to the north of the Interim Remedial Measure constructed by PG&E during 2010. <u>Such impacts to waters due to construction of Pier 70 Redevelopment shoreline improvements may potentially overlap onto the Potrero Offshore Sediment Area, Nearshore Zone, Segment 2 reactive cap and underlying contaminated sediments.</u>

    c. Starting on p 4.O.59, the Pier 70 EIR calls for the enlargement and extension of an existing combined sewer discharge line that currently transects the revetment area and discharges below MLLW (according to the SFPUC) into the Potrero Offshore Sediment Area, Nearshore Zone, Segment 2. Mitigation measures M-HY-2a and -2b require a pump station to handle discharges from Pier 70 Redevelopment.

    <u>We understand that these shoreline improvements are due to be constructed in 2023. The Sediment remedy is planned to be constructed prior to the Pier 70 shoreline improvements. Any construction of shoreline improvements including soldier piles, revetments, decks, and new outfall pipe alignments should be designed and constructed to prevent interference with or repair the remedial elements constructed in the Offshore Sediment Area. Consideration and coordination with PG&E's sediment remediation design and construction will likely be necessary. Accordingly, impacts to waters resulting from construction of the shoreline improvements that are within a capped area in the Offshore Sediment Area, and/or may result in potential disturbance of underlying contaminated sediments should be considered, and</u>

mitigated as necessary. Please see the comment no. 3 under "Comments to Mitigation Measures" requesting that a new mitigation measure be added to provide for such potential impacts. 5 (HY-2) cont'd

4. On p 4.P.15-16, please add a subsection called "PG&E OFFSHORE SEDIMENT REMEDIATION PROJECT" and include a description of the remediation based on the revised Draft RAP for the Offshore Sediment Area dated February 2017 (pending submittal week of Feb 27, 2017); originally submitted in Oct 2016). 6 (HZ-3)

5. Starting on p 4.P.17 through p 4.P.26, the DEIR lists all of the Pier 70 RMP requirements including notifications and completion reports under the Water Board's oversight. On p 4.P.20, in the section "RISK MANAGEMENT MEASURES DURING CONSTRUCTION AND MAINTENANCE" in the paragraph on p 4.P.23 called "Shoreline Improvements." The last sentence says, "The Port and RWQCB must be contacted during the planning phase of any shoreline construction to obtain information concerning the nature of the sediments to be disturbed where known, requirements for work plans, and other specific requirements." As a part of the Water Board process requirements, there will be a Risk Management and Monitoring Plan, as stated in the Draft RAP (Haley & Aldrich, 2016) associated with the Sediment Remedy that requires the prevention of damage to the remedial elements (engineered caps) due to intrusive activities. Measures should be taken to avoid damage to the remedial elements in the Potrero Offshore Sediment Area from construction of this project. Suggest addition of M-HZ-3b (see Mitigation Measures below).

6. Starting on p 4.P.34-35, there is a discussion of the "Offshore Sediment Area" under the general section "SOIL AND WATER MANAGEMENT MEASURES". The last sentence in this section says: "The draft remedial action plan was expected to be submitted to the RWQCB by mid-2016, but had not yet been submitted as of November 2016." This statement is not correct. The Draft RAP was submitted by Haley & Aldrich Inc to the RWQCB, with a copy to the Port of San Francisco, and Forest City on October 13, 2016. The revised Draft RAP for the Offshore Sediment Area is planned to be provided by the end of February 2017.

7. The description of PG&E's remediation efforts on p 4.P.64 state the following: "PG&E anticipates completing these remediation activities by 2017, prior to construction of the Proposed Project beginning in 2018. However, implementation of the remediation activities in the PG&E Responsibility Area is outside of the project sponsors' control. If PG&E's remediation activities are delayed, construction of the proposed development on Parcels H1, H2, and E3 could preclude implementation of the planned remediation and the presence of DNAPL would continue to threaten water quality, a significant impact." 7 (HZ-2)

    a. The remediation schedule is subject to a number of factors that are also outside of PG&E's control, including issuance of discretionary construction permits from various resource agencies. However, there is no regulatory scenario that precludes the remediation of Pier 70. PG&E is continuing to plan and pursue the necessary agency approvals with the intent of commencing the remediation work as quickly as possible in 2017. The remediation work should not be considered as a delay to the Pier 70 redevelopment project, but rather its completion provides a net environmental benefit. Its completion is also required in accordance with PG&E agreements documented in the Northeast Area of the PPP and a Portion of the Southeast Area of Pier 70 Remedial

Action Plan (RAP) approved and certified under CEQA by the Water Board (Haley & Aldrich, 2015). 7 (HZ-2) cont'd

b. Furthermore, the statement that the "presence of DNAPL would continue to threaten water quality, a significant impact" is not correct. The removal of DNAPL from the subsurface at Pier 70, according to the RAP, does not pose a threat to water quality. Thus, please confirm that description of potential impacts to the environment are accurately based on the RAP (Haley & Aldrich, 2015).

c. Thus, the need for the Pier 70 Redevelopment Project to accommodate this required remediation remains, but is not due to an impending threat to water quality, but rather is required by agreements with the Water Board. Therefore, the remediation must be incorporated into the schedule of work activities required to implement the Pier 70 Redevelopment Project. See suggested revised text for M-HZ-5 below.

8. Table 4.F.11 Maximum Residential Scenario and Impact NO-6 – The impact analysis does not specifically address the impacts of Hoedown Yard noise on future residents in the vicinity, in particular at Parcel PKS, in the event that the Hoedown Yard remains in use by PG&E. The table does not clarify what worst case noise levels would be for sensitive receptors in the vicinity, including Parcels PKS, PKN, and Irish Hill Playground, for the case if the Hoedown Yard is not developed for residential uses. 8 (NO-1)

9. Page 4.F.75, Impact C-NO-1does not address the cumulative noise impacts associated with the remediation construction activities that may potentially occur at the same time as the construction associated with the proposed Redevelopment project. Please consider adding analysis for anticipated ongoing activities to include the ongoing remediation activities described in the RAPs for the Northeast Area Remediation Project for which temporary noise impacts were evaluated in the Initial Study/Mitigated Negative Declaration for the Draft Remedial Action Plan for the Northeast Area of the Potrero Power Plant and a Portion of the Southeast Area (State Clearinghouse no. 2016022030), as well as a qualitative analysis of the future Offshore Sediment Area Remediation Project that may cause temporary noise, in addition to any existing equipment at the Potrero Substation. 9 (NO-2)

Comments on Mitigation Measures 10 (PD-1)

1. General: The environmental analysis assumes that the 3.6-acre PG&E parcel will be used as part of the project. However, if the CPUC does not approve the sale of the Hoedown Yard, then the 3.6-acre parcel may not be used for the project, and the mitigation measures identified in the DEIR would not be necessary on this parcel. Please add language to clarify this point.

2. The mitigation measures proposed must be implemented to avoid any conflicts with PG&E's ongoing remediation efforts within the Potrero Power Plant site as identified in the draft RAP being finalized between PG&E and the Water Board. In particular, bat buffers related to pre-construction surveys (M-BI-2) or any other mitigation measures that could conflict with RAP implementation cannot be implemented in any way that compromises PG&E's remedial action efforts on the adjacent parcels. 11 (BI-6)

3. Please add mitigation measure M-HZ-3b, as follows: Implement Construction and Maintenance Related Measures of the Overlapping Areas of the PG&E Offshore Sediment Area Remedial Action Plan - PG&E requests to receive the same notification in advance of planning, design, and construction for overlapping areas or related areas to the Offshore Sediment Area that would 12 (HZ-3)

involve ground disturbing activities. Any ground disturbance in the Offshore Sediment Area would need to be consistent with any clean up remediation efforts planned to be completed by PG&E. 12 (HZ-3) cont'd

4. Mitigation Measure M-HZ-3b (suggest change to M-HZ-3c): Implement Well Protection Requirements of the Pier 70 Risk Management Plan. Any changes to existing monitoring wells related to PG&E's remediation efforts need to be reviewed and approved by PG&E in addition to the resource agencies cited. 13 (HZ-4)

5. Mitigation Measure M-HZ-5: Delay Development on Proposed Parcels H1, H2, and E3 Until Remediation of the "PG&E Responsibility Area" is Complete. Please revise this mitigation measure to reference PG&E's Draft RAP, which outlines the remediation efforts that PG&E plans to undertake on the Potrero site. Specifically, we would suggest the following revision: The project sponsors shall not start construction of the proposed development or associated infrastructure on proposed Parcels H1, H2, and E3 until PG&E's remedial activities in the PG&E Responsibility Area within and adjacent to these parcels have been completed to the satisfaction of the RWQCB, consistent with the terms of the RAP prepared by PG&E and approved by RWQCB. 14 (HZ-2)

We appreciate your consideration of the above comments and look forward to the responses. If you have questions regarding the comments in this letter, please contact me at 415-973-8363.

Sincerely,

Sara Morton Sadler
Senior Land Planner

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 5:36 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: Fwd: Pier 70 Mixed-Use District Projcet Comment on Draft Environmental Impact Report (EIR)
Attachments: image001.jpg; ATT00001.htm; 2017.02.21_Comment to Pier 70 Mixed-Use District Project Draft EIR.pdf; ATT00002.htm

Lisa M. Gibson
Acting Environmental Review Officer/
Director of Environmental Planning

Sent from my iPhone

Begin forwarded message:

> **From:** "Lee, Beronica (DPH)" <beronica.lee@sfdph.org>
> **Date:** February 21, 2017 at 5:30:33 PM PST
> **To:** "Gibson, Lisa (CPC)" <lisa.gibson@sfgov.org>
> **Cc:** "Martinez-Centeno, Abel@CalRecycle" <Abel.Martinez-Centeno@CalRecycle.ca.gov>, "Cushing, Stephanie (DPH)" <Stephanie.Cushing@sfdph.org>
> **Subject: Pier 70 Mixed-Use District Projcet Comment on Draft Environmental Impact Report (EIR)**
>
> Dear Lisa,
>
> Please find my comment letter on Draft EIR for Pier 70 Mixed-Use District Project. Please let me know if you have any questions.
>
> Best Regards,
>
> **Beronica Lee, REHS**
> Senior Environmental Health Inspector
> Solid Waste Program/Local Enforcement Agency
> Environmental Health Branch
> Population Health Division
> San Francisco Department of Public Health
> 1390 Market Street, Suite 210
> San Francisco, CA 94102
> **Direct:** (415) 252-3840
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City and County of San Francisco
DEPARTMENT OF PUBLIC HEALTH
ENVIRONMENTAL HEALTH

Edwin M. Lee, Mayor
Barbara A. Garcia, MPA, Director of Health
Stephanie K. J. Cushing, MSPH, CHMM, REHS
Environmental Health Director

February 21, 2017

Lisa M. Gibson
Acting Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103
Lisa.Gibson@sfgov.org

Re: Comment on Draft Environmental Impact Report (EIR)
Pier 70 Mixed-Use District Project

Dear Ms. Gibson:

Thank you for allowing the San Francisco Department of Public Health (SFDPH) Local Enforcement Agency (LEA) staff to provide comments on the proposed project and for your agency's consideration of these comments as part of the California Environmental Quality Act (CEQA) process.

This letter serves as the LEA's notification that this site may be subject to the requirements of Title 27, California Code of Regulations (CCR).

1. If during your investigation, development, or any other activities, you discover waste, notify LEA immediately.
2. Comply with 27 CCR for solid waste disposal site.
3. Development or land-use of any type may require, but are not limited to, Post Closure Land-Use Plan to be approved by the LEA as per 27 CCR Section 21190.

1
(HZ-1)

Should you have any questions, please contact Beronica Lee at (415) 252-3840 or beronica.lee@sfdph.org.

Sincerely,

Beronica Lee, REHS
Senior Environmental Health Inspector

Ecc: Stephanie Cushing, Environmental Health Director, SFDPH
Abel Martinez Centeno, CalRecycle

Hue, Melinda (CPC)

From: Wong, Diane C. <Diane.Wong@ucsf.edu>
Sent: Tuesday, February 21, 2017 10:00 AM
To: Gibson, Lisa (CPC); Hue, Melinda (CPC)
Cc: Yamauchi, Lori; Beauchamp, Kevin
Subject: UCSF Comment Letter on Pier 70 Draft EIR
Attachments: Pier 70 Draft EIR_UCSF comments 2017-02-21.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Attached is UCSF's comment letter on the Draft EIR for the proposed Pier 70 Mixed-Use District project. Thank you for the opportunity to comment.

Diane

Diane Wong
Principal Planner / Environmental Coordinator – Campus Planning
Real Estate, Planning & Capital Programs

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Lori Yamauchi
Associate Vice Chancellor

lori.yamauchi@ucsf.edu
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February 21, 2017

Lisa Gibson
Acting Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Comments on Pier 70 Mixed-Use District Project Draft Environmental Impact Report, Case No. 2014-001272ENV

Dear Ms. Gibson:

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report ("Draft EIR") for the proposed Pier 70 Mixed-Use District Project. UCSF appreciates the City's commitment to creating a project that will be an asset for the Central Waterfront area and City of San Francisco at large. 1 (TR-8)

The University of California, San Francisco (UCSF) has a major campus site at Mission Bay, several blocks northwest of the Pier 70 site, where we have made considerable investment in the development of a biomedical campus that furthers UCSF's mission to advance health worldwide through innovative health sciences education, research, and patient care. Besides the burgeoning research facilities at Mission Bay, the campus includes the Medical Center at Mission Bay, a hospital complex comprised of three specialty hospitals, outpatient facilities, and parking.

The campus population is comprised of faculty, staff, students, patients, and visitors. It is highly important to UCSF that proposed new facilities in the vicinity of the UCSF Mission Bay campus site be developed in a way that our patients and emergency responders have unimpeded access to the Medical Center and other clinics. It is with this priority in mind that we offer the following comments on the Draft EIR:

Chapter 4E Transportation and Circulation

1. Page 4.E.107, Emergency Access: the discussion in this section is in regards to emergency access impacts of the project during events at AT&T Park, but there is no discussion of events at the Warriors' Event Center, which is much closer to the Pier 70 site than AT&T Park. Please discuss the potential for Pier 70 events to overlap with events at the Warriors' Event Center, and analyze the resulting impacts on emergency access to the UCSF Medical Center at Mission Bay.

2. During discussions with the City of San Francisco regarding the then-proposed Warriors' Event Center, UCSF worked with the City to develop the Local Hospital Access Plan, or LHAP, to ensure that during events at the Event Center, patients who may not be travelling in emergency vehicles with sirens/lights would still have unimpeded access to the UCSF Medical Center at Mission Bay. Please discuss how traffic impacts from events at Pier 70 could impact the LHAP. 2 (TR-10)

3. Page 4.E.108, Improvement Measure I-TR-C: Strategies to Enhance Transportation Conditions During Events: This improvement measure discusses Pier 70 events overlapping with AT&T Park events, but should also include a discussion of overlapping Warriors' Event Center events. 3 (TR-8)

Should you have any questions about these comments, please contact me at (415) 476-8312, or Diane Wong of my staff at (415) 502-5952.

Sincerely,

Lori Y Yamauchi
Associate Vice Chancellor
UCSF Campus Planning

amauchi

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 5:27 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: Fwd: 2017-02-21 Letter to Lisa M. Gibson from CJ Higley re Comment Letter, DEIR for Pier 70 Mixed Use Pro.PDF
Attachments: 2017-02-21 Letter to Lisa M. Gibson from CJ Higley re Comment Letter, DEIR for Pier 70 Mixed Use Pro.PDF; ATT00001.htm

Lisa M. Gibson
Acting Environmental Review Officer/
Director of Environmental Planning

Sent from my iPhone

Begin forwarded message:

From: "CJ Higley" <CJHigley@fbm.com>
To: "Gibson, Lisa (CPC)" <lisa.gibson@sfgov.org>
Cc: "James Naylor" <jim@aicproperties.com>, "Steven Vettel" <SVettel@fbm.com>
Subject: 2017-02-21 Letter to Lisa M. Gibson from CJ Higley re Comment Letter, DEIR for Pier 70 Mixed Use Pro.PDF

Lisa – On behalf of American Industrial Center, attached are comments on the Pier 70 DEIR. Please do not hesitate to contact me if you have comments or questions. Best, -CJ Higley

CJ Higley
cjhigley@fbm.com
direct 415.954.4942

O-AIC

FARELLA BRAUN + MARTEL LLP

CHARLES J. HIGLEY
cjhigley@fbm.com
D 415.954.4942

February 21, 2017

Via E-Mail (E-Mail: Lisa.Gibson@sfgov.org)

Lisa M. Gibson
Acting Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Comment Letter, DEIR for Pier 70 Mixed Use Project

Dear Ms. Gibson:

On behalf of American Industrial Center ("AIC"), we submit the following comments to the Draft Environmental Impact Report for the Pier 70 Mixed Use Project (the "DEIR").

1 (LU-1)

On page 4.B.10, the DEIR describes AIC as a four-story, 84- to 92-foot tall complex. This description overstates the scale and massing of the buildings at AIC. In fact, AIC is composed of several buildings of varying heights. Of the approximately 865 feet of building frontage along Illinois Street, two-story buildings of approximately 33 feet in height occupy approximately 440 linear feet; a three-story building of approximately 52 feet in height occupies 110 linear feet; and a four-story building occupies approximately 315 linear feet.

Note, in the discussion of Cultural Resources, page 4.D.62, the DEIR erroneously states that the American Can Company (now AIC) was originally built in 1920. The original buildings comprising the American Can Company (north of 22nd Street) were built in phases between 1914 and 1929. The AIC building south of 22nd Street was constructed in 1955.

2 (CR-7)

The DEIR does not accurately describe the extent of AIC existing loading activities along Illinois Street. An accurate accounting of these loading activities is necessary to ensure that the DEIR adequately analyzes the potential for conflicts between increased vehicular traffic volumes caused by the Project and AIC's loading activities. The DEIR, page 4.E.27, states that AIC contains approximately 25 loading docks along Illinois Street. In fact, there are over 50 loading areas, including loading docks and more casual parking/loading combination areas (i.e., not loading docks, *per se*) that have historically been used to facilitate shipping and receiving. The DEIR indicates that AIC's loading operations were observed in January 2016. Note, because many of the PDR businesses housed at AIC experience a holiday season rush followed by a slower period after the holidays, January is the slowest month of the year for shipping and

3 (TR-7)

O-AIC

FARELLA BRAUN + MARTEL LLP

receiving to and from AIC. As such, the observed loading activities described in the DEIR do not present an accurate baseline of AIC's loading activities. 3 (TR-7) cont'd

In light of the loading activities described above, AIC is concerned about the potential for transportation conflicts and safety hazards associated with the proposed Class II bike lane being located along Illinois Street (Figure 2.18), a designated truck route. More generally, AIC is concerned that additional pedestrian, bicycle, and vehicular traffic volumes caused by the Project will create conflicts with AIC's loading operations along Illinois Street. The Project will dramatically change the character of the existing neighborhood and traffic patterns on Illinois, which has always been industrial in nature. The DEIR does not adequately address this change in character and does not, therefore, adequately address land use compatibility or potential conflicts stemming from the addition of a residential project immediately across Illinois Street from AIC. 4 (TR-7)

Sincerely,

Charles J. Higley

CJH:br
23216\5845247.1

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 4:50 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: FW: Pier 70 DEIR Response - Dogpatch Neighborhood Association Letter
Attachments: 2017.02.21-Pier70DEIR-DNAresponseletter.pdf

Lisa Gibson
Acting Environmental Review Officer /
Director of Environmental Planning

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9032 | Fax: 415-558-6409
Email: lisa.gibson@sfgov.org
Web: www.sfplanning.org

From: Bruce K Huie [mailto:brucehuie@sbcglobal.net]
Sent: Tuesday, February 21, 2017 4:44 PM
To: Gibson, Lisa (CPC)
Cc: Jared Doumani; Celia Lawren; Mc Allen; Vanessa Aquino
Subject: Pier 70 DEIR Response - Dogpatch Neighborhood Association Letter

Dear Ms. Lisa Gibson -

On behalf of Dogpatch Neighborhood Association (DNA) thank you for the opportunity to comment on the Draft EIR prepared for the Pier 70 Draft EIR review.

If there are questions or comments on this letter, please forward directly to me.

Best regards -

Bruce Kin Huie - President
Dogpatch Neighborhood Association
Email: brucehuie@me.com
Twitter: @brucehuie
Web: http://www.mydogpatchsf.org
Facebook: https://www.facebook.com/DogpatchNeighborhoodAssociation

DOGPATCH
NEIGHBORHOOD ASSOCIATION

February 21st, 2017

Lisa Gibson
Acting Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103
Email - lisa.gibson@sfgov.org

Dear Ms. Lisa Gibson:

On behalf of Dogpatch Neighborhood Association (DNA) thank you for the opportunity to comment on the Draft EIR prepared for the Pier 70 Draft EIR review. A few areas focused on by others merit a spot light by those in the neighborhood today. 1 (TR-4)

Transportation and Circulation

Person trips and automobile use

The project covers approximately 28 acres and entails construction of 1,645 to 3,025 residential units and 479,980 to 486,950 gsf of commercial space. It is acknowledged to generate as many as **131,000 to 141,000** new "person trips" a day in an area substantially underserved by public transportation. Of these trips, 107,059 to 127,266 trips would be external, and **50.5% of the total trips would be by automobile**. **Only 21% would use transit**, well below a citywide average of 33%. The Preferred Project allows for the addition of **3,655** parking places on site, which exceeds the neighborhood parking ratio and is in conflict with TDM measures and other policies that discourage automobile use.

Outdated Growth Projections Applied 2 (TR-12)

The Draft EIR utilized outdated growth projections for cumulative transit analysis. The TEP Report cited in the analysis was published in March 2014 and based on earlier ABAG data, not project specific data. (DEIR pg. 4.E.12.)

Population and Housing

Census Tract 226 reports 1,534 residents currently live in the impacted area. This project will increase the population five-fold to 8,420 residents (1,534 plus 6,886) and has a comparable impact on support and transportation services in the local area. 3 (PH-1)

The Central Waterfront Plan anticipated 2,020 new residential units in the Area under the Preferred Project that was approved as part of the Eastern Neighborhoods Plan. As of the end of 2015, over 1,600 units had already been constructed or were in the pipeline. The Project has the potential, with 3,025 residential units, to exceed the entire anticipated total by 1,005 units, by itself, alone. Combined with other development in the area, this is more than double what was projected under the Area Plan and well beyond what was considered in the Eastern Neighborhoods Plan EIR. 4 (PH-2)

Cumulative Impacts

"Cumulative impacts" refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The Draft EIR should include the following projects in its cumulative analysis: UCSF Psych Center and Student Housing projects, UCSF parcels 33 and 34, Associate Capital's Potrero Power Plant of 21 acres (x-NRG site) to the south, and the current three new multi-unit buildings - ABACA-SF at 1201 Tennessee (263 units), Avalon Bay Dogpatch at 800 Indiana (360 units), and OM at 650 Indiana (116 units). The Draft EIR states the Warriors Arena was not considered in the baseline because it was "approved subsequent to the completion of transportation analysis." (DEIR pg. 4.E.29.) This is not true; the transportation analysis was completed in December of 2016 after the Warriors arena had been approved. 5 (CU-1)

Thank you for your consideration.

Bruce Kin Huie - President
Dogpatch Neighborhood Association
Email: brucehuie@me.com
Twitter: @brucehuie
Web: http://www.mydogpatchsf.org
Facebook: https://www.facebook.com/DogpatchNeighborhoodAssociation

O-DNA&PBNA

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Douglas B. Provencher
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Janis H. Grattan
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Roz Bateman Smith

Lisa Gibson
Acting Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103
lisa.gibson@sfgov.org

February 21, 2017

Via Electronic and Hand Delivery

Re: Comments on the Draft EIR prepared for the Pier 70 Mixed-Use District Project

Dear Ms. Lisa Gibson:

On behalf of Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association, ("Citizens", hereafter) thank you for the opportunity to comment on the Draft EIR prepared for the above named Project. The Project is described in the Draft EIR as entailing the following: 1 (PD-2)

> The Pier 70 area (Pier 70) encompasses 69 acres of historic shipyard property along San Francisco's Central Waterfront. Under the Burton Act, Pier 70 is owned by the City and County of San Francisco (City) through the Port Commission of San Francisco (Port or Port Commission). The Port intends to rehabilitate or redevelop Pier 70 and has selected Forest City Development California, Inc. (Forest City) to act as master developer for 28 acres of the site and initiate rezoning and development of design standards and controls for a multi-phased, mixed-use development on that site and two adjacent parcels. As envisioned, the proposed Pier 70 MixedUse District Project would include market-rate and affordable residential uses, commercial use, retail/arts/light-industrial (RALI) uses, parking, shoreline improvements, infrastructure development and street improvements, and public open space. Together, the Port and Forest City are the project sponsors for the Proposed Project. The proposed Pier 70 Mixed-Use District Project, for which this project-level EIR has been

prepared, comprises a project site of an approximately 35-acre area bounded by Illinois Street to the west, 20th Street to the north, San Francisco Bay to the east, and 22nd Street to the south. The project site is south of Mission Bay, east of the Potrero Hill and Dogpatch neighborhoods, and within the northeastern portion of San Francisco's Central Waterfront Area Plan, one of four areas covered by the Eastern Neighborhoods Rezoning and Area Plans (Eastern Neighborhoods Plan). The project site is located within Pier 70, except for the 3.6-acre parcel adjacent to Pier 70's southwest corner, known as the Hoedown Yard, which is owned by the Pacific Gas and Electric Company (PG&E). (DEIR pgs. S.1 – S.2.)

1
(PD-2)
cont'd

Two development areas constitute the project site. The "28-Acre Site" is an approximately 28-acre area located between 20th, Michigan, and 22nd streets and San Francisco Bay ... The "Illinois Parcels" form an approximately 7-acre site that consists of an approximately 3.4-acre Port-owned parcel, called the "20th/Illinois Parcel," along Illinois Street at 20th Street ...which is owned by PG&E. The Hoedown Yard includes a City-owned 0.2-acre portion of street right-of-way that bisects the site.

The Proposed Project would amend the San Francisco General Plan (General Plan) and Planning Code, adding a new Pier 70 SUD, which would establish land use zoning controls for the project site and incorporate the design standards and guidelines in the proposed Pier 70 SUD Design for Development document (Design for Development). All new construction at the project site must be consistent with the Design for Development.

The Zoning Maps would be amended to show changes from the current zoning (M-2 [Heavy Industrial] and P [Public]) to the proposed SUD zoning. Height limits on the 28-Acre Site would be increased from 40 feet to 90 feet, except for a 100-foot-wide portion adjacent to the shoreline that would remain at 40 feet, as authorized by Proposition F in November 2014. The Planning Code text amendments would also modify the existing height limits on an eastern portion of the Hoedown Yard from 40 to 65 feet. Height limits are further restricted through the design standards established in the proposed Design for Development. The Proposed Project would also amend the Port's Waterfront Land Use Plan. Under the proposed SUD, the Proposed Project would provide a phased mixed-use land use program in which certain parcels could be developed for either primarily commercial uses or residential uses, with much of the ground floor dedicated to RALI uses. In addition, two parcels on the project site (Parcels C1 and C2) could be developed for structured parking or for

residential/commercial or residential use, depending on future market demand for parking and future travel demand patterns. Development of the 28-Acre Site would include up to a maximum of approximately 3,422,265 gross square feet (gsf) of construction of new buildings and improvements to existing structures (excluding basement-level square footage allocated to accessory and district parking). New buildings would have maximum heights of 50 to 90 feet. Development of the Illinois Parcels would include up to a maximum of approximately 801,400 gsf in new buildings; these new buildings would not exceed a height of 65 feet, which is the existing height limit along Illinois Street on both the Port-owned and the western portion of the Hoedown Yard.

1 (PD-2) cont'd

The majority of the project site is located within the Union Iron Works Historic District, which is listed in the National Register of Historic Places (National Register) in recognition of Pier 70's role in the development of steel shipbuilding in the United States and for industrial architecture built at the site between 1884 and the end of World War II. The 28-Acre Site contains 12 of the Historic District's 44 contributing historic resources and one of the ten non-contributing resources. With implementation of the Proposed Project, three contributing resources (Buildings 2, 12, and 21) would be rehabilitated in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties and adapted for reuse; one (the existing remnant of Irish Hill 8) would be mostly retained; and seven structures and sheds (Buildings 11, 15, 16, 19, 25, 32, and 66), containing 92,945 gsf, would be demolished. The Port has proposed to demolish the 30,940-gsf Building 117, located on the project site, prior to approval of the Proposed Project as part of the Historic Core Project. The single non-contributing resource on the project site (Slipways 5 through 8, which are currently covered by fill and asphalt) would be partially demolished. The Proposed Project includes transportation and circulation improvements, new and upgraded utilities and infrastructure, geotechnical and shoreline improvements, and 9 acres of public open space. Three options for sewer/wastewater treatment, three options for grading around Building 12, and an option for pedestrian passageways are evaluated in this EIR. The Proposed Project also includes four variants that consider modifications to the proposed infrastructure and building systems to enhance sustainability.

Design for Development Document

As noted, the Design for Development document will set several Project parameters, yet this document was not provided for review with the Draft EIR and according to the City's statements, it will not be available for review until after the comment period has elapsed. Since the Draft EIR relies on a conceptual

plan for the Project rather than a detailed description of stable project components, and the Design for Development document governs the specifics of the Project's components, the document contains relevant information regarding the review of the potentially significant impacts of the Project and must be made available to commentors on the Draft EIR. Citizens request the comment period for the Draft EIR be extended until the public is able to review the Design for Development document in conjunction with the Draft EIR. This information must be in the EIR and not buried in an appendix or other document referenced by but not included in the EIR. (*San Joaquin Raptor Rescue Ctr. v. County of Merced* (2007) 149 CA 4th 645, 659; *Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova* (2007) 40 C4th 412, 422; *California Oak Foundation v. City of Santa Clarita* (2005) 133 CA 4th 1219.)

1 (PD-2) cont'd

Project Description

The Proposed Project is described as "conceptual" and will be constructed in phases in which parcels would be developed as commercial, residential or parking uses. The description includes ten "variants" for the project's sewer/wastewater, grading, and modifications to the proposed infrastructure and building systems to "enhance sustainability."

2 (PD-2)

The specific uses would be determined after the EIR is adopted and after Project approval. This type of scheme shortcuts the required public review process that is meant to occur prior to adoption of a project. (CEQA Guidelines § 15124.) Each land use category contains variables that may result in differing impacts within each land use category; a conceptual plan does not fairly or adequately account for the Project's environmental impacts. For example, a PDR use would have considerably less impact on traffic and transit than a restaurant use. Parking would encourage dependence on automobiles and result in greater traffic and circulation impacts. A large office component would bring more workers who will need housing. Relying on RALI (Retail/Arts/Light-industrial) designation or a theoretical Maximum Residential or Maximum Commercial scenario doesn't allow an adequate analysis of impacts.

An accurate, stable and consistent project description is necessary to an adequate evaluation of the project's impacts; the project description should describe the physical development that will result if the project is approved; and the description should be sufficiently detailed to provide a foundation for a complete analysis of environmental impacts. (CEQA Guidelines § 15124.) "An accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR." (*County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185.)

3
(SB-1)

Transportation and Circulation
SB 743

In order to qualify under SB 743 for CEQA streamlining, and as articulated by Public Resources codes section 21099, a project must be found to be an infill project located in a transit priority area. Transit priority area is defined as an area within one-half mile of a major transit stop that is existing or planned. Unless a project qualifies, it must be evaluated for visual impacts.

How does the Project conform to the requirements of SB 743 and Public Resources Code section and 21099?

Citizen's testimony confirms that the closest major transit stop is over ½ mile away, transit improvements do not sufficiently serve the area, and service intervals of existing transit regularly exceed 15 minutes.

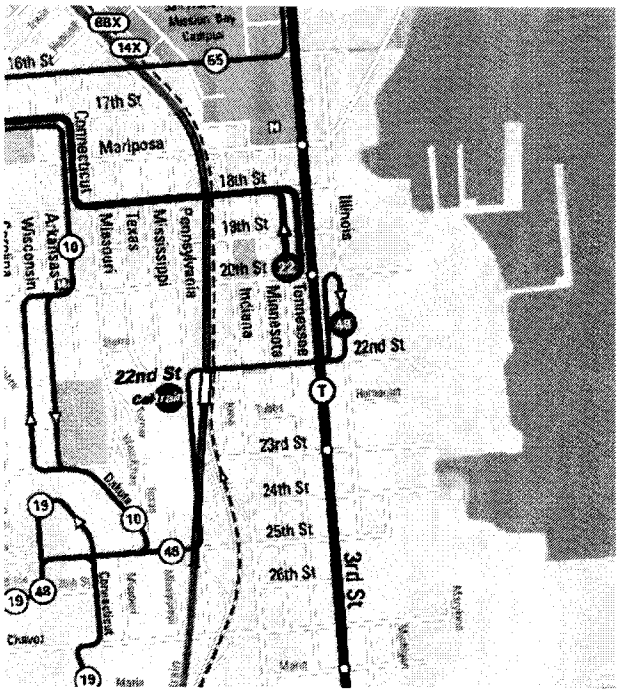
How does the Draft EIR define and employ the term 'major transit stop'?

What major transit stop within ½ mile of the Project area functions with intervals under 15 minutes?

Resident, Don Clark's January 9, 2017 comment letter includes recent photographs that confirm greater than 15-minute intervals for transit in the Project area. Photographs of the #10 bus stop at 7:10am and the #22 bus stop at 5:35pm show intervals of 18-, 22-, 39-, and 63-minute headways between buses serving the Project area. Mr. Clark states that bus lines including #55, #22 and other lines routinely run two or three buses back to back during peak afternoon hours resulting in 20-30 minute service intervals. Photographs also show three #22 buses back to back and escalators that run backwards during peak hours to minimize transit station usage. During baseball season, the T train routinely exceeds headways of 20 minutes.

Mr. Clark asserts there is no public transportation within ½ mile of Pier 70 that routinely provides peak afternoon service at a 15-minute interval. A service interval of 15 minutes commonly means the maximum interval as measured over time that does not exceed the 15-minute interval except in very rare events. There is no data in the EIR to substantiate actual 15-minute intervals.

3
(SB-1)
cont'd



Further evidence shows that the area is underserved by area transit, proposed improvements do not adequately service the Pier 70 area and modes of public transit are routinely subjected to greater than 15 minute intervals.

The 22 line, depicted in this map, terminates at Tennessee and 20th and will be moved in 2020 to replace the 55 line, as depicted in the northern edge of the image. The replacement will not provide access to Pier 70 unless the line is extended from its current terminus.

The 48, which currently terminates adjacent to Pier 70, operates with 20 to 30 minute headways on the weekend and 12-15-20 minute headways during the week. It provides access to the 24th Street BART. It is also an extraordinarily long line, running out to the Great Highway. The length of the line is an operational challenge, which leads to gaps and bunching in service. MUNI has planned to replace the 48 with a shorter route (the 58) but that change is currently indefinitely delayed and there is no schedule for its implementation.

The T Third light rail provides north-south transit. As currently configured, this line is also extraordinarly long, beginning near the SF/Brisbane boarder, running up 3rd to King, then to the Embarcadero – all on the surface, in some areas, mixed with traffic, subject to traffic signals – then through the MUNI subway to its terminus at Balboa Park. This has been a severe operational challenge as well; 10-minute headways seem to never be met. The route will become shorter once the Central Subway opens – optimistically in 2019 – as the T will run from its southern terminus up 3rd and 4th streets to a terminus at

Washington and Stockton. But the additional capacity will be swamped by the needs of the Warrior's arena, at 16th and 3rd. This is confirmed by the Warriors implementation of light rail vehicles to mitigate the arena's impact. With 200 events a year, the additional capacity is already fully subscribed, without accommodating additional waterfront projects, like Mission Rock. San Francisco Muni is structurally incapable of meeting demand as noted in: http://www.savemuni.org/2016/03/sfmta-ignores-muni-metro-crowding/

3 (SB-1) cont'd

VMT analysis

The Draft EIR utilizes a VMT metric to assess the Projects impacts to transportation and circulation. It compares the VMT for Pier 70's region to other region's in San Francisco and concludes that the VMT for Pier 70 is less than the rest of San Francisco. This is not a relevant or meaningful comparison. Transportation and Circulation impacts reviewed under the VMT metric must use the appropriate significance threshold, then compare the Project's contribution to VMT for the area studied to the existing levels without the Project. The Draft EIR's per capita analysis suffers from the same flaw, side stepping the review and acknowledgement of the Project's impacts to transportation and circulation impacts.

4 (TR-3)

In assessing some cumulative impacts, the Draft EIR utilized traffic congestion stemming from other projects in the pipeline, then compared that with the Project's contribution under the VMT metric. This is an apples and oranges analysis. If traffic congestion is assessed for other projects under a traffic congestion model for cumulative impacts, this triggers the need to review the Project's cumulative traffic congestion potential in a like analysis.

As acknowledged by the Draft EIR, LOS traffic congestion studies were conducted for the Project in 2016. Under the LOS metric, the Project will directly impact 30 or more intersections, exacerbating area traffic conditions to a LOS F. Having opened this door, the Draft EIR should discuss and analyze this information within the body of the EIR in order to divulge these impacts within the public environmental review setting. The level of traffic revealed from the 2016 data will have a profound effect on the community's quality of life and must be considered so that appropriate mitigation measures and alternatives to the Project may be fairly reviewed and proposed for implementation within the context of the Draft EIR.

CEQA achieves its purpose of long-term protection of the environment by functioning as "an environmental full disclosure statute, and the EIR is the method ... [of] disclosure ..." (*Rural Landowners Association v. City Council* (1983) 143 Cal.App.3d 1013, 1020.) An EIR should not just generate paper, but should act as "an environmental 'alarm bell' whose purpose is to alert the public and its

responsible officials to environmental changes before they have reached the ecological points of no return." (*County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795, 810.) The EIR should provide analysis to allow decision makers to make intelligent judgments. (CEQA Guidelines §§ 1515, 211511; *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 82 ["... preparation of an EIR is the key to environmental protection under CEQA ..."].)

4 (TR-3) cont'd

The Draft EIR fails to perform an adequate analysis of transportation and circulation impacts under either the VMT or LOS metrics. The Draft EIR should be updated with this analysis and re-circulated for public comment on these issues before it is certified, when, as here, significant new information is added relating to a new environmental impact or a substantial impact in the severity of an environmental impact, or if a feasible project mitigation measure or alternative considerably different from others previously analyzed would clearly lessen environmental impacts and is not acceptable to the project proponents, or if the Draft EIR was so fundamentally inadequate that meaningful public review and comment were precluded. (*Laurel Heights Improvement Association v. UC Regents* (*Laurel Heights II*) (1993) 6 Cal.4th 1112; CEQA Guidelines § 15088.5.)

Outdated Growth Projections

The Draft EIR utilized outdated growth projections for cumulative transit analysis. The TEP Report cited in the analysis was published in March 2014 and based on earlier ABAG data, not project specific data. (DEIR pg. 4.E.12.)

5 (TR-12)

Mitigation Measures

It is critical that mitigation measures focus on investment in public transit instead of private modes of transit, like private shuttles. The promotion of private shuttle use, proposed as mitigation, fails to recognize that increased use of private and tech shuttle services may result in further impacts to transportation and circulation, in and of themselves. With multiple large projects on the horizon, a patchwork of unregulated private shuttles will exacerbate traffic and related problems. Car-sharing and ride-sharing discourages people from using public transportation while increasing traffic impacts. Reliance on shuttles, car-sharing and ride-sharing as a mode of transit is neither efficient nor sustainable over the long term. Moreover, the extent of the use of shuttle service has not been determined therefore it is impossible to gauge its effectiveness in supplementing public transit. While bike and pedestrian uses should certainly be encouraged, they are not adequate options for a diverse population.

6 (TR-4)

Cultural Resource Impacts

The Draft EIR claims that demolition of contributing buildings would not alter the significance of Union Iron Works Historic District, identified as being on the National Register of Historic Places. The Draft EIR states HABS photographic

7 (CR-2)

documentation of the buildings and implementation of an interpretive display about the buildings' contribution to the Historic District will lessen impacts. (DEIR pgs. S.18 – 19.) Under *League for Protection v. City of Oakland* (1997) 52 Cal.App.4th 896, and *Architectural Heritage Association v. County of Monterey* (2005) 122 Cal.App.4th 1095, documentation of an historic resource through photographs, exhibits, construction of a marker or plaque, or incorporating historic design elements into a new project does not mitigate for the demolition of a historic resource.

7 (CR-2) cont'd

The Draft EIR acknowledges that mitigation is needed for potentially significant impacts due to proposed alterations to the remaining contributing buildings, however, the proposed mitigation measures rely on compliance with the Secretary of the Interior's Rehabilitation Standard No. 9 and this standard includes non-mandatory language for conformance with its provisions. "Designing a new addition so that its size and scale in relation to the historic building are out of proportion, thus diminishing the historic character" is "not recommended" is not mandatory.

8 (CR-3)

Irish Hill

Irish Hill, a contributing landscape to the Union Iron Works Historic District, will be "mostly retained." (DEIR pg. S.4, S.22.) Approximately 1.4 acres remain from the original 20.6 acres of Irish Hill. (*Ibid.*) According to historian Peter Linenthal, Irish Hill represents the one remaining fragment that tells the story of the original 'Potrero', as the neighborhood was known. Irish Hill is a prominent landscape feature, which tells several stories central to Pier 70's history. The Project proposes to isolate the remnant of Irish Hill in a courtyard cutting it off from its context. (*See also* Mr. Linenthal's excellent and informative comment letter on the Project.) The maps included in the Draft EIR show that proposed buildings along Illinois, 22nd street and the new 21st street would surround and obscure Irish Hill from the main access to Pier 70, at Illinois street. Although plans preserve Irish Hill itself, its relationship to the larger neighborhood would be lost. The landscapes of the Potrero Hill and Dogpatch neighborhoods were perhaps the most dramatically shaped lands in San Francisco; no other neighborhood of workers was as closely connected to Pier 70 industries as Irish Hill. Mr. Linenthal stated relocating proposed buildings on Illinois street or a substantial reduction in the height of the buildings surrounding Irish Hill would retain Irish Hill's visibility.

9 (CR-6)

Alternatives Analysis

The following provides the legal and practical bases for an EIR's review of alternatives when considering methods that will avoid or substantially reduce a project's impacts.

10 (AL-1)

An EIR must identify a "range of reasonable alternatives ... which would feasibly attain *most* of the basic objectives of the project ..." (Guideline § 15126.6 (a), emphasis added.) The EIR's "statement of objectives" includes "the underlying purpose of the project." (Guideline § 15124 (b).) Necessarily, alternatives to the project will look outside the blueprint of project objectives to fairly consider alternatives that reduce project impacts to the greatest degree feasible. "Under CEQA, a public agency must ... consider measures that might mitigate a project's adverse environmental impact and adopt them if feasible. (Public Resources Code §§ 21002, 21081." (*Mountain Lion Foundation v. Fish & Game Commission* (1997) 16 Cal.4th 105, 124; *Sierra Club v. Gilroy City Council* (1990) 222 Cal.App.3d 30, 41, italics added.) It is unnecessary for alternatives to *fully* meet the Project's objectives, and alternatives may not be rejected for this reason. Increased costs of an alternative do not equate to economic infeasibility: "[t]he fact that an alternative may be more expensive or less profitable is not sufficient to show that the alternative is financially infeasible. What is required is evidence that the additional costs or lost profitability are sufficiently severe as to render it impractical to proceed with the project." (*Citizens of Goleta Valley v. Board of Supervisors* (1988) 197 Cal.App.3d 1167, 1181; *see also Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 736; *City of Fremont v. San Francisco Bay Area Rapid Transit District* (1995) 34 Cal.App.4th 1780.) The range must be sufficient "to permit a reasonable choice of alternatives so far as environmental aspects are concerned." (*San Bernardino Valley Audubon Society v. County of San Bernardino, supra,* 155 Cal.App.3d at 750-751; Guidelines §§ 15126.6(c), (f).)

10 (AL-1) cont'd

The Draft EIR acknowledged that the impacts identified for the two alternatives that were considered, aside from the No Project alternative, are similar to the Project's impacts. (DEIR pgs. S-116 – S-119.) The Draft EIR therefore failed to review a reasonable range of alternatives that would avoid or substantially lessen the Project's environmental impacts, as required by CEQA; the range does not permit a reasoned choice nor does it foster an informed decision as to feasible means for reducing the Project's impacts.

Relative to the designated environmentally superior alternative, the Code Compliant alternative, the Draft EIR's asserts the alternative may not be feasible because it would not result in a market rate of return or fully meet the Project's objectives but it does not support the allegations regarding rate of return by substantial evidence contained in the report regarding whether the loss of profit is sufficiently severe as to render it impractical to proceed. (DEIR pg. S-120.)

11 (AL-1)

Considering the Project's potentially significant impacts to the Union Iron Works Historic District, the Draft EIR should review an alternative

12 (AL-1)

that did not demolish the contributing historic resources.

As noted, when considering an alternative's feasibility, an alternative need not meet every Project objective and claims of increased costs do not rebut its feasibility. Consistently, in *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, the court found that if there is evidence of one or more potentially significant impacts, the report must contain a meaningful analysis of alternatives or mitigation measures which would avoid or lessen such impacts and the Court rebuffed the assertion that there is a lower standard of sufficiency with regard to information about and analysis of alternatives when the EIR concludes the project will not result in significant impacts. A major function of the EIR is to ensure thorough assessment of all reasonable alternatives to proposed projects by those responsible for the decision. And because demolition is a significant environmental impact, approval of demolition violates CEQA unless alternatives to demolition are infeasible. (*Preservation Action Council v. City of San Jose* (2006) 141 Cal.App.4th 1336; *Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4th 587.) Here, given the importance of the Union Iron Works Historic District, the Preservation Alternative should have been considered in the Draft EIR and was not.

12 (AL-1) cont'd

Additionally, given the location of the Project within a congested area underserved by bus and BART service and with admitted impacts to transit, a zero-parking alternative should be studied and further consideration should be given to enhanced funding of public transit.

13 (AL-1)

Population and Housing Impacts

The impact C-PH-1 should be classified as significant. The comparison of population increase from the project to overall population in San Francisco does not present a valid basis for comparison; the proper comparison is the Project's increase to that of the area proposed. Land Use section (4.B.28) describes growth as "substantial". This is a direct contradiction to the statement in PH-1 that "the Proposed Project would not induce substantial population growth in an area, either directly or indirectly."

14 (PH-2)

Census Tract 226 reports 1,534 residents currently live in the impacted area. This project will increase the population fivefold to 8,420 residents (1,534 plus 6,886) and has a comparable impact on support and transportation services in the local area.

15 (PH-1)

The Central Waterfront Plan anticipated 2,020 new residential units in the Area under the Preferred Project that was approved as part of the Eastern Neighborhoods Plan. As of the end of 2015, over 1,600 units had already been constructed or were in the pipeline. The Project has the potential, with 3,025

14 (PH-2) cont'd

residential units, to exceed the entire anticipated total by 1,005 units, by itself, alone. Combined with other development in the area, this is more than double what was projected under the Area Plan and well beyond what was considered in the Eastern Neighborhoods Plan EIR.

14 (PH-2) cont'd

Under Plan Bay Area, population increases for the entire Port of San Francisco Priority Development Area are projected to be 1,497 households by 2040. The Maximum Residential Scenario for the Project would result in 3,025 new units, which alone exceeds the Plan Bay Area growth projections within the PDA by over 200%. It's unreasonable to label impacts from the Project's population growth as "less than significant" by simply claiming the Project is a consistent with Plan Bay Area's Goals for the entire region. The Plan Bay Area does not address the need for public services at the project level or local level, nor does it provide direct funding to mitigate the impacts for such a significant population increase in a single PDA.

16 (PH-3)

ABAG has a "Fair Share" policy to ensure that individual PDAs do not shoulder too much of the responsibility for meeting the region's housing needs. The number of units for the Project under the Maximum Residential Scenario grossly exceeds the 110% threshold limit for the entire PDA. To make matters worse, the Port PDA will include the Mission Rock Development with upwards of 1,500 additional residential units. The combined impacts of these massive residential projects are far beyond what was anticipated in the Plan Bay Area.

17 (PH-4)

Employment opportunities at Pier 70 would also induce population growth in the region that will result in growth inducing impacts. As a direct result of the Project, there would be potentially adverse physical environmental effects due to population growth. The Draft EIR notes that under the Maximum Commercial Scenario, with 9,768 employees onsite, there would be an induced demand for between 5,592 and 9,768 housing units. (DEIR pg. 4.C.32-33.) Under the Maximum Commercial Scenario, with only 1,645 residential units onsite, there would be a net increase in the need for housing, thereby exacerbating the purported housing "crisis". The Draft EIR expects that only 29.4% of the induced housing need will be met on site. (DEIR pg. 4.C.33.) Physical impacts of that growth, particularly those related to transportation, public services and air quality, must be considered. Furthermore, the Jobs-Housing Linkage Fees are arguably out of date and don't fully mitigate the impacts on housing supply and affordability.

18 (PH-2)

The Draft EIR states that the "Project would potentially contribute to cumulative population and housing impacts in the context of existing, proposed, and reasonably foreseeable future development expected in San Francisco along with the region." (DEIR pg. 4.C.35.) CEQA requires that the cumulative analysis

review closely related projects. This is particularly applicable to population and housing impacts, yet the Draft EIR fails to account for the cumulative impacts of direct and indirect population growth within the Central Waterfront Area and considers only regional and City-wide impacts. This is a serious omission given the aforementioned 448% residential population growth and increases in employment within the Central Waterfront Area.

18 (PH-2) cont'd

A full analysis of potential physical impacts resulting from the anticipated growth should be included in the Draft EIR's analyses.

Geotechnical – Exposure to Adverse Effects

19 (GE-1)

In order to support a finding of no impact to GE-1, exposure of people or structures to potential substantial adverse effects, the Project's potential should be more thoroughly investigated. The Project site is acknowledged to contain liquifaction and landfill zones. The Millennium Tower is built upon similar soils and reliant upon the same building codes and safeguards as proposed in this Draft EIR. The Millennium Tower's severe differential settlement was not mitigated by adherence to the building codes and was not adequate to mitigate exposure of people or structures to potential substantial adverse effects.

As this is a "conceptual" Project, which lacks a stable finite project description that would enable a geotechnical report to be prepared, the Draft EIR fails to assess conditions for individual buildings. Detailed reports will be prepared after the EIR is published, after Project approval, and without public oversight. The Millennium Tower project failed to include a peer review of the technical studies for the particular site and none are required for the Project. The Draft EIR does not indicate that necessary anchoring of roads and sidewalks will be done. The condition of the nearby Mission Bay roads and sidewalks provides an example of what happens when sidewalks have not been properly anchored.

Impacts of a Project should be determined at the earliest time so that there is genuine flexibility in altering the Project's design and environmental factors will influence project design. (CEQA Guidelines § 15004(b); *Mount Sutro Defense Committee v. Regents of the University of California* (1978) 77 Cal.App.3d 20, 34.) A public agency must conduct adequate CEQA review before making an irrevocable commitment to acquire land for a project or to build a project. (*McQueen v. Board of Directors* (1988) 202 Cal.App.3d 1136.) An agency may not commit to a project before CEQA review is complete: "[a] fundamental purpose of an EIR is to provide decision makers with information they can use in deciding *whether* to approve a proposed project, not to inform them of the environmental effects of projects that they have already approved. (*Laurel Heights Improvement Association v. UC Regents* (*Laurel Heights I*) (1988) 47 Cal.3d 376, 394.)

Cumulative Impacts

"Cumulative impacts" refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. (CEQA Guidelines § 15355.) The Draft EIR should include the following projects in its cumulative analysis: UCSF Psych Center and Student Housing projects, UCSF parcels 33 and 34, ABACASF - 1201 Tennessee (263 units), Avalon Bay Dogpatch - 800 Indiana (360 units), and OM - 650 Indiana (116 units). The Draft EIR states the Warriors Arena was not considered in the baseline because it was "approved subsequent to the completion of transportation analysis." (DEIR pg. 4.E.29.) This is not true; the transportation analysis was completed in December of 2016 after the Warriors Arena had been approved.

20 (CU-1)

What are the Project's cumulative impacts when considering these projects in the analysis?

Wind Impacts

The Draft EIR makes the distinction between the Project's wind impacts under WS-1 for the temporary effects regarding public areas, and impacts due to WS-2, public open space built on rooftops, and WS-3, the effect of full build-out ground-level public areas. For WS-1 temporary impacts, the Draft EIR provides mandatory "requirements" for wind mitigation such that "if the proposed building(s) would result in a wind hazard exceedance, and the only way to eliminate the hazard is to redesign a proposed building, then the building *shall* be redesigned." (DEIR pg. 64-70, emphasis added.) WS-2 and WS-3 on the other hand, merely provide implementation of mitigation measures that *may* be imposed where "feasible", "where necessary", and "appropriate". These mitigation measures do not provide the necessary enforcement mechanisms, are vague, and lack performance standards.

21 (WI-1)

Planning Code section 148 provides that when a project's wind speeds exceed 11 miles per hour more than 10% of the time, an applicant is required to show that the building could not be designed to avoid the 10% exceedence or that redesign would unduly restrict the development potential. In order to show that a project will not result in these exceedances, a developer is required to show that an alternative configuration of the project is infeasible due to restrictions on development potential.

How does the Project conform to the requirements of Planning Code section 148?

Shade and Shadow

22
(WI-2)

The Draft EIR's shadow studies show deep shadowing of the Waterfront Terrace and the Waterfront Promenade every afternoon except during the summer equinox. The Irish Hill Playground and Market Square are in near constant shade over a significant area for almost the entire year. The Draft EIR notes that the "Proposed Project would cast shadow on open spaces in the vicinity of the project site, existing sidewalks in the vicinity of the project site, and San Francisco Bay." (DEIR pg. 4.I.109.) The Draft EIR impact evaluation under WS-4, incorrectly considers existing open space; analysis of open space that will be developed as part of the Project is not considered. Whether or not these open spaces are currently developed is irrelevant; as undeveloped land, they qualify as open space and should be evaluated. Shadowing of all onsite open space appears to be significant and the City's substantial restrictions on shadowing of public open space confirms that shade and shadow significantly impact the use of parks and open space. The shade/shadowing of the Irish Hill area, both as a contributing historic resource and as a playground, is of significant concern.

What is the shade/shadow impact to these undeveloped yet foreseeable open spaces like the Irish Hill Playground?

Inconsistencies with Area Plans and Policies

23
(PL-1)

CEQA requires the EIR to discuss and analyze the Project's inconsistency with area plans and policies. (CEQA Guidelines § 15125(d).) CEQA Guidelines Appendix G, regarding Land Use Planning, asks would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?" The Project's inconsistencies with the Central Waterfront Plan, Plan Bay Area, Waterfront Land Use Plan and General Plan must be considered as part of the CEQA review and is not.

Please state how the Project is consistent with the following plan provisions.

General Plan

PRIORITY POLICY 8 *"That our parks and open space and their access to sunlight and vistas be protected from development."*

Housing Element of the General Plan

The San Francisco Housing Element requires that infrastructure should be planned and coordinated to accommodate new development.

23
(PL-1)
cont'd

The Project conflicts with the following objectives and policies of the General Plan's Housing Element, and in particular fails to balance housing growth with adequate infrastructure, particularly public transit. The Project will disproportionately burden the neighborhood with housing growth well beyond any previous projections and concentrate it in an area with inadequate public services.

OBJECTIVE 12 *Balance Housing Growth with Adequate Infrastructure that Serves the City's Growing Population*

POLICY 12.1 *Encourage new housing that relies on transit use and environmentally sustainable patterns of movement.*

POLICY 1.2 *Focus housing growth and infrastructure necessary to support growth according to community plans.*

POLICY 4.6 *Encourage an equitable distribution of growth according to infrastructure and site capacity.*

POLICY 13.1 *Support "smart" regional growth that locates new housing close to jobs and transit.*

POLICY 13.3 *Promote sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian, and bicycle mode share.*

Transportation Element of the General Plan

The Project is car-centric with a large parking component. 50% of the over 100,000 external person trips each day are attributed to automobile use. This conflicts with the following policy:

POLICY 1.3 *Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.*

How does the Project's reliance on cars further this policy?

It also requires that developers coordinate land use with transit service.

POLICY 11.3 *Encourage development that efficiently coordinates land use with transit service, requiring that developers address transit concerns as well as mitigate traffic*

23
(PL-1)
cont'd

problems.

How does the Project's heavy reliance on cars and acknowledged impacts to transit, along with the dramatic increase in population, further this policy?

Central Waterfront Plan

The Eastern Neighborhoods Plan promised "a full array of public benefits." Unfortunately, the City has failed to provide most of the necessary infrastructure to support actual development, particularly in the context of unanticipated growth in an area already underserved by public transit.

Please include additional proposed mitigation for impacts to public transit.

The Project also conflicts with the following objectives and policies:

OBJECTIVE 4.1 *Improve Public Transit to better serve existing and new development in Central Waterfront*

POLICY 4.1.6 *Improve public transit in the Central Waterfront including cross-town routes and connections to the 22nd Street Caltrain Station and Third Street Light Rail.*

OBJECTIVE 4.10 *Develop a comprehensive funding plan for transportation improvements.*

With increased heights and density, views of the bay and historic features such as Irish Hill from the west will be diminished in conflict with the following policy:

POLICY 3.1.5 *Respect Public View Corridors*

Waterfront Land Use Plan

As noted in the Draft EIR, the Project is inconsistent with the WLUP but an analysis of potential impacts resulting from these inconsistencies is not included. **Please include this analysis.**

Thank you for your consideration,

Rachel Mansfield-Howlett

O-DNA&PBNA

DUPLICATE

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 3:57 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: FW: Pier 70 DEIR Comment Letter
Attachments: DEIR Pier 70 comment letter 2-21-17-3.pdf

Lisa Gibson
Acting Environmental Review Officer /
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From: J.R. Eppler [mailto:jreppler1@gmail.com]
Sent: Tuesday, February 21, 2017 3:56 PM
To: Gibson, Lisa (CPC)
Cc: Bruce Huie; Jared Doumani; John Loomis; Janet Carpinelli; James Naylor; Cohen, Malia (BOS); Chan, Yoyo (BOS); Dennis-Phillips, Sarah (ECN); Van de Water, Adam (ECN); Jack Sylvan; Kelly Pretzer; Julie Christensen; Rachel Mansfield-Howlett; heidi dunkelgod; Alison Heath
Subject: Pier 70 DEIR Comment Letter

Dear Ms. Gibson:

Please find attached a letter providing comments on the Draft EIR prepared for the Pier 70 Mixed-Use District Project. These comments were prepared on behalf of the Dogpatch Neighborhood Association and the Potrero Boosters Neighborhood Association.

Sincerely,
J.R. Eppler

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February 21, 2017

Via Electronic and Hand Delivery

Re: Comments on the Draft EIR prepared for the Pier 70 Mixed-Use District Project

Dear Ms. Lisa Gibson:

On behalf of Dogpatch Neighborhood Association and Potrero Boosters Neighborhood Association, ("Citizens", hereafter) thank you for the opportunity to comment on the Draft EIR prepared for the above named Project. The Project is described in the Draft EIR as entailing the following:

> The Pier 70 area (Pier 70) encompasses 69 acres of historic shipyard property along San Francisco's Central Waterfront. Under the Burton Act, Pier 70 is owned by the City and County of San Francisco (City) through the Port Commission of San Francisco (Port or Port Commission). The Port intends to rehabilitate or redevelop Pier 70 and has selected Forest City Development California, Inc. (Forest City) to act as master developer for 28 acres of the site and initiate rezoning and development of design standards and controls for a multi-phased, mixed-use development on that site and two adjacent parcels. As envisioned, the proposed Pier 70 MixedUse District Project would include market-rate and affordable residential uses, commercial use, retail/arts/light-industrial (RALI) uses, parking, shoreline improvements, infrastructure development and street improvements, and public open space. Together, the Port and Forest City are the project sponsors for the Proposed Project. The proposed Pier 70 Mixed-Use District Project, for which this project-level EIR has been

prepared, comprises a project site of an approximately 35-acre area bounded by Illinois Street to the west, 20th Street to the north, San Francisco Bay to the east, and 22nd Street to the south. The project site is south of Mission Bay, east of the Potrero Hill and Dogpatch neighborhoods, and within the northeastern portion of San Francisco's Central Waterfront Area Plan, one of four areas covered by the Eastern Neighborhoods Rezoning and Area Plans (Eastern Neighborhoods Plan). The project site is located within Pier 70, except for the 3.6-acre parcel adjacent to Pier 70's southwest corner, known as the Hoedown Yard, which is owned by the Pacific Gas and Electric Company (PG&E). (DEIR pgs. S.1 – S.2.)

Two development areas constitute the project site. The "28-Acre Site" is an approximately 28-acre area located between 20th, Michigan, and 22nd streets and San Francisco Bay ... The "Illinois Parcels" form an approximately 7-acre site that consists of an approximately 3.4-acre Port-owned parcel, called the "20th/Illinois Parcel," along Illinois Street at 20th Street …which is owned by PG&E. The Hoedown Yard includes a City-owned 0.2-acre portion of street right-of-way that bisects the site.

The Proposed Project would amend the San Francisco General Plan (General Plan) and Planning Code, adding a new Pier 70 SUD, which would establish land use zoning controls for the project site and incorporate the design standards and guidelines in the proposed Pier 70 SUD Design for Development document (Design for Development). All new construction at the project site must be consistent with the Design for Development.

The Zoning Maps would be amended to show changes from the current zoning (M-2 [Heavy Industrial] and P [Public]) to the proposed SUD zoning. Height limits on the 28-Acre Site would be increased from 40 feet to 90 feet, except for a 100-foot-wide portion adjacent to the shoreline that would remain at 40 feet, as authorized by Proposition F in November 2014. The Planning Code text amendments would also modify the existing height limits on an eastern portion of the Hoedown Yard from 40 to 65 feet. Height limits are further restricted through the design standards established in the proposed Design for Development. The Proposed Project would also amend the Port's Waterfront Land Use Plan. Under the proposed SUD, the Proposed Project would provide a phased mixed-use land use program in which certain parcels could be developed for either primarily commercial uses or residential uses, with much of the ground floor dedicated to RALI uses. In addition, two parcels on the project site (Parcels C1 and C2) could be developed for structured parking or for

residential/commercial or residential use, depending on future market demand for parking and future travel demand patterns. Development of the 28-Acre Site would include up to a maximum of approximately 3,422,265 gross square feet (gsf) of construction of new buildings and improvements to existing structures (excluding basement-level square footage allocated to accessory and district parking). New buildings would have maximum heights of 50 to 90 feet. Development of the Illinois Parcels would include up to a maximum of approximately 801,400 gsf in new buildings; these new buildings would not exceed a height of 65 feet, which is the existing height limit along Illinois Street on both the Port-owned and the western portion of the Hoedown Yard.

The majority of the project site is located within the Union Iron Works Historic District, which is listed in the National Register of Historic Places (National Register) in recognition of Pier 70's role in the development of steel shipbuilding in the United States and for industrial architecture built at the site between 1884 and the end of World War II. The 28-Acre Site contains 12 of the Historic District's 44 contributing historic resources and one of the ten non-contributing resources. With implementation of the Proposed Project, three contributing resources (Buildings 2, 12, and 21) would be rehabilitated in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties and adapted for reuse; one (the existing remnant of Irish Hill 8) would be mostly retained; and seven structures and sheds (Buildings 11, 15, 16, 19, 25, 32, and 66), containing 92,945 gsf, would be demolished. The Port has proposed to demolish the 30,940-gsf Building 117, located on the project site, prior to approval of the Proposed Project as part of the Historic Core Project. The single non-contributing resource on the project site (Slipways 5 through 8, which are currently covered by fill and asphalt) would be partially demolished. The Proposed Project includes transportation and circulation improvements, new and upgraded utilities and infrastructure, geotechnical and shoreline improvements, and 9 acres of public open space. Three options for sewer/wastewater treatment, three options for grading around Building 12, and an option for pedestrian passageways are evaluated in this EIR. The Proposed Project also includes four variants that consider modifications to the proposed infrastructure and building systems to enhance sustainability.

Design for Development Document

As noted, the Design for Development document will set several Project parameters, yet this document was not provided for review with the Draft EIR and according to the City's statements, it will not be available for review until after the comment period has elapsed. Since the Draft EIR relies on a conceptual

plan for the Project rather than a detailed description of stable project components, and the Design for Development document governs the specifics of the Project's components, the document contains relevant information regarding the review of the potentially significant impacts of the Project and must be made available to commentors on the Draft EIR. Citizens request the comment period for the Draft EIR be extended until the public is able to review the Design for Development document in conjunction with the Draft EIR. This information must be in the EIR and not buried in an appendix or other document referenced by but not included in the EIR. (*San Joaquin Raptor Rescue Ctr. v. County of Merced* (2007) 149 CA 4th 645, 659; *Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova* (2007) 40 C4th 412, 422; *California Oak Foundation v. City of Santa Clarita* (2005) 133 CA 4th 1219.)

Project Description

The Proposed Project is described as "conceptual" and will be constructed in phases in which parcels would be developed as commercial, residential or parking uses. The description includes ten "variants" for the project's sewer/wastewater, grading, and modifications to the proposed infrastructure and building systems to "enhance sustainability."

The specific uses would be determined after the EIR is adopted and after Project approval. This type of scheme shortcuts the required public review process that is meant to occur prior to adoption of a project. (CEQA Guidelines § 15124.) Each land use category contains variables that may result in differing impacts within each land use category; a conceptual plan does not fairly or adequately account for the Project's environmental impacts. For example, a PDR use would have considerably less impact on traffic and transit than a restaurant use. Parking would encourage dependence on automobiles and result in greater traffic and circulation impacts. A large office component would bring more workers who will need housing. Relying on RALI (Retail/Arts/Light-industrial) designation or a theoretical Maximum Residential or Maximum Commercial scenario doesn't allow an adequate analysis of impacts.

An accurate, stable and consistent project description is necessary to an adequate evaluation of the project's impacts; the project description should describe the physical development that will result if the project is approved; and the description should be sufficiently detailed to provide a foundation for a complete analysis of environmental impacts. (CEQA Guidelines § 15124.) "An accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR." (*County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185.)

Transportation and Circulation

SB 743

In order to qualify under SB 743 for CEQA streamlining, and as articulated by Public Resources codes section 21099, a project must be found to be an infill project located in a transit priority area. Transit priority area is defined as an area within one-half mile of a major transit stop that is existing or planned. Unless a project qualifies, it must be evaluated for visual impacts.

How does the Project conform to the requirements of SB 743 and Public Resources Code section and 21099?

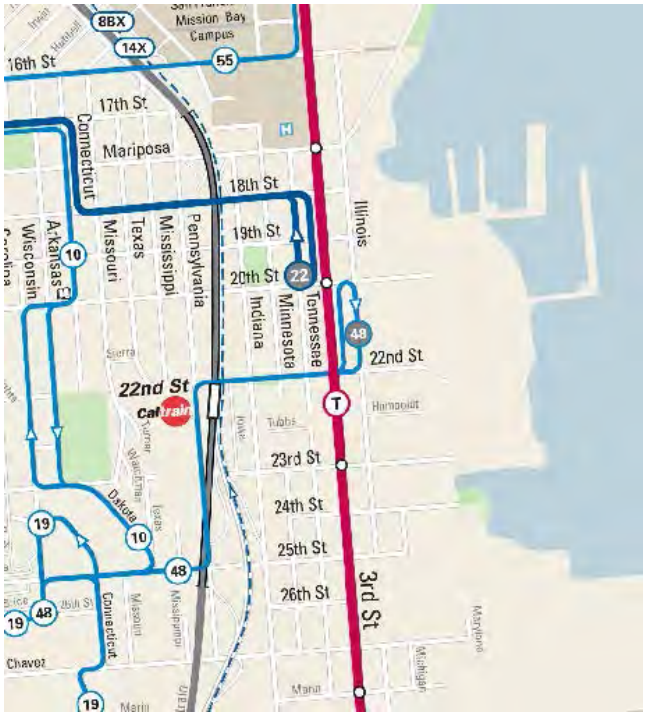
Citizen's testimony confirms that the closest major transit stop is over ½ mile away, transit improvements do not sufficiently serve the area, and service intervals of existing transit regularly exceed 15 minutes.

How does the Draft EIR define and employ the term 'major transit stop'?

What major transit stop within ½ mile of the Project area functions with intervals under 15 minutes?

Resident, Don Clark's January 9, 2017 comment letter includes recent photographs that confirm greater than 15-minute intervals for transit in the Project area. Photographs of the #10 bus stop at 7:10am and the #22 bus stop at 5:35pm show intervals of 18-, 22-, 39-, and 63-minute headways between buses serving the Project area. Mr. Clark states that bus lines including #55, #22 and other lines routinely run two or three buses back to back during peak afternoon hours resulting in 20-30 minute service intervals. Photographs also show three #22 buses back to back and escalators that run backwards during peak hours to minimize transit station usage. During baseball season, the T train routinely exceeds headways of 20 minutes.

Mr. Clark asserts there is no public transportation within ½ mile of Pier 70 that routinely provides peak afternoon service at a 15-minute interval. A service interval of 15 minutes commonly means the maximum interval as measured over time that does not exceed the 15-minute interval except in very rare events. There is no data in the EIR to substantiate actual 15-minute intervals.



Further evidence shows that the area is underserved by area transit, proposed improvements do not adequately service the Pier 70 area and modes of public transit are routinely subjected to greater than 15 minute intervals.

The 22 line, depicted in this map, terminates at Tennessee and 20th and will be moved in 2020 to replace the 55 line, as depicted in the northern edge of the image. The replacement will not provide access to Pier 70 unless the line is extended from its current terminus.

The 48, which currently terminates adjacent to Pier 70, operates with 20 to 30 minute headways on the weekend and 12-15-20 minute headways during the week. It provides access to the 24th Street BART. It is also an extraordinarily long line, running out to the Great Highway. The length of the line is an operational challenge, which leads to gaps and bunching in service. MUNI has planned to replace the 48 with a shorter route (the 58) but that change is currently indefinitely delayed and there is no schedule for its implementation.

The T Third light rail provides north-south transit. As currently configured, this line is also extraordinarly long, beginning near the SF/Brisbane boarder, running up 3rd to King, then to the Embarcadero – all on the surface, in some areas, mixed with traffic, subject to traffic signals – then through the MUNI subway to its terminus at Balboa Park. This has been a severe operational challenge as well; 10-minute headways seem to never be met. The route will become shorter once the Central Subway opens – optimistically in 2019 – as the T will run from its southern terminus up 3rd and 4th streets to a terminus at

Washington and Stockton. But the additional capacity will be swamped by the needs of the Warrior's arena, at 16th and 3rd. This is confirmed by the Warriors implementation of light rail vehicles to mitigate the arena's impact. With 200 events a year, the additional capacity is already fully subscribed, without accommodating additional waterfront projects, like Mission Rock. San Francisco Muni is structurally incapable of meeting demand as noted in: http://www.savemuni.org/2016/03/sfmta-ignores-muni-metro-crowding/

VMT analysis

The Draft EIR utilizes a VMT metric to assess the Projects impacts to transportation and circulation. It compares the VMT for Pier 70's region to other region's in San Francisco and concludes that the VMT for Pier 70 is less than the rest of San Francisco. This is not a relevant or meaningful comparison. Transportation and Circulation impacts reviewed under the VMT metric must use the appropriate significance threshold, then compare the Project's contribution to VMT for the area studied to the existing levels without the Project. The Draft EIR's per capita analysis suffers from the same flaw, side stepping the review and acknowledgement of the Project's impacts to transportation and circulation impacts.

In assessing some cumulative impacts, the Draft EIR utilized traffic congestion stemming from other projects in the pipeline, then compared that with the Project's contribution under the VMT metric. This is an apples and oranges analysis. If traffic congestion is assessed for other projects under a traffic congestion model for cumulative impacts, this triggers the need to review the Project's cumulative traffic congestion potential in a like analysis.

As acknowledged by the Draft EIR, LOS traffic congestion studies were conducted for the Project in 2016. Under the LOS metric, the Project will directly impact 30 or more intersections, exacerbating area traffic conditions to a LOS F. Having opened this door, the Draft EIR should discuss and analyze this information within the body of the EIR in order to divulge these impacts within the public environmental review setting. The level of traffic revealed from the 2016 data will have a profound effect on the community's quality of life and must be considered so that appropriate mitigation measures and alternatives to the Project may be fairly reviewed and proposed for implementation within the context of the Draft EIR.

CEQA achieves its purpose of long-term protection of the environment by functioning as "an environmental full disclosure statute, and the EIR is the method … [of] disclosure …" (*Rural Landowners Association v. City Council* (1983) 143 Cal.App.3d 1013, 1020.) An EIR should not just generate paper, but should act as "an environmental 'alarm bell' whose purpose is to alert the public and its

responsible officials to environmental changes before they have reached the ecological points of no return." (*County of lnyo v. Yorty* (1973) 32 Cal.App.3d 795, 810.) The EIR should provide analysis to allow decision makers to make intelligent judgments. (CEQA Guidelines §§ 1515, 211511*; No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 82 ["… preparation of an EIR is the key to environmental protection under CEQA …"].)

The Draft EIR fails to perform an adequate analysis of transportation and circulation impacts under either the VMT or LOS metrics. The Draft EIR should be updated with this analysis and re-circulated for public comment on these issues before it is certified, when, as here, significant new information is added relating to a new environmental impact or a substantial impact in the severity of an environmental impact, or if a feasible project mitigation measure or alternative considerably different from others previously analyzed would clearly lessen environmental impacts and is not acceptable to the project proponents, or if the Draft EIR was so fundamentally inadequate that meaningful public review and comment were precluded. (*Laurel Heights Improvement Association v. UC Regents* (*Laurel Heights II*) (1993) 6 Cal.4th 1112; CEQA Guidelines § 15088.5.)

Outdated Growth Projections

The Draft EIR utilized outdated growth projections for cumulative transit analysis. The TEP Report cited in the analysis was published in March 2014 and based on earlier ABAG data, not project specific data. (DEIR pg. 4.E.12.)

Mitigation Measures

It is critical that mitigation measures focus on investment in public transit instead of private modes of transit, like private shuttles. The promotion of private shuttle use, proposed as mitigation, fails to recognize that increased use of private and tech shuttle services may result in further impacts to transportation and circulation, in and of themselves. With multiple large projects on the horizon, a patchwork of unregulated private shuttles will exacerbate traffic and related problems. Car-sharing and ride-sharing discourages people from using public transportation while increasing traffic impacts. Reliance on shuttles, car-sharing and ride-sharing as a mode of transit is neither efficient nor sustainable over the long term. Moreover, the extent of the use of shuttle service has not been determined therefore it is impossible to gauge its effectiveness in supplementing public transit. While bike and pedestrian uses should certainly be encouraged, they are not adequate options for a diverse population.

Cultural Resource Impacts

The Draft EIR claims that demolition of contributing buildings would not alter the significance of Union Iron Works Historic District, identified as being on the National Register of Historic Places. The Draft EIR states HABS photographic

documentation of the buildings and implementation of an interpretive display about the buildings' contribution to the Historic District will lessen impacts. (DEIR pgs. S.18 – 19.) Under *League for Protection v. City of Oakland* (1997) 52 Cal.App.4th 896, and *Architectural Heritage Association v. County of Monterey* (2005) 122 Cal.App.4th 1095, documentation of an historic resource through photographs, exhibits, construction of a marker or plaque, or incorporating historic design elements into a new project does not mitigate for the demolition of a historic resource.

The Draft EIR acknowledges that mitigation is needed for potentially significant impacts due to proposed alterations to the remaining contributing buildings, however, the proposed mitigation measures rely on compliance with the Secretary of the Interior's Rehabilitation Standard No. 9 and this standard includes non-mandatory language for conformance with its provisions. "Designing a new addition so that its size and scale in relation to the historic building are out of proportion, thus diminishing the historic character" is "not recommended" is not mandatory.

Irish Hill

Irish Hill, a contributing landscape to the Union Iron Works Historic District, will be "mostly retained." (DEIR pg. S.4, S.22.) Approximately 1.4 acres remain from the original 20.6 acres of Irish Hill. (*Ibid.*) According to historian Peter Linenthal, Irish Hill represents the one remaining fragment that tells the story of the original 'Potrero', as the neighborhood was known. Irish Hill is a prominent landscape feature, which tells several stories central to Pier 70's history. The Project proposes to isolate the remnant of Irish Hill in a courtyard cutting it off from its context. (*See also* Mr. Linenthal's excellent and informative comment letter on the Project.) The maps included in the Draft EIR show that proposed buildings along Illinois, 22nd street and the new 21st street would surround and obscure Irish Hill from the main access to Pier 70, at Illinois street. Although plans preserve Irish Hill itself, its relationship to the larger neighborhood would be lost. The landscapes of the Potrero Hill and Dogpatch neighborhoods were perhaps the most dramatically shaped lands in San Francisco; no other neighborhood of workers was as closely connected to Pier 70 industries as Irish Hill. Mr. Linenthal stated relocating proposed buildings on Illinois street or a substantial reduction in the height of the buildings surrounding Irish Hill would retain Irish Hill's visibility.

Alternatives Analysis

The following provides the legal and practical bases for an EIR's review of alternatives when considering methods that will avoid or substantially reduce a project's impacts.

An EIR must identify a "range of reasonable alternatives … which would feasibly attain *most* of the basic objectives of the project …" (Guideline § 15126.6 (a), emphasis added.) The EIR's "statement of objectives" includes "the underlying purpose of the project." (Guideline § 15124 (b).) Necessarily, alternatives to the project will look outside the blueprint of project objectives to fairly consider alternatives that reduce project impacts to the greatest degree feasible. "Under CEQA, a public agency must … consider measures that might mitigate a project's adverse environmental impact and adopt them if feasible. (Public Resources Code §§ 21002, 21081." (*Mountain Lion Foundation v. Fish & Game Commission* (1997) 16 Cal.4th 105, 124; *Sierra Club v. Gilroy City Council* (1990) 222 Cal.App.3d 30, 41, italics added.) It is unnecessary for alternatives to *fully* meet the Project's objectives, and alternatives may not be rejected for this reason. Increased costs of an alternative do not equate to economic infeasibility: "[t]he fact that an alternative may be more expensive or less profitable is not sufficient to show that the alternative is financially infeasible. What is required is evidence that the additional costs or lost profitability are sufficiently severe as to render it impractical to proceed with the project." (*Citizens of Goleta Valley v. Board of Supervisors* (1988) 197 Cal.App.3d 1167, 1181; *see also Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 736; *City of Fremont v. San Francisco Bay Area Rapid Transit District* (1995) 34 Cal.App.4th 1780.) The range must be sufficient "to permit a reasonable choice of alternatives so far as environmental aspects are concerned." (*San Bernardino Valley Audubon Society v. County of San Bernardino, supra,* 155 Cal.App.3d at 750-751; Guidelines §§ 15126.6(c), (f).)

The Draft EIR acknowledged that the impacts identified for the two alternatives that were considered, aside from the No Project alternative, are similar to the Project's impacts. (DEIR pgs. S-116 – S-119.) The Draft EIR therefore failed to review a reasonable range of alternatives that would avoid or substantially lessen the Project's environmental impacts, as required by CEQA; the range does not permit a reasoned choice nor does it foster an informed decision as to feasible means for reducing the Project's impacts.

Relative to the designated environmentally superior alternative, the Code Compliant alternative, the Draft EIR's asserts the alternative may not be feasible because it would not result in a market rate of return or fully meet the Project's objectives but it does not support the allegations regarding rate of return by substantial evidence contained in the report regarding whether the loss of profit is sufficiently severe as to render it impractical to proceed. (DEIR pg. S-120.)

Considering the Project's potentially significant impacts to the Union Iron Works Historic District, the Draft EIR should review an alternative

that did not demolish the contributing historic resources.

As noted, when considering an alternative's feasibility, an alternative need not meet every Project objective and claims of increased costs do not rebut its feasibility. Consistently, in *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, the court found that if there is evidence of one or more potentially significant impacts, the report must contain a meaningful analysis of alternatives or mitigation measures which would avoid or lessen such impacts and the Court rebuffed the assertion that there is a lower standard of sufficiency with regard to information about and analysis of alternatives when the EIR concludes the project will not result in significant impacts. A major function of the EIR is to ensure thorough assessment of all reasonable alternatives to proposed projects by those responsible for the decision. And because demolition is a significant environmental impact, approval of demolition violates CEQA unless alternatives to demolition are infeasible. (*Preservation Action Council v. City of San Jose* (2006) 141 Cal.App.4th 1336; *Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4th 587.) Here, given the importance of the Union Iron Works Historic District, the Preservation Alternative should have been considered in the Draft EIR and was not.

Additionally, given the location of the Project within a congested area underserved by bus and BART service and with admitted impacts to transit, a zero-parking alternative should be studied and further consideration should be given to enhanced funding of public transit.

Population and Housing Impacts

The impact C-PH-1 should be classified as significant. The comparison of population increase from the project to overall population in San Francisco does not present a valid basis for comparison; the proper comparison is the Project's increase to that of the area proposed. Land Use section (4.B.28) describes growth as "substantial". This is a direct contradiction to the statement in PH-1 that "the Proposed Project would not induce substantial population growth in an area, either directly or indirectly."

Census Tract 226 reports 1,534 residents currently live in the impacted area. This project will increase the population fivefold to 8,420 residents (1,534 plus 6,886) and has a comparable impact on support and transportation services in the local area.

The Central Waterfront Plan anticipated 2,020 new residential units in the Area under the Preferred Project that was approved as part of the Eastern Neighborhoods Plan. As of the end of 2015, over 1,600 units had already been constructed or were in the pipeline. The Project has the potential, with 3,025

residential units, to exceed the entire anticipated total by 1,005 units, by itself, alone. Combined with other development in the area, this is more than double what was projected under the Area Plan and well beyond what was considered in the Eastern Neighborhoods Plan EIR.

Under Plan Bay Area, population increases for the entire Port of San Francisco Priority Development Area are projected to be 1,497 households by 2040. The Maximum Residential Scenario for the Project would result in 3,025 new units, which alone exceeds the Plan Bay Area growth projections within the PDA by over 200%. It's unreasonable to label impacts from the Project's population growth as "less than significant" by simply claiming the Project is a consistent with Plan Bay Area's Goals for the entire region. The Plan Bay Area does not address the need for public services at the project level or local level, nor does it provide direct funding to mitigate the impacts for such a significant population increase in a single PDA.

ABAG has a "Fair Share" policy to ensure that individual PDAs do not shoulder too much of the responsibility for meeting the region's housing needs. The number of units for the Project under the Maximum Residential Scenario grossly exceeds the 110% threshold limit for the entire PDA. To make matters worse, the Port PDA will include the Mission Rock Development with upwards of 1,500 additional residential units. The combined impacts of these massive residential projects are far beyond what was anticipated in the Plan Bay Area.

Employment opportunities at Pier 70 would also induce population growth in the region that will result in growth inducing impacts. As a direct result of the Project, there would be potentially adverse physical environmental effects due to population growth. The Draft EIR notes that under the Maximum Commercial Scenario, with 9,768 employees onsite, there would be an induced demand for between 5,592 and 9,768 housing units. (DEIR pg. 4.C.32-33.) Under the Maximum Commercial Scenario, with only 1,645 residential units onsite, there would be a net increase in the need for housing, thereby exacerbating the purported housing "crisis". The Draft EIR expects that only 29.4% of the induced housing need will be met on site. (DEIR pg. 4.C.33.) Physical impacts of that growth, particularly those related to transportation, public services and air quality, must be considered. Furthermore, the Jobs-Housing Linkage Fees are arguably out of date and don't fully mitigate the impacts on housing supply and affordability.

The Draft EIR states that the "Project would potentially contribute to cumulative population and housing impacts in the context of existing, proposed, and reasonably foreseeable future development expected in San Francisco along with the region." (DEIR pg. 4.C.35.) CEQA requires that the cumulative analysis

review closely related projects. This is particularly applicable to population and housing impacts, yet the Draft EIR fails to account for the cumulative impacts of direct and indirect population growth within the Central Waterfront Area and considers only regional and City-wide impacts. This is a serious omission given the aforementioned 448% residential population growth and increases in employment within the Central Waterfront Area.

A full analysis of potential physical impacts resulting from the anticipated growth should be included in the Draft EIR's analyses.

Geotechnical – Exposure to Adverse Effects

In order to support a finding of no impact to GE-1, exposure of people or structures to potential substantial adverse effects, the Project's potential should be more thoroughly investigated. The Project site is acknowledged to contain liquifaction and landfill zones. The Millennium Tower is built upon similar soils and reliant upon the same building codes and safeguards as proposed in this Draft EIR. The Millennium Tower's severe differential settlement was not mitigated by adherence to the building codes and was not adequate to mitigate exposure of people or structures to potential substantial adverse effects.

As this is a "conceptual" Project, which lacks a stable finite project description that would enable a geotechnical report to be prepared, the Draft EIR fails to assess conditions for individual buildings. Detailed reports will be prepared after the EIR is published, after Project approval, and without public oversight. The Millennium Tower project failed to include a peer review of the technical studies for the particular site and none are required for the Project. The Draft EIR does not indicate that necessary anchoring of roads and sidewalks will be done. The condition of the nearby Mission Bay roads and sidewalks provides an example of what happens when sidewalks have not been properly anchored.

Impacts of a Project should be determined at the earliest time so that there is genuine flexibility in altering the Project's design and environmental factors will influence project design. (CEQA Guidelines § 15004(b); *Mount Sutro Defense Committee v. Regents of the University of California* (1978) 77 Cal.App.3d 20, 34.) A public agency must conduct adequate CEQA review before making an irrevocable commitment to acquire land for a project or to build a project. (*McQueen v. Board of Directors* (1988) 202 Cal.App.3d 1136.) An agency may not commit to a project before CEQA review is complete: "[a] fundamental purpose of an EIR is to provide decision makers with information they can use in deciding *whether* to approve a proposed project, not to inform them of the environmental effects of projects that they have already approved. (*Laurel Heights Improvement Association v. UC Regents* (*Laurel Heights I*) (1988) 47 Cal.3d 376, 394.)

Cumulative Impacts

"Cumulative impacts" refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. (CEQA Guidelines § 15355.) The Draft EIR should include the following projects in its cumulative analysis: UCSF Psych Center and Student Housing projects, UCSF parcels 33 and 34, ABACASF - 1201 Tennessee (263 units), Avalon Bay Dogpatch - 800 Indiana (360 units), and OM - 650 Indiana (116 units). The Draft EIR states the Warriors Arena was not considered in the baseline because it was "approved subsequent to the completion of transportation analysis." (DEIR pg. 4.E.29.) This is not true; the transportation analysis was completed in December of 2016 after the Warriors Arena had been approved.

What are the Project's cumulative impacts when considering these projects in the analysis?

Wind Impacts

The Draft EIR makes the distinction between the Project's wind impacts under WS-1 for the temporary effects regarding public areas, and impacts due to WS-2, public open space built on rooftops, and WS-3, the effect of full build-out ground-level public areas. For WS-1 temporary impacts, the Draft EIR provides mandatory "requirements" for wind mitigation such that "if the proposed building(s) would result in a wind hazard exceedance, and the only way to eliminate the hazard is to redesign a proposed building, then the building *shall* be redesigned." (DEIR pg. 64-70, emphasis added.) WS-2 and WS-3 on the other hand, merely provide implementation of mitigation measures that *may* be imposed where "feasible", "where necessary", and "appropriate". These mitigation measures do not provide the necessary enforcement mechanisms, are vague, and lack performance standards.

Planning Code section 148 provides that when a project's wind speeds exceed 11 miles per hour more than 10% of the time, an applicant is required to show that the building could not be designed to avoid the 10% exceedence or that redesign would unduly restrict the development potential. In order to show that a project will not result in these exceedances, a developer is required to show that an alternative configuration of the project is infeasible due to restrictions on development potential.

How does the Project conform to the requirements of Planning Code section 148?

Shade and Shadow

The Draft EIR's shadow studies show deep shadowing of the Waterfront Terrace and the Waterfront Promenade every afternoon except during the summer equinox. The Irish Hill Playground and Market Square are in near constant shade over a significant area for almost the entire year. The Draft EIR notes that the "Proposed Project would cast shadow on open spaces in the vicinity of the project site, existing sidewalks in the vicinity of the project site, and San Francisco Bay." (DEIR pg. 4.I.109.) The Draft EIR impact evaluation under WS-4, incorrectly considers existing open space; analysis of open space that will be developed as part of the Project is not considered. Whether or not these open spaces are currently developed is irrelevant; as undeveloped land, they qualify as open space and should be evaluated. Shadowing of all onsite open space appears to be significant and the City's substantial restrictions on shadowing of public open space confirms that shade and shadow significantly impact the use of parks and open space. The shade/shadowing of the Irish Hill area, both as a contributing historic resource and as a playground, is of significant concern.

> **What is the shade/shadow impact to these undeveloped yet foreseeable open spaces like the Irish Hill Playground?**

Inconsistencies with Area Plans and Policies

CEQA requires the EIR to discuss and analyze the Project's inconsistency with area plans and policies. (CEQA Guidelines § 15125(d).) CEQA Guidelines Appendix G, regarding Land Use Planning, asks would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?" The Project's inconsistencies with the Central Waterfront Plan, Plan Bay Area, Waterfront Land Use Plan and General Plan must be considered as part of the CEQA review and is not.

> **Please state how the Project is consistent with the following plan provisions.**

General Plan

PRIORITY POLICY 8 *"That our parks and open space and their access to sunlight and vistas be protected from development."*

Housing Element of the General Plan

The San Francisco Housing Element requires that infrastructure should be planned and coordinated to accommodate new development.

The Project conflicts with the following objectives and policies of the General Plan's Housing Element, and in particular fails to balance housing growth with adequate infrastructure, particularly public transit. The Project will disproportionately burden the neighborhood with housing growth well beyond any previous projections and concentrate it in an area with inadequate public services.

OBJECTIVE 12 *Balance Housing Growth with Adequate Infrastructure that Serves the City's Growing Population*

POLICY 12.1 *Encourage new housing that relies on transit use and environmentally sustainable patterns of movement.*

POLICY 1.2 *Focus housing growth and infrastructure necessary to support growth according to community plans.*

POLICY 4.6 *Encourage an equitable distribution of growth according to infrastructure and site capacity.*

POLICY 13.1 *Support "smart" regional growth that locates new housing close to jobs and transit.*

POLICY 13.3 *Promote sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian, and bicycle mode share.*

Transportation Element of the General Plan

The Project is car-centric with a large parking component. 50% of the over 100,000 external person trips each day are attributed to automobile use. This conflicts with the following policy:

POLICY 1.3 *Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.*

How does the Project's reliance on cars further this policy?

It also requires that developers coordinate land use with transit service.

POLICY 11.3 *Encourage development that efficiently coordinates land use with transit service, requiring that developers address transit concerns as well as mitigate traffic*

problems.

How does the Project's heavy reliance on cars and acknowledged impacts to transit, along with the dramatic increase in population, further this policy?

Central Waterfront Plan

The Eastern Neighborhoods Plan promised "a full array of public benefits." Unfortunately, the City has failed to provide most of the necessary infrastructure to support actual development, particularly in the context of unanticipated growth in an area already underserved by public transit.

Please include additional proposed mitigation for impacts to public transit.

The Project also conflicts with the following objectives and policies:

OBJECTIVE 4.1 *Improve Public Transit to better serve existing and new development in Central Waterfront*

POLICY 4.1.6 *Improve public transit in the Central Waterfront including cross-town routes and connections to the 22nd Street Caltrain Station and Third Street Light Rail.*

OBJECTIVE 4.10 *Develop a comprehensive funding plan for transportation improvements.*

With increased heights and density, views of the bay and historic features such as Irish Hill from the west will be diminished in conflict with the following policy:

POLICY 3.1.5 *Respect Public View Corridors*

Waterfront Land Use Plan

As noted in the Draft EIR, the Project is inconsistent with the WLUP but an analysis of potential impacts resulting from these inconsistencies is not included. **Please include this analysis.**

Thank you for your consideration,

Rachel Mansfield-Howlett

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 1:19 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: FW: Pier 70 DEIR comments

Lisa Gibson
Acting Environmental Review Officer / Director of Environmental Planning

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9032 | Fax: 415-558-6409
Email: lisa.gibson@sfgov.org
Web: www.sfplanning.org

From: Jude Deckenbach [mailto:judedeckenbach@gmail.com]
Sent: Tuesday, February 21, 2017 12:08 PM
To: richhillissf@yahoo.com; Richards, Dennis (CPC); planning@rodneyfong.com; Johnson, Christine (CPC); Koppel, Joel (CPC); Melgar, Myrna (CPC); Moore, Kathrin (CPC)
Cc: Gibson, Lisa (CPC)
Subject: Pier 70 DEIR comments

To Planning Commissioners:

On behalf of the Friends of Jackson Park (FoJP), I'm writing to voice our concern about Pier 70's DEIR. In Chapter 4J Recreation of the DEIR, it states: 1 (RE-3)

The thresholds for determining the significance of impacts in this analysis are consistent with the environmental checklist in Appendix G of the State CEQA Guidelines, which has been modified by the San Francisco Planning Department. For the purpose of this analysis, the following applicable thresholds were used to determine whether implementing the Proposed Project would result in a significant impact on recreation. Implementation of the Proposed Project would have a significant effect on recreation if the project would:

J.1 Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated

Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment.

1 (RE-3) cont'd

Given that Pier 70 is on Port land, no permanent recreation facilities can be built. Therefore, if any of the potential 6,800+ new residents want to play basketball, base/soft ball, tennis, etc. they must leave their site and come to either Potrero Hill Rec Center or Jackson Park for any type of recreational programming. These two SFRPD facilities are already well used and in disrepair with need for renovation.

We disagree with the DEIR and believe that the influx of these new residents will definitely substantially impact the facilities. It's disingenuous to suggest otherwise.

2 (WI-2)

As advocates of open space, FoJP applauds the inclusion of 9 acres of open space in the project. However, the shadow study that we've seen shows that the distinctly tall buildings in the project will produce shadows that will throw those open spaces into darkness. Open space should be truly open, not hampered by darkness and shadows.

Thank you for your consideration,

Jude Deckenbach
Friends of Jackson Park
415.786.2427

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Wednesday, February 22, 2017 9:45 AM
To: Cooper, Rick (CPC); Hue, Melinda (CPC)
Subject: Fwd: Pier 70 DEIR Comments - Grow Potrero Responsibly
Attachments: Pier 70 Comments (corrected).docx; ATT00001.htm

Lisa M. Gibson
Acting Environmental Review Officer/
Director of Environmental Planning

Sent from my iPhone

Begin forwarded message:

> **From:** Alison Heath <alisonheath@sbcglobal.net>
> **Date:** February 22, 2017 at 9:11:09 AM PST
> **To:** "Gibson, Lisa (CPC)" <lisa.gibson@sfgov.org>
> **Subject: Re: Pier 70 DEIR Comments - Grow Potrero Responsibly**
>
> Dear Ms. Gibson,
>
> My apologies. There was a small error in the document I sent yesterday. I'd appreciate it if you could use this corrected version instead,
>
> Thanks,
>
> Alison Heath
> http://www.alisonheath.com
> alisonheath@sbcglobal.net
>
> > On Feb 21, 2017, at 4:39 PM, Alison Heath <alisonheath@sbcglobal.net> wrote:
> >
> > Dear Ms. Gibson,
> >
> > Attached please find comments for the Pier 70 Project DEIR submitted on behalf of Grow Potrero Responsibly.
> >
> > Best,
> > Alison Heath
> >
> > http://www.alisonheath.com

alisonheath@sbcglobal.net

To: Lisa Gibson
Acting Environmental Review Officer
SF Planning Department
lisa.gibson@sfgov.org

From: Alison Heath, Grow Potrero Responsibly

Submitted Tuesday, February 21, 2017
Re: Comments on the Draft EIR for Pier 70

Dear Ms. Gibson,

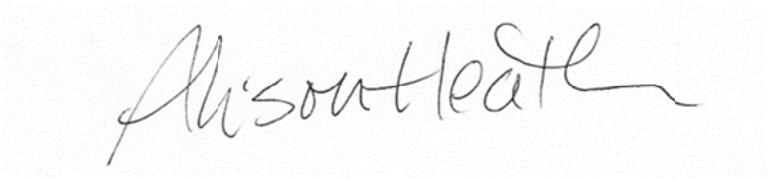
Thank you for the opportunity to submit comments on the Pier 70 DEIR.

Our overarching concerns include inaccurate population growth assumptions, the project's inconsistencies with the objectives of several established land use plans, transportation impacts, impacts to historic resources, potential geotechnical issues and shadowing of open space.

Detailed comments are attached.

1 (GC-1)

Sincerely,



Land Use and Land Use Planning

The Proposed Project is described as "conceptual" and will follow a phased program in which parcels would be developed as commercial, residential or parking uses. The exact uses would be determined after the EIR is finalized. Within each of those categories are variables that will have a myriad of impacts. For example, a PDR use would have considerably less impact on traffic and transit than a restaurant use. Parking would encourage dependence on automobiles. A large office component would bring more workers who will need housing. Relying on RALI (Retail/arts/light-industrial) designation or a theoretical Maximum Residential or Maximum Commercial scenario doesn't allow an adequate analysis of impacts.

2 (PD-2)

Inconsistencies with Area Plans and Polices

There are clear inconsistencies with the Pier 70 Master Plan, Central Waterfront Plan, Plan Bay Area, Waterfront Land Use Plan, and General Plan which must be considered as part of the CEQA review. The DEIR states that conflicts with applicable plans "will continue to be analyzed and considered" (4.B.27) but fails to do even a minimal analysis of some of these potential conflicts and resulting impacts.

3 (PL-1)

Pier 70 Preferred Master Plan

The DEIR includes a Pier 70 Master Plan Alternative but doesn't include an adequate analysis of substantial conflicts with the Preferred Project. The Proposed Project is a radical departure from what was the result of a long and inclusive planning process. The Master Plan precludes a dense residential development in support of ongoing heavy industrial uses and requires that proposals for housing demonstrate compatibility with the ship repair industry. It also promotes the use of alternative, sustainable modes of transit, something that the Proposed Project fails to do in any meaningful way by relying heavily on automobiles. Visual and pedestrian linkage between Building 12 and the Bay must be maintained under the Master Plan. Under the Proposed Project only a sliver of Building 12 is open to the Bay.

4 (PL-1)

General Plan

The Proposed Project will conflict with the following General Plan policy by blocking public vistas of the Bay and historic buildings, while shadowing the Bay shoreline and much of the onsite open space. The DEIR doesn't address this.

PRIORITY POLICY 8 *"That our parks and open space and their access to sunlight and vistas be protected from development."*

5 (WI-2)

Housing Element of the General Plan

The San Francisco Housing Element requires that infrastructure needs be planned and coordinated to accommodate new development, but the Pier 70 Project conflicts with the following objectives and policies of the General Plan's Housing Element, and in particular fails to balance housing growth with adequate infrastructure, particularly public transit. The Proposed Project will disproportionately burden the neighborhood with housing growth well beyond any previous projections and concentrate it in an area with inadequate public services. These objectives are identified as "relevant" in the DEIR but the failure to provide infrastructure is not addressed. 6 (PL-1)

OBJECTIVE 12 *Balance Housing Growth with Adequate Infrastructure that Serves the City's Growing Population*

POLICY 12.1 *Encourage new housing that relies on transit use and environmentally sustainable patterns of movement.*

POLICY 1.2 *Focus housing growth and infrastructure necessary to support growth according to community plans.*

POLICY 4.6 *Encourage an equitable distribution of growth according to infrastructure and site capacity.*

POLICY 13.1 *Support "smart" regional growth that locates new housing close to jobs and transit.*

POLICY 13.3 *Promote sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian, and bicycle mode share.*

Transportation Element of the General Plan

The Proposed Project is car-centric with a large parking component. 50% of the over 100,000 external person trips each day will be by automobile and only 21% of trips will be made by public transit. The conflict with the following policy is not addressed in the DEIR: 7 (PL-1)

POLICY 1.3 *Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.*

The Transportation Element also requires that developers coordinate land use with transit service and mitigate traffic problems. Instead the Proposed Project will burden transit and increase traffic and the DEIR denies the severity of this impacts. 8 (PL-1)

POLICY 11.3 *Encourage development that efficiently coordinates land use with transit service, requiring that developers address transit concerns as well as mitigate traffic problems.*

8 (PL-1) cont'd

Central Waterfront Plan

The Eastern Neighborhoods Plan promised, *"*A full array of public benefits". Unfortunately the City has failed to provide most of the necessary infrastructure to support actual development, particularly in the context of unanticipated growth in an area already underserved by public transit.

9 (TR-4)

The Proposed Project conflicts specifically with the following objectives and policies and the DEIR fails to address glaring public transit issues:

OBJECTIVE 4.1 *Improve Public Transit to better serve existing and new development in Central Waterfront*

POLICY 4.1.6 *Improve public transit in the Central Waterfront including cross-town routes and connections to the 22nd Street Caltrain Station and Third Street Light Rail.*

OBJECTIVE 4.10 *Develop a comprehensive funding plan for transportation improvements.*

With increased heights and density, views of the bay and historic features such as Irish Hill from the west will be diminished in conflict with the following policy:

10 (PL-1)

POLICY 3.1.5 *Respect Public View Corridors*

Waterfront Land Use Plan

As noted in the DEIR, the Proposed Project is inconsistent with the WLUP but an analysis of potential impacts resulting from these inconsistencies is not included.

11 (PL-1)

Population and Housing:

The Proposed Project has the potential to result in direct and cumulative adverse physical environmental effects due to population growth. The Land Use section (4.B.28) describes growth as "substantial". This is a direct contradiction to the statement in PH-1 that "The Proposed Project would not induce substantial population growth in an area, either directly or indirectly". What is the threshold of significance if not "substantial"?

12 (PH-2)

The Proposed Project is growth-inducing because it would accommodate new residential development in an undeveloped area with a direct increase in population on a very large scale. As noted in the DEIR, under the Maximum Residential Scenario, the number of new residents in Census Tract 226 (Central Waterfront) would increase by 448% as a direct result of the Project. (4.C.22) Here the level of growth is described as "substantial". (4.C.23)

The Central Waterfront Plan anticipated 2020 new residential units in the entire Area under the Preferred Project that was approved as part of the Eastern Neighborhoods Plan. As of the end of 2015, over 2704 units had already been constructed or were in the pipeline, with hundreds more submitted for review in 2016. But the Pier 70 project has the potential, with 3025 units, to exceed the entire anticipated total by 1005 all by itself. Combined with other development in the area, this is more than double what was projected under the Area Plan, and well beyond what was considered in the Eastern Neighborhoods PEIR.

Under Plan Bay Area, population increases for the entire Port of SF Priority Development Area are projected to be 1497 households by 2040. The Maximum Residential Scenario for the Pier 70 Project would result in 3025 new units which alone exceeds the Plan Bay Area growth projections by over 200%. It's unreasonable to label impacts from Pier 70 population growth as "less than significant" by simply claiming the Project is a consistent with Plan Bay Area's Goals for the entire region. The Plan Bay Area does not address the need for public services at the project level or local level, nor does it provide direct funding to mitigate the impacts for such a significant population increase in a single PDA.

12 (PH-2) cont'd

ABAG has a "Fair Share" policy to ensure that individual PDA's do not shoulder too much of the responsibility for meeting the region's housing needs. The number of units for Pier 70 under the Maximum Residential Scenario grossly exceeds the 110% threshold limit for the entire PDA. To make matters worse, the Port PDA will also include the Mission Rock Development with upwards of 1500 additional residential units. The combined impacts of these massive residential projects are far beyond what was anticipated in the Plan Bay Area.

13 (PH-3)

As a direct result of the proposed project there would potentially be adverse and direct physical environmental effects due to population growth from a large commercial component. Employment opportunities at Pier 70 would also induce population growth throughout the region. The DEIR notes that under the Maximum Commercial Scenario, with 9768 employees onsite, that there would be an induced demand for between 5592 and 9768 housing units. (4.C.32-33) The DEIR expects that only 29.4 percent of the induced housing need will be met on site. (4.C.33) Simple math shows that under the Maximum Commercial Scenario, with only 1645 residential units onsite, that there would be a net increase in the need for housing, exacerbating the purported housing "crisis".

14 (PH-4)

Physical impacts of that growth, particularly those related to transportation, public services and air quality, must be considered. Furthermore the Jobs-Housing Linkage Fees are arguably out of date and don't fully mitigate the impacts on housing supply and affordability.

14 (PH-4) cont'd

The DEIR states that the "Proposed Project would potentially contribute to cumulative population and housing impacts in the context of existing, proposed, and reasonably foreseeable future development expected in San Francisco along with the region." (4.C.35) CEQA requires that cumulative analysis look at closely related projects. This is particularly applicable to population and housing impacts. However the DEIR ignores the cumulative impacts of direct and indirect population growth within the Central Waterfront Area and considers only regional and Citywide impacts. This is a serious omission given the aforementioned 448% residential population growth and increases in employment within the Central Waterfront Area.

It's clear that the Proposed Project will result in significant population increases with the potential to result in adverse physical impacts. A full analysis of potential physical impacts resulting from that growth should be included.

12 (PH-2) cont'd

Transportation

Adding thousands of residents and workers with little investment in transit will be a disaster for the neighborhood, resulting in further dependence on cars while traffic continues to get worse. A Transit First policy should put transit first and ensure that viable options be in place before we experience significant population growth.

15 (TR-4)

The Proposed Project would bring as many as 6868 residents, and up to 9768 workers, along with visitors. This will result in 131,359 to 141,365 person trips daily according to the Transportation Impact Study. Of these trips, 107,059 to 127,266 trips would be external, and 50.5% of the total trips would be by automobile. Only 21% would use transit, well below a citywide average of 33%. The Preferred Project allows for 3655 parking places onsite, which exceeds the neighborhood parking ratio and is in conflict with TDM measures and other polices that discourage automobile use.

The Project's reliance on automobiles is the direct result of the City's failure to provide adequate transit options to the neighborhood and follow General Plan and Central Waterfront Plan objectives that prioritize public transit and are meant to coordinate development with infrastructure improvements.

Pier 70 is essentially an exclave and arguably not within a transit priority area. The nearest rail station is over a mile away and there are no intersecting bus

16 (SB-1)

lines within a ½ mile. The Caltrain stop on 22nd is technically not a rail station, and it is more than ½ a mile from much of the area that will be developed under the proposed Pier 70 development. The nearby buses and T-Third do not run reliably and often have intervals of over 15 minutes during peak commute times.

16 (SB-1) cont'd

Despite the Proposed Project's documented reliance on automobiles for transportation, the DEIR claims that the Proposed Project would not substantially induce automobile travel and finds no significant impacts from traffic. The sole reliance on VMT fails to tell the whole story. LOS studies were done by the developer in 2016, but this analysis has been buried in an appendix and is mostly ignored in the body of the DEIR. Under the LOS analysis, the Proposed Project will directly impact 30 or more intersections, bringing them to Level F. It is absolutely critical that a discussion of these impacts be included in the DEIR so that policy and decision-makers will have a full understanding of the "on the ground" impacts and what they mean for pedestrian safety, air quality, bicycle safety and access by emergency vehicles. The level of traffic described in the LOS analysis will have a profound effect on the quality of life within the entire area and must be considered as an undeniably real environmental impact.

17 (TR-2)

Ironically, VMT was intended to encourage people to use alternative modes of transit. In this case it does the opposite by ignoring the reality of massive traffic jams in a neighborhood where the City has failed to provide dependable public transportation. By projecting only 21% will use transit, it also skews the analysis of transit impacts. If 50% of trips are being made by cars, then the need for transit is minimized.

Several of the identified significant and unavoidable impacts of the Proposed Project are related to Transportation:

• Cause one individual Muni route (48 Quintara/24th Street bus routes) to exceed 85 percent capacity utilization in the a.m. and p.m. peak hours in both the inbound and outbound directions;

18 (TR-4)

• Cause loading demand during the peak loading hour to not be adequately accommodated by proposed on-site/off-street loading supply or in proposed on-street loading zones, which may create hazardous conditions or significant delays for transit, bicycles, or pedestrians;

19 (TR-7)

• Contribute considerably to significant cumulative transit impacts on the 48 Quintara/24th Street and 22 Fillmore bus routes.

18 (TR-4) cont'd

Unfortunately no changes to the MUNI system are approved or funded, and the 22 Fillmore will be rerouted away from Dogpatch to serve Mission Bay as part of the TEP (AKA Muni Forward). Adding an additional bus or car or two to existing lines will not correct the lack of east-west options. The network must be expanded to reduce dependence on automobiles and comply with the General and Area Plans.

It is critical that mitigations focus on investment in public, not private, transit as mandated in multiple Area plans. The Pier 70 Transportation Plan takes a band-aid approach with reliance on private shuttle service, bike use, ride-sharing and car-sharing. 18 (TR-4)

The DEIR fails to fully consider the impacts of the Pier 70 Transportation Plan itself. With multiple large projects on the horizon, a patchwork of unregulated private shuttles, rather than investment in public transit, will exacerbate traffic and related problems. Car-sharing and ride-sharing discourages people from using public transportation while disincentivizing the use of public transit and increasing traffic impacts. This is neither efficient nor sustainable over the long term. Furthermore the details and extent of the shuttle service have not been determined so it is impossible to gauge its effectiveness in supplementing public transit. While bike and pedestrian uses should certainly be encouraged, they are not adequate options for a diverse population. The Transportation Plan should be revised to be more inclusive of families, seniors and disabilities. 20 (TR-4)

With a retail economy that relies increasingly on delivery vehicles along with the need to serve commercial uses, it is unacceptable to not provide adequate loading zones to prevent hazardous conditions or significant delays. As many deliveries cannot be limited to specific hours is doubtful that coordinating delivery times would be an effective mitigation. 21 (TR-7)

Traffic will impact access by emergency vehicles. Ignoring the data in the LOS analysis results in he DEIR's failure to consider near total gridlock traffic conditions. 30 intersections operating at F levels will potentially impede emergency access throughout the area as well as to and from Pier 70 itself. To pretend otherwise by limiting analysis to VMT is grossly negligent. 22 (TR-8)

Geotechnical

Where is the final Geotechnical Report and when will it be published? Without a final design and the geotechnical report in hand there's no way to assess underlying conditions specific to locations for individual buildings. As this is a conceptual project, it appears that detailed reports will be prepared after the EIR is published. This is problematic given recent history with the Millenium project and the issue facing Mission Bay sidewalks that were not properly anchored and have now separated from building foundations. There is no indication in the DEIR that there will be an independent peer review of future site-specific geotechnical reports or that anchoring of roads and sidewalks will be done. Given the uncertainty with phasing of development, both of these conditions should be included as mitigations. 23 (GE-1)

Shadow

The shadow studies show significant shadowing of the San Francisco Bay, the Waterfront Terrace, and Waterfront Promenade every afternoon except during the Summer Solstice, while the Irish Hill Playground and Market Square are in near constant shade over a significant area for almost the entire year. The DEIR notes that the "Proposed Project would cast shadow on open spaces in the vicinity of the project site, existing sidewalks in the vicinity of the project site, and San Francisco Bay." (4.I.109)

24 (WI-2)

The DEIR impact evaluation incorrectly omits impacts on existing open space that has not yet been developed. Whether or not these open spaces are currently developed is irrelevant for the analysis. Arguably, as undeveloped land, they qualify as defacto open space. Since shadowing of onsite open space appears to be significant it should be considered in the review with mitigations provided such as height reductions and larger breaks between buildings.

The DEIR suggests that users of open space go elsewhere to find sun without full consideration of how these spaces would be used and without addressing the fact that enjoyment or use of these open spaces will be adversely affected. Of particular concern is the Irish Hill area, both as a contributing historic resource and with active use as a playground. This area will be in near constant shadow, limiting any benefit to the community.

Historic Resources

The preliminary drawings of the Preferred Project show Irish Hill almost entirely blocked from view. As a contributing resource to the landscape, it is imperative that vistas and view corridors of Irish Hill should remain open. Overall, the Project will result in a very dense urban environment that will totally alter the physical character of the area. As Historic Preservation Commissioner Perlman noted at the Feb 1, 2017 hearing, the effect will be to "eviscerate" a significant historic resource. Context matters and the design needs to be modified accordingly.

25 (CR-6)

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 4:29 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: FW: Potrero Boosters Supplemental Pier 70 DEIR Comments
Attachments: Boosters Letter re Pier 70 DEIR.pdf

Lisa Gibson
Acting Environmental Review Officer /
Director of Environmental Planning

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9032 | Fax: 415-558-6409
Email: lisa.gibson@sfgov.org
Web: www.sfplanning.org

From: J.R. Eppler [mailto:jreppler1@gmail.com]
Sent: Tuesday, February 21, 2017 4:28 PM
To: Gibson, Lisa (CPC)
Cc: heidi dunkelgod; Alison Heath
Subject: Potrero Boosters Supplemental Pier 70 DEIR Comments

Dear Ms. Gibson:

Please find attached supplemental DEIR comments for the Pier 70 project submitted by the Potrero Boosters Neighborhood Association.

Best regards,
J.R. Eppler

O-PBNA2

POTRERO BOOSTERS
NEIGHBORHOOD ASSOCIATION
SERVING THE HILL SINCE 1926

February 21, 2017

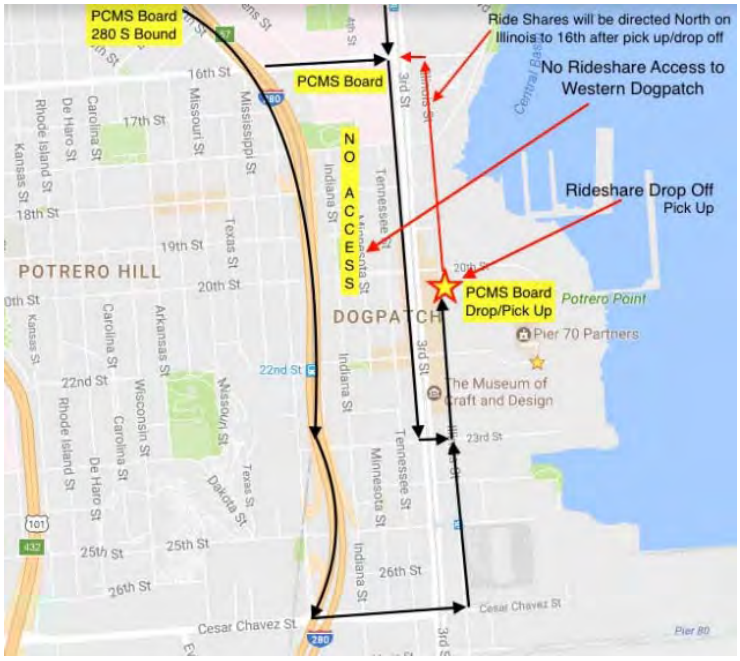
Lisa Gibson
Acting Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103
lisa.gibson@sfgov.org

Via Email

Re: Supplemental Comments on the Draft EIR Prepared for the Pier 70 Mixed-Use District Project

Dear Ms. Gibson:

The Potrero Boosters Neighborhood Association (the "Boosters") has several additional comments and questions related to the Draft Environmental Impact Report ("DEIR") for the Pier 70 Mixed Use-District (the "Project").



Our comments are with respect to the Project's traffic projections in comparison to Pier 70 event traffic plan that has been used to route traffic to and from large events held on the Project site. The traffic routing anticipated by the Project should be compared specifically to the attached event traffic plan for the annual Ghost Ship concert (the "Event Traffic Plan"). The map illustrates, for reference, the Event Traffic Plan. 1 (TR-10)

The Event Traffic Plan's routes traffic around, and not through, the Dogpatch neighborhood, avoiding 22nd Street and preventing gridlock in the neighborhood. The Event Traffic Plan was prepared to mediate the impacts of earlier Pier 70 entertainment events, most notoriously the "DreamForce" event, in which 22nd Street was used unsuccessfully as a main connection to Pier 70.

22nd Street is composed of a series of short blocks prone to congestion. A greening plan is scheduled to further slow traffic on the street with street-narrowing bulb-outs, additional cross walks, and new signaling. 1 (TR-10) cont'd

How will the Project's traffic plan impact traffic on 22nd Street in light of these changes?

What alternatives other than routing busses, shuttles, and private vehicles via 22nd Street should be considered?

Has the foreseeable 22nd Street traffic congestions been considered in the Project's air quality analysis?

What is the increased danger to residents from particulates that result from this kind of gridlock?

Shouldn't the traffic and air quality impacts to 22nd Street be considered in the Project's cumulative impacts analysis?

Thank you for your consideration.

Sincerely,

J.R. Eppler

J.R. Eppler
President

Exhibit A

Event Traffic Plan

GHOST SHIP
TRAFFIC PLAN

EVENT DATES /HOURS
Friday 10.28 & Saturday 10.29
General Public 9pm
Event End Time: 4AM

PREPARED BY DAVE PETERSON
For
PIER 70 PARTNERS

Please note we have communicated with UBER
on the preferred traffic route to the event
Uber will be sending digital assets to their drivers
We are still seeking confirmation from LYFT

All Rideshare Traffic will be routed from 3 directions to the Event.

<u>280 Southbound from San Francisco</u>
280 Southbound to Cesar Chavez Exit, Turning Left onto Cesar Chavez continuing along CC turning left onto Illinois and continuing up Illinois to drop off location Illinois between 22nd & 20th Streets

A PCMS BOARD WILL BE LOCATED ON 280 SOUTHBOUND
Message:
Pier 70 Event
TAXI/RIDESHARE
Use Cesar Chavez Exit

<u>Additional Directional Signs</u>

Signage @ end of Cesar Chavez Exit
Message:
Pier 70 Event
Use Cesar Chavez
←

Signage @ Cesar Chavez
Message:
Pier 70 Event
Use Illinois
←

Signage @ 3rd Street & Cesar Chavez

Pier 70 Event
↑

Signage @ Illinois & Cesar Chavez
Pier 70 Event
←
3rd Street Corridor

A PCMS BOARD WILL BE LOCATED 3rd Street @16th
Message:
Pier 70 Event
Drop Off
Left on 23rd Street

Additional Directional Signs

Signage @ 3rd & 20th
Pier 70 Event
↑

Signage @ 3rd & 23th
Pier 70 Event
←

Signage @ 23rd & Illinois
Pier 70 Event
←

Signage on Illinois
Rideshare Drop Off
↑

PCMS BOARD WILL BE LOCATED
On Illinois Between 22nd and 20th
Message:
DROP OFF

16th Street From West

Signage Along 16th Street up to 3rd
Message:
Pier 70 Event
Use 3rd Street
Left on 23rd Street

NOTES:
Signage will be posted at the following locations

Message:
LOCAL ACCESS ONLY

20th and Illinois
On the eastern end facing west

Indiana and Mariposa
On the Southwest corner facing north

Minnesota and Mariposa
On the southwest corner facing north

Tennessee and Mariposa
On the southwest corner facing north

Indiana Street and Cesar Chavez
On the northeast corner facing south

Minnesota and Cesar Chavez
On the northeast corner facing south

Tennessee and Cesar Chavez
On the northeast corner facing south

We have set up a hotline, operational from 8:00 p.m. to 5:00 a.m. on event nights. We can be reached at (415) 910-0978 .

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 1:17 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: FW: comments on pier 70 draft e.i.r.
Attachments: EIR pdf better.pdf

Lisa Gibson
Acting Environmental Review Officer/
Director of Environmental Planning

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9032 | Fax: 415-558-6409
Email: lisa.gibson@sfgov.org
Web: www.sfplanning.org

-----Original Message-----
From: peter linenthal [mailto:ppotrero@pacbell.net]
Sent: Tuesday, February 21, 2017 8:32 AM
To: Gibson, Lisa (CPC)
Subject: comments on pier 70 draft e.i.r.

Hello Ms. Gibson,

I'm attaching my comments on the Draft EIR on plans for Pier 70. all the best, Peter Linenthal

O-PHAP2

Peter Linenthal, director
Abigail Johnston, secretary
Potrero Hill Archives Project
298 Missouri St, SF, CA, 94107
ppotrero@pacbell.net

Lisa M. Gibson
Acting Environmental Review Officer
SF Planning Department
1650 Mission St, SF, CA, 94103

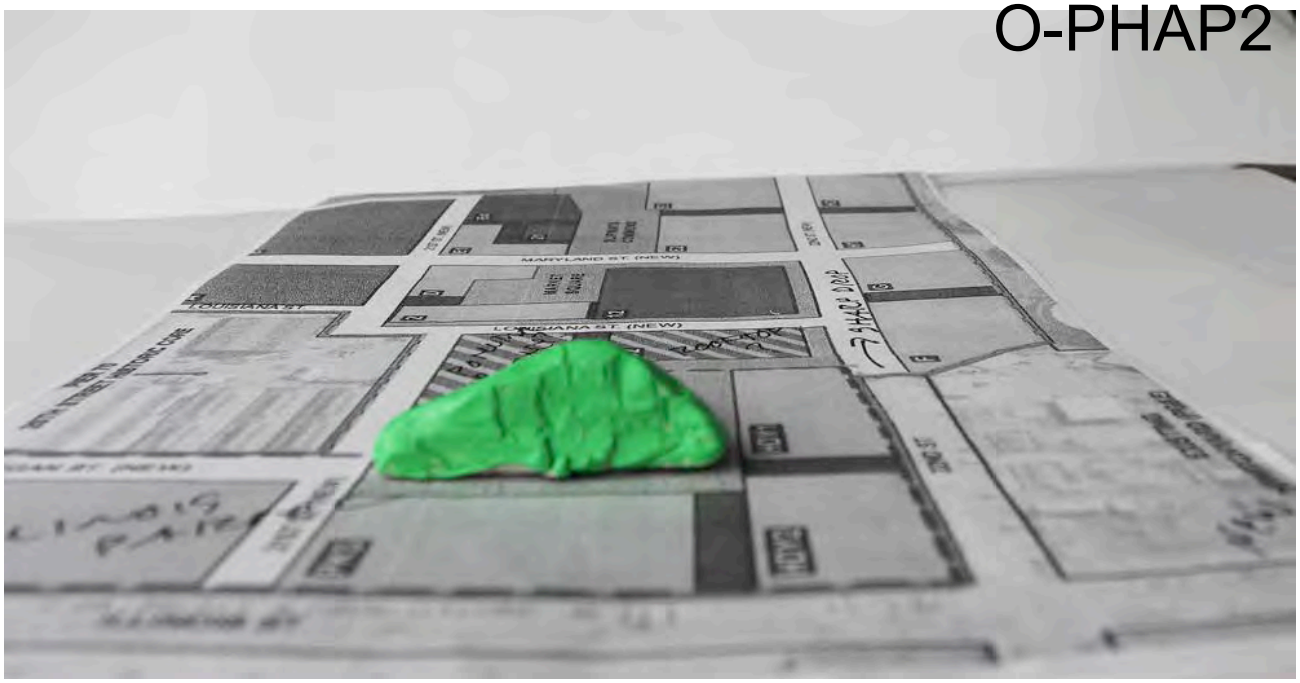
Dear Ms. Gibson and SF Planning Department,

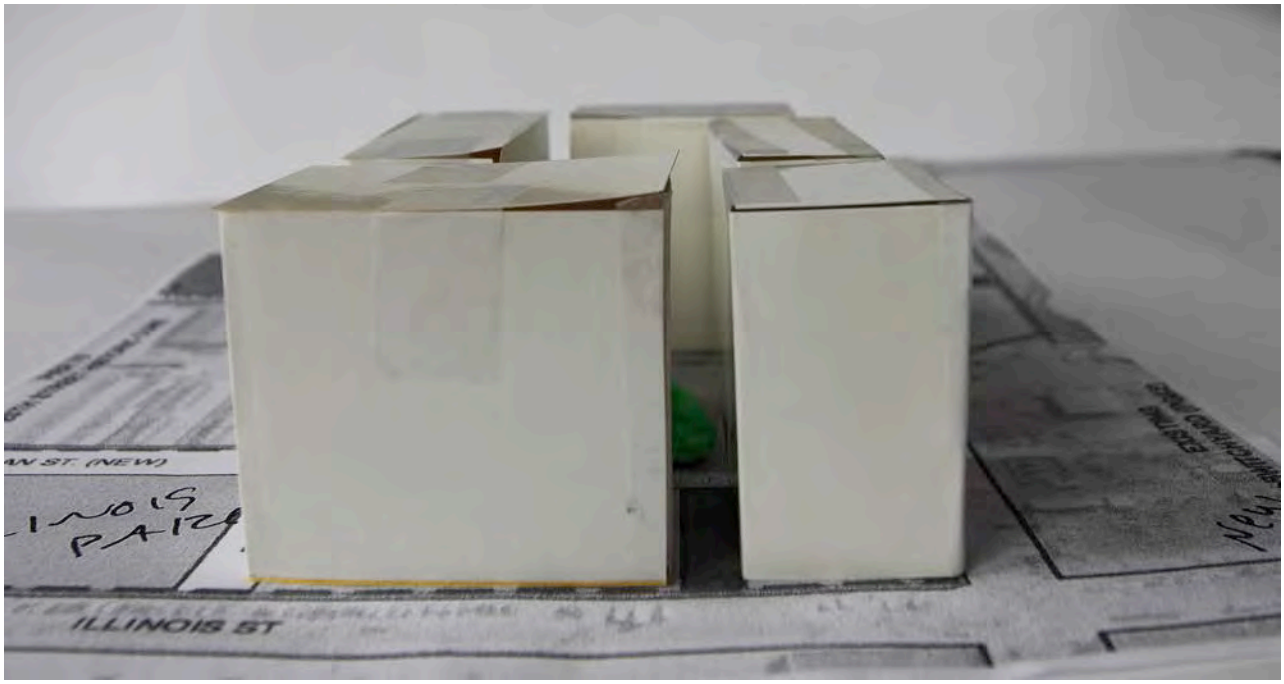
I have lived on Potrero Hill for 40 years and have been a member of the Potrero Hill Archives Project for 30 years which I now direct. I and Abigail Johnston are writing in response to the Draft E.I.R. for Pier 70. Ms. Johnston and I have written two books on neighborhood history for Arcadia press: San Francisco's Potrero Hill and Potrero Hill: Then & Now. We are at work on another book for Arcadia on Dogpatch featuring Pier 70 history. While there is a great deal of important historic preservation in the plans for Pier 70, we strongly object to the treatment of Irish Hill. Site maps in the E.I.R. show proposed buildings along Illinois, 22nd, and the new 21st Street, surrounding Irish Hill. The placement and heights of these buildings would make Irish Hill invisible from the main access to Pier 70, Illinois Street. Irish Hill is a landscape feature which tells several stories central to Pier 70's history. Although plans preserve the hill itself, the hill's relationship to the larger neighborhood would be lost. Hiding Irish Hill in a courtyard would make this fundamental history much less available to residents and visitors. 1 (CR-6)

Here are photos of a model I made on a map from the EIR showing Irish Hill from 4 sides and from above with and without the proposed buildings surrounding it. The buildings to the east are actually proposed to be higher (90 feet) than the 60 foot ones here. A professionally made 3D model of the Pier 70 project is absolutely necessary and should be made. Why is there none? Why is Irish Hill Playground not shown in photos made from digital models?

From Illinois Street:

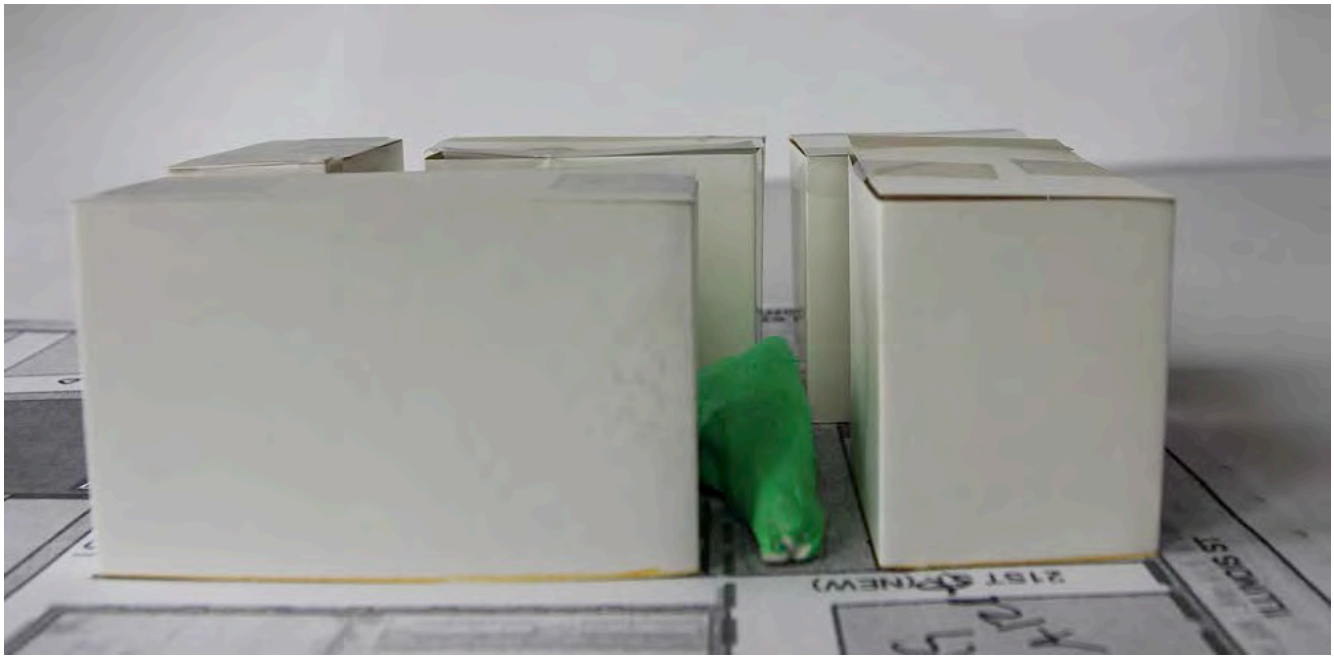
O-PHAP2



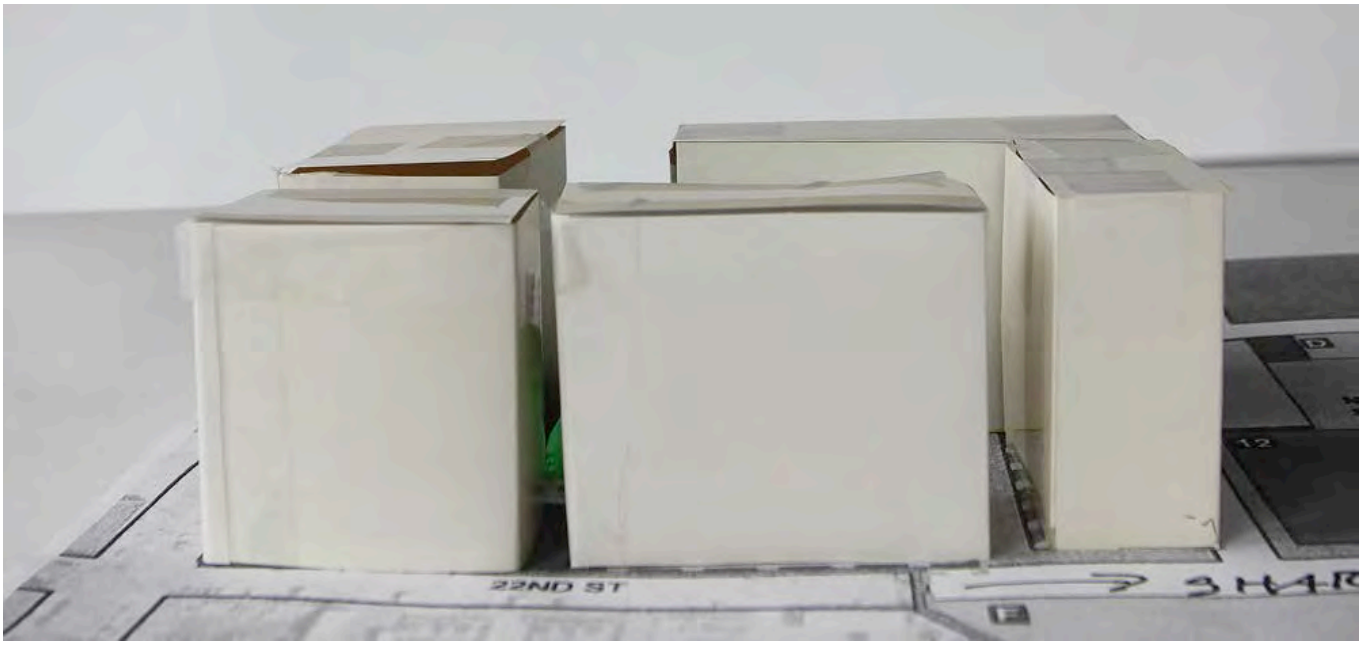


O-PHAP2

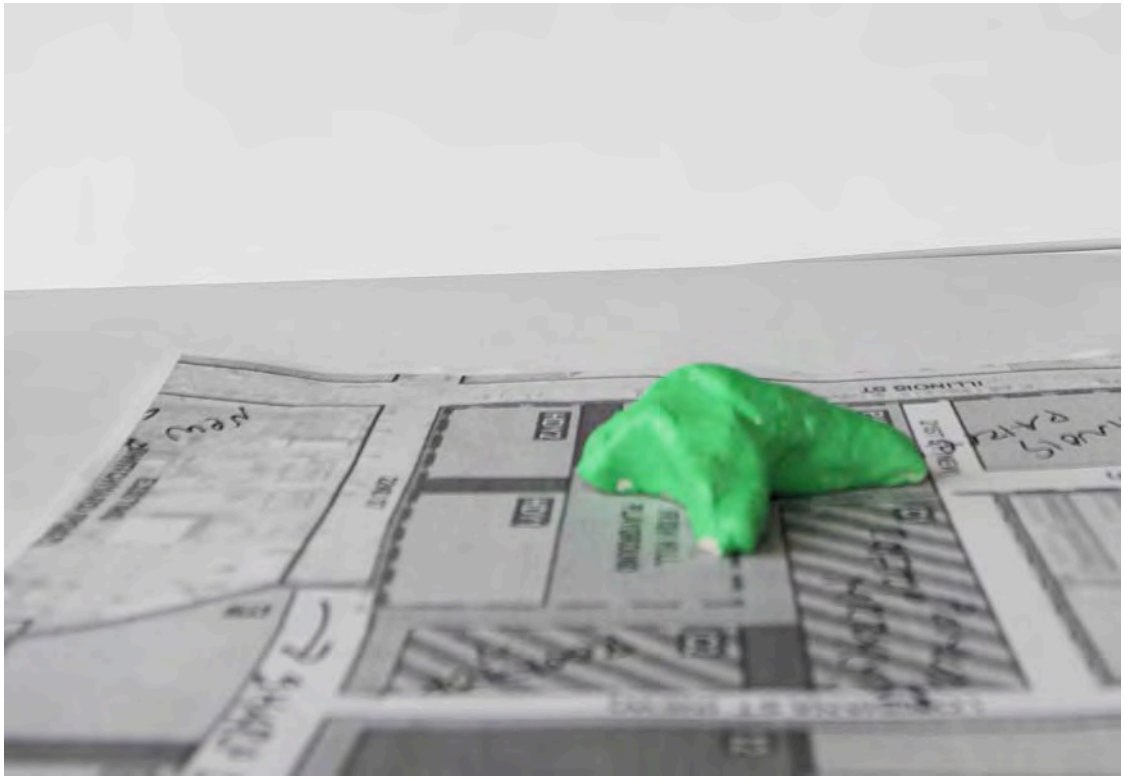
From 21st Street:

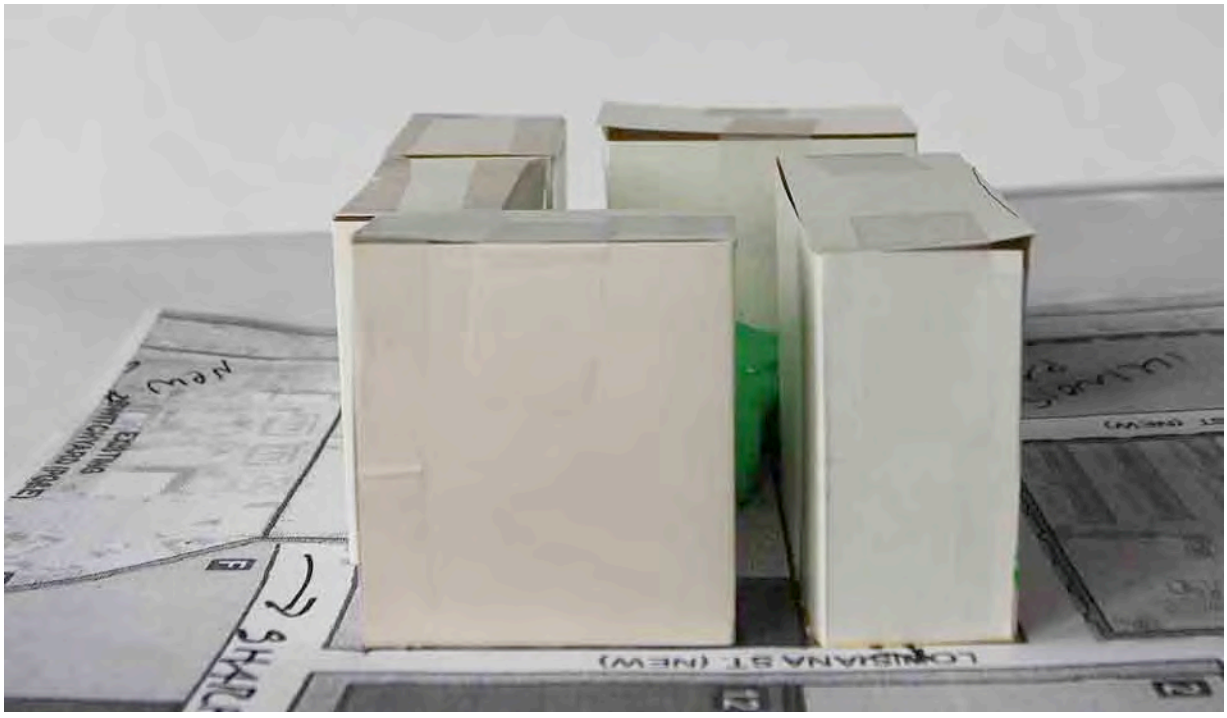


From 22nd Street:

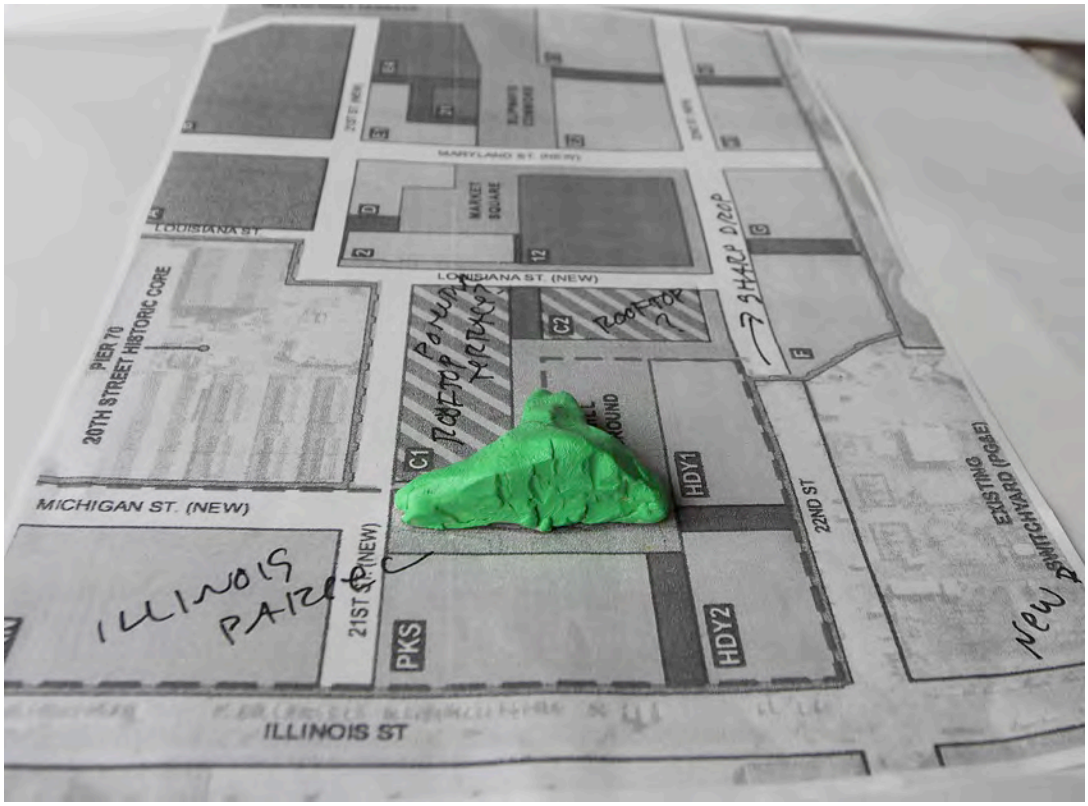


From Louisiana Street:





From Above Illinois Street:



O-PHAP2

The landscapes of the Potrero Hill and Dogpatch neighborhoods were perhaps the most dramatically shaped San Francisco lands. Huge sections of Potrero Hill east of Pennsylvania Street were successively cut away beginning in 1867 to make pathways for trains. The steep wall with tiered planting above 280 Freeway is not a natural wall but was carved from the serpentine rock of Potrero Hill. Mission Bay was filled in bit by bit over many years using this rock and city garbage. Most of Mission Creek and Islais Creek have been filled in.

Irish Hill was once an eight or nine city block neighborhood. A ninety step stairway gave access to a lively neighborhood of immigrants who contributed to the growth of industry which made San Francisco a competitor in world markets. No other neighborhood of workers was as closely connected to Pier 70's industries as Irish Hill. Irish Hill was also successively cut away to create space for industrial expansion. The spoil from this carving away was used to fill water-lots to the east, a dramatic land reclamation process which expanded the shipyards in land used after 1941. Irish Hill today is the one remaining landscape feature which tells this story. 1 (CR-6) cont'd

It's certain that future excavations around and on Irish Hill will uncover artifacts from the community of workers who once lived there. These artifacts will tell us more about the consumer behavior of the several immigrant groups who settled in boarding houses, flats and small homes there. 2 (CR-1)

It's worth mentioning that in our experience the stories of how Potrero Hill and Dogpatch landscapes were shaped are unknown to many residents and to almost all visitors. Irish Hill today is the one remaining fragment of the original 'Potrero', as the neighborhood was known, which tells this story. Isolating Irish Hill in a courtyard would cut it off from its context, making those stories obscure or invisible. 3 (CR-6)

We thank Steven Herraiz for his research on Irish Hill. Although we've been researching neighborhood history for many years, his presentation of Irish Hill history at our 2014 Potrero Hill History Night completely changed how we saw Irish Hill. We strongly recommend his presentation to anyone who wants a better understanding of Irish Hill. You can see his presentation at : https://www.youtube.com/watch?v=eUZ6qhcI7fg.

In summary, I feel a relocation of proposed buildings on Illinois Street would be the best way to include Irish Hill in the exciting plans for Pier 70. A substantial reduction in height would allow Irish Hill to remain visible but would be less effective in maintaining its connection to the neighborhood. Criterion 3 in the Draft E.I.R. calls attention to elements associated with a distinctive period. Criterion 4 calls attention to landscape features which help us understand the landscape. Criterion 4 also notes refuse features which tell us about the consumer behavior of socioeconomic groups, and of significant land reclamation features. These criteria make it clear that hiding Irish Hill behind buildings would be a terrible loss. The creative teams working on plans for Pier 70 will be able to revise their current plans to make the neighborhood's history and Irish Hill visible.

Sincerely, Peter Linenthal , director
Abigail Johnston , secretary
Potrero Hill Archives Project

Photos make Irish Hill history vivid. These 1918 views shows densely settled blocks on Irish Hill and how the hill was woven into the fabric of the neighborhood, the workers neighborhood most closely connected to Pier 70 industries.

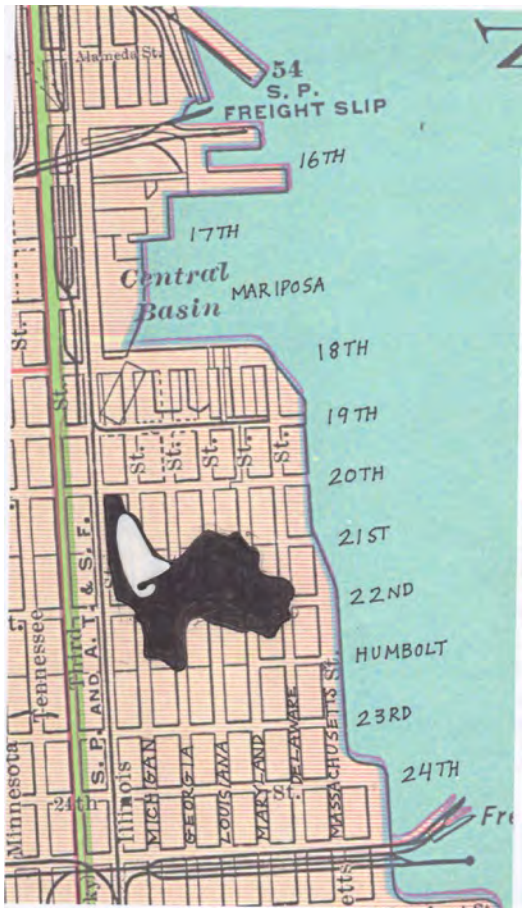
3 (CR-6) cont'd

View of Irish Hill property, May 20, 1918. Plate 6. San Francisco Maritime National Historical Park, Bethlehem Steel Corporation, Shipbuilding Division, San Francisc
Calif. photographs, P83-142a.4,583gl (SAFR 17202).

View of Irish Hill property, May 20, 1918. Plate 17. San Francisco Maritime National Historical Park, Bethlehem Steel Corporation, Shipbuilding Division, San Francisco, Calif. photographs, P83-142a.4,574gl (SAFR 17202).

By 1930 many Irish Hill buildings had been torn down but the Irish Hill still loomed over neighboring industrial buildings. Seen from Pennsylvania Street on Potrero Hill, Irish Hill was prominent.

This map shows the original outline of Irish Hill in black. The white area within it is Irish Hill today,



a small hill connecting us to crucial chapters in Potrero Hill, Dogpatch, and San Francisco history.

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 9:28 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: Fwd: SF Heritage comments re Pier 70 Mixed Use District Project DEIR
Attachments: image003.jpg; ATT00001.htm; image004.jpg; ATT00002.htm; SF Heritage comments re Pier 70 Mixed Use Project DEIR (2.21.17).pdf; ATT00003.htm

Lisa M. Gibson
Acting Environmental Review Officer/
Director of Environmental Planning

Sent from my iPhone

Begin forwarded message:

> **From:** Mike Buhler <MBuhler@sfheritage.org>
> **Date:** February 21, 2017 at 9:22:03 PM PST
> **To:** "lisa.gibson@sfgov.org" <lisa.gibson@sfgov.org>
> **Cc:** "Sylvan, Jack" <JackSylvan@forestcity.net>, "Pretzer, Kelly" <KellyPretzer@forestcity.net>, "Paez, Mark (PRT)" <mark.paez@sfport.com>, 'Tim Frye' <Tim.Frye@sfgov.org>
> **Subject: SF Heritage comments re Pier 70 Mixed Use District Project DEIR**
>
> Good evening, Lisa. Attached please find San Francisco Heritage's comments on the Draft EIR for the Pier 70 Mixed Use District Project. Please don't hesitate to contact me directly should you have any questions.
>
> Thanks for your consideration.
>
> Sincerely,
> Mike

O-SFH

SF HERITAGE www.sfheritage.org 2007 FRANKLIN STREET SAN FRANCISCO, CA 94109 415 441 3000

February 21, 2017

Lisa M. Gibson
Acting Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Draft EIR – Pier 70 Mixed Use District Project (Waterfront Site)

Dear Ms. Gibson:

On behalf of San Francisco Heritage, thank you for the opportunity to comment on the Draft EIR for the Pier 70 Mixed Use District Project. Heritage has provided extensive input on the three proposed developments at Pier 70 since 2011. In 2014, we publicly endorsed Proposition F, which reduced the maximum height of new infill construction within the Forest City subarea to 90 feet. Most recently, Heritage's Projects & Policy Committee met with representatives of Forest City and the Port of San Francisco on November 28, 2016 to review the proposed development plan and building rehabilitation projects, design guidelines, and potential impacts on historic resources.

Heritage appreciates Forest City's diligent efforts to continually refine the Proposed Project to avoid significant adverse impacts on historic resources. However, we remain concerned that the magnitude of proposed demolition and new infill construction will leave parts of the historic district visually detached from one another, particularly on the southeast corner of the site. Accordingly, Heritage recommends (1) procedural safeguards to continually reassess and reconfirm the eligibility of the Union Iron Works National Register Historic District over time, and (2) additional mitigation to reinforce visual and functional relationships among contributing resources throughout the district.

I. Evaluating Impacts on Historic Resources and District Eligibility

1 (CR-2)

The EIR finds that there could be significant impacts on the Union Iron Works National Register Historic District and prescribes mitigation measures to reduce these impacts to a level that is less-than-significant. These measures include, for example, HABS/HAER documentation prior to demolition of any contributing resource. In addition to weighing the loss of seven contributors within the Waterfront Site, the cumulative impacts analysis for the Proposed Project must take into account all proposed demolitions, rehabilitation projects, and infill construction across the entire historic district.

From Heritage's perspective, it is paramount that the historic district remains eligible for the National Register—and the existing district boundaries left intact—after full build out.

The Proposed Project would demolish 7 of 11 (63%) contributing resources within the Waterfront Site,[1] with 14 of 44 (32%) contributors slated for removal district-wide. It should be emphasized, however, that a significantly greater percentage of square footage of extant resources would be retained./ Detailed design guidelines have been developed to help ensure that new construction is compatible with the historic district in terms of massing, materials, fenestration, etc. Protecting the integrity of district boundaries will also depend on maintaining the functional and visual relationships between contributing resources. Although the Proposed Project would maintain an important visual connection between the waterfront and Building 12, other contributors would be left isolated or obscured by proposed demolitions and new infill construction.

1 (CR-2) cont'd

2 (CR-5)

II. Procedural Safeguards for Periodic Reassessment of District Eligibility

3 (CR-5)

Given the timeline and complexity of Pier 70's district-wide redevelopment, including multiple developers and evolving conditions across four subareas, Heritage urges the Port to establish a clear procedure to periodically reconfirm the district's National Register eligibility. Ideally, this process would involve both the State Office of Historic Preservation (OHP) and the San Francisco Historic Preservation Commission (HPC).

It is unclear whether OHP has weighed in on the potential impacts of the Pier 70 Mixed Use District Project, but OHP will need to verify district eligibility for rehabilitation projects to receive federal historic tax credits. Although the HPC has agreed with the EIR's finding of no significant adverse impact to the Union Iron Works Historic District, the HPC currently lacks jurisdiction or any formal role to monitor cumulative impacts over time.

Because OHP has primary responsibility for reviewing future tax credit applications, Heritage recommends that the Port formally request OHP's concurrence with the EIR's finding of no significant adverse impact. Moreover, we feel that the district's eligibility should be continually and prospectively reconfirmed as individual rehabilitation and infill projects undergo design review and approval. The proposed evaluation process would consider cumulative development activities across all four Pier 70 subareas, with the results presented to the HPC and then confirmed by OHP.

III. Additional Preservation and Mitigation Measures

4 (CR-2)

Because the loss of *any* contributing resource will irreversibly diminish the historic district, Heritage proposes augmented mitigation to increase preservation of historic features and reinforce visual and functional relationships throughout the subarea:

> Building 12 complex. Constructed during World War II, Building 15 attaches to four other buildings, three to the south (Buildings 32, 25, and 16) and one to the north

[1] Buildings 11, 15, 16, 19, 25, 32, and 66, and portions of Slipways 5 through 8 would be demolished to construct the Proposed Project.

1 (CR-2) cont'd

(Building 12), leaving only the eastern and western ends exposed. It is significant as one of a collection of resources associated with shipbuilding and repair during WWII and represents "as needed" patterns of growth.[2]

Although Building 15 is currently slated for demolition in the EIR, Forest City has proposed retaining its steel frame and allowing the realigned 22nd Street to pass underneath. Heritage strongly supports this innovative solution to suggest Building 15's appendage to Building 12. If San Francisco Public Works determines that retention of the structural frame is not acceptable, we recommend that the Port accept and own all street improvements at Pier 70 to enable retention of Building 15's structural frame. Alternatively, Building 15 could be preserved and 22nd Street rerouted around it to maintain the historic district's nonlinear street grid.

- **Building 66:** Building 66 marks the northern end of the Building 12 complex, a series of five buildings constructed specifically for the WWII effort (Buildings 12, 15, 16, 25, 32, and 66). Although the EIR minimizes the impact of demolition because other WWII-era features would remain, Building 66 is unique among its peers as an open-air industrial structure purpose-built for the welding of ship hulls, itself an important technological advancement from riveted connections. Because Building 66 is essentially a massive shed without walls on two sides, it is highly adaptable to meet the needs of the Proposed Project. Much like Building 15, the proposed north-south alignment of Maryland Street could pass through and under Building 66.

- **Slipways 5, 6, 7, and 8:** Located on the southeast corner of the Waterfront Site, Slipways 5-8 were designed and built in 1941 as part of the New Yard (Building 12 complex). Because the slipways were infilled after 1964 and the above-ground platforms and cranes were removed, they no longer contribute to the significance of the historic district. However, "it is assumed that the subsurface portions of the craneways remain under an asphalt parking lot."[3] The craneways and the edge of the slipways remain visible along the shoreline. The subsurface remains and footprint of the craneways should be traced and interpreted above ground to reinforce their functional relationship to other WWII-era resources. Making this historical connection is especially important at the southeast corner of the Waterfront Site, which lacks historic resources and will be dominated by new infill construction.

4 (CR-2) cont'd

[2] "The Building 12 complex and other developments at UIW from this period reflect the concept of functional specificity in several ways. Most important was the rationalization of the workflow process by establishing a straight or turning flow pattern. The desire for efficient work flow affected building placement and adjacencies, as well as the material handling system connecting the buildings. Other examples of functional specificity include the establishment and strategic placement of welding platforms and assembly layout areas, and proximity to slipways, where final assembly and fitting out occurred." Draft EIR at 4.D.43.

[3] Draft EIR at 4.D.62.

4 (CR-2) cont'd

- **Public Interpretation:** Finally, Heritage joins the HPC in requesting that the public interpretation and/or wayfinding program (I-CR-4b) should focus and include more information and documentation of the site's three eras of history and activity. 5 (CR-7)

Thank you, again, for the opportunity to comment on the Draft EIR for the proposed Pier 70 Mixed Use District Project. Should you have questions or concerns, please do not hesitate to contact me directly at mbuhler@sfheritage.org or 415/441-3000 x15.

Sincerely,

Mike Buhler
President & CEO

cc: Jack Sylvan, Forest City
Kelly Pretzer, Forest City
Mark Paez, Port of San Francisco
Tim Frye, San Francisco Planning Department

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 1:19 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: FW: Pier 70 Development EIR issue
Attachments: Pier 70 letter.pdf

Lisa Gibson
Acting Environmental Review Officer /
Director of Environmental Planning

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9032 | Fax: 415-558-6409
Email: lisa.gibson@sfgov.org
Web: www.sfplanning.org

From: Philip Anasovich [mailto:panasovich5@yahoo.com]
Sent: Tuesday, February 21, 2017 10:30 AM
To: Gibson, Lisa (CPC)
Subject: Pier 70 Development EIR issue

Dear Ms. Gibson:
Please find my letter with questions for the SF Planning Commission attached.

Thanks very much.

Philip Anasovich, A.I.A.

298 Missouri St.
San Francisco, CA 94107

February 21, 2017

Lisa M. Gibson
Acting Environmental Review Officer
SF Planning Department
1650 Mission St,
San Francisco, CA, 94103

Re:
Proposed EIR for the Development and Preservation at Pier 70, San Francisco

Dear Ms. Gibson:

I am writing to you and the San Francisco Planning Department to complain about about an aspect of the EIR that has been short changed by the proposed development. It concerns the treatment of an important historic resource in the project, the portion known as "Irish Hill". 1 (CR-6)

This hillock is more than the remainder of a natural feature, it is a remnant of an important chapter in the history of San Francisco, its people and its industries. The Hill is part of an entire vanished neighborhood of many blocks in size that identified a strong but vanished community.

The developer's current plan calls for this hill to be entirely surrounded by tall buildings, which not only blocks views to it, but in fact cut it off from surrounding streetscapes and housing. The new plans will bury the Hill and cut it off from light and air. There is supposed to be a playground next to the Hill, but I must say it is confusingly indicated. Where is the the play area? Will the children have light to play in? Will the grasses and plantings have enough light to survive? Is the Hill being treated according to the rules and EIR's own recommendations for historic structures and places? I feel there is something very wrong here both as a long term resident and as an architect of over 35 years experience.

Architecturally, Irish Hill, the fragment of a vanished cultural landscape, could be part of a square that is a feature to the neighborhood, a place that is like other squares and parks in the City. Each neighborhood should have such parks and spaces. I would recommend removing some of the vast open areas along the waterfront should that be necessary to create some breathing room around the Hill, removing buildings that block and wall off the Hill. A new plan could include an outdoor café like the one in Union Square.

Surely this Pier 70 project has some wonderfully talented professionals to tackle the challenge of re-design of this part of the project. This reconsideration seems so much needed.

Yours very truly,

Philip Anasovich, A.I.A.

298 Missouri Street
San Francisco, CA 94107
tel. 415-863-0784
<panasovich5@yahoo.com>

Hue, Melinda (CPC)

From:	Gibson, Lisa (CPC)
Sent:	Tuesday, February 21, 2017 6:26 PM
To:	Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject:	Fwd: Negative Feedback Draft EIR | Pier 70 Case No. 2014-001272ENV
Attachments:	EIR Response PIER 70 Case 2014-001272ENV 20170221 v1.docx; ATT00001.htm

Lisa M. Gibson
Acting Environmental Review Officer/
Director of Environmental Planning

Sent from my iPhone

Begin forwarded message:

> **From:** Sean Angles <seanangles@hotmail.com>
> **Date:** February 21, 2017 at 6:09:29 PM PST
> **To:** "lisa.gibson@sfgov.org" <lisa.gibson@sfgov.org>
> **Subject: Negative Feedback Draft EIR | Pier 70 Case No. 2014-001272ENV**
>
> February 21, 2017
>
> Lisa Gibson
> lisa.gibson@sfgov.org
> Enviromental Review Officer
> 1650 Mission Street, Suite 400
> San Francisco, CA 94103
>
> Pier 70
> Case No. 2014-001272ENV
>
> Opposition | Negative Feedback
>
> Dear Ms. Gibson,
>
> Twelve years ago, Friends of the River warned the Federal Energy Regulatory Commission and others that our nation's tallest Dam was a clear and present danger. 1 (ME-1)
>
> Last week, Governor Jerry Brown recognized that it's time for commissioners to start listening to citizens; not just hearing (and ignoring) valid local neighbor concerns.
>
> Today, the longtime neighbors for Potrero Hill and Dogpatch urgently warn you and the SF Planning Commissioners of imminent severely negative impacts due to accelerating overdevelopment in the Eastern Neighborhoods, including Pier 70.

I am opposed to the current proposal for Pier 70, and I disagree with findings of the Draft Environmental Impact Report published December 21, 2016. 1 (ME-1) cont'd

I observed the ignored issues of insufficient prerequisite infrastructure to mitigate (1) bay water table rise due to global warming which will flood the Pier 70 location, (2) insufficient transportation infrastructure for +140,000 new daily trips to/from Pier 70, and (3) inadequate parks/recreations open space for new residents. 2 (HY-1)

1. FLOODING

Sample from draft EIR: HY-4 FLOODING: "NONE REQUIRED"

I'm opposed to all conclusions of "NONE REQUIRED" for the bayside elevation zero development at Pier 70.

This EIR report is based on obsolete data as current neighbors observe the new and accelerating flooding along The Embarcadero and our bayside waterfront neighborhoods.

I ask, "What world do San Franciscans live in surrounded on three sides by water? Was this draft EIR report written by incompetent out-of-state climate global warming denialist?"

You, the planning officers, and the commissioners, need to decide now how to mitigate global warming impacts and to solve for imminent flooding at future development sites located along the sea level elevations. If you ignore the overwhelming scientific predictions of imminent rapid sea level rise --that will flood Pier 70-- you will negligently exposure San Francisco citizens to predictable flooding, massive property losses and unfunded mitigation solutions. In this decision, I urge you to consider if you would be willing to accept your own personal financial responsibility to pay for future property losses due to predictable flooding at this bayside elevation zero flood zone. Luckily, you aren't personally responsible; however, you will expose all of us to an unnecessary imminent loss if a new development is approved at this future flood site without expensive prerequisite preparations to this site.

I urge you to HALT this project until fresh studies can assess the impacts of future flooding based on new climate models.

2. TRANSPORTATION 3 (TR-13)

The cumulative impacts of the newly approved Warrior Stadium, UCSF Hospital, ATT Park and the accelerating overdevelopment around Potrero Hill and Dog Patch are already overwhelming the existing public transportation infrastructure along Third Street, which is the only major transportation connection connecting Pier 70 to our city.

The 280 freeway is now chronic gridlock from 8am to 8pm during weekdays.

This Pier 70 development will add 131,000 to 141,000 new trips to/from the neighborhood.

I urge the project sponsor to fund creative solutions such as an aerial cable-propelled transit system —as considered in Brooklyn, Washington, Chicago, San Diego, Seattle, Cleveland, Cincinnati, Buffalo, Baton Rouge, Austin, Tampa Bay, Miami, and as already existing in Mexico, Brazil, Bolivia, Colombia, the Dominican Republic, Ecuador, Peru and Venezuela— that could complement the traditional MUNI ground networks of buses and streetcars.

3 (TR-13) cont'd

An aerial system could be a “temporary” remediation that is removable after sufficient conventional transit improvements are afforded by MUNI.

To service new Pier 70 residents and workers, I would propose an aerial cable-propelled gondola transit system from Embarcadero BART > ATT Ballpark > Warriors > Pier 70 > Caltrain 22th Street Station. 3 mile over 32 towers traveled in 17 minutes.

A similar 3 miles aerial cable-propelled system in Mexico City opened in 2016 was constructed for $26 million.

Highlights of the “Mexicable” aerial system in Mexico City:

- 3,000 passengers per hour each direction
- Zero CO2 emissions
- "Two stations will house daycare centers for children of working parents”
- A ticket costs eight pesos (43 cents)

Here are more examples of aerial cable-propelled transit systems:

10 Urban Gondolas Changing the Way People Move

http://www.curbed.com/2016/7/25/12248896/urban-gondolas-cable-cars-cities

https://www.wsj.com/articles/uphill-climb-cities-push-gondolas-on-skeptical-commuters-1465237251

http://www.chicagotribune.com/news/local/breaking/ct-sky-gondolas-chicago-river-met-0505-20160504-story.html

https://archpaper.com/2016/05/chicago-skyline-gondola-proposal/#gallery-0-slide-0

http://www.chicagotribune.com/news/local/breaking/ct-sky-gondolas-chicago-river-met-0505-20160504-story.html

(3) PARKS and RECREATION

4 (ME-1)

I strongly believe the Pier 70 would be better suited for OPEN SPACE and PUBLIC PARKS AND RECREATION as a natural extension to fulfill the promised benefits of the Eastern Neighborhood Plans. 4 (ME-1) cont'd

Here are specific references to open space and recreation that should be addressed in the EIR for Pier 70. 5 (PL-1)

Eastern Neighborhoods Plans
Chapter 5:
OBJECTIVE 5.1
PROVIDE PUBLIC PARKS AND OPEN SPACES THAT MEET THE NEEDS OF RESIDENTS, WORKERS AND VISITORS

Page 51 of Showplace Square/Potrero Hill Area Plan December 2008 adopted version:

"It is critical that at least one new substantial open space be provided as part of this Plan. The Planning Department will continue working with the Recreation and Parks Department to identify a site in Showplace / Potrero for a public park and will continue to work to acquire additional open spaces."

Page 52 of Showplace Square/Potrero Hill Area Plan December 2008 adopted version:

POLICY 5.1.1
Identify opportunities to create new public parks and open spaces and provide at least one new public park or open space serving the Showplace / Potrero.

I believe the Draft EIR report presents false conclusions. 6 (GC-1)

I urge the Planning Department to order a 'time out' halt to this poor proposal and all future projects around Dog Patch and Potrero Hill until the cumulative negative impacts caused by current projects that are already rapidly deteriorating our neighborhood's quality of life are assessed and mitigated. 7 (ME-1)

Sincerely,

Sean D Angles
382 Arkansas Street
San Francisco, CA 94107
seanangles@hotmail.com

I-Angles

February 21, 2017

Lisa Gibson
lisa.gibson@sfgov.org
Enviromental Review Officer
1650 Mission Street, Suite 400
San Francisco, CA 94103

DUPLICATE

Pier 70
Case No. 2014-001272ENV

Opposition | Negative Feedback

Dear Ms. Gibson,

Twelve years ago, Friends of the River warned the Federal Energy Regulatory Commission and others that our nation's tallest dam was a clear and present danger.

Last week, Governor Jerry Brown recognized that it's time for commissioners to start listening to citizens; not just hearing (and ignoring) valid local neighbor concerns.

Today, the longtime neighbors for Potrero Hill and Dogpatch urgently warn you and the SF Planning Commissioners of imminent severely negative impacts due to accelerating overdevelopment in the Eastern Neighborhoods, including Pier 70.

I am opposed to the current proposal for Pier 70, and I disagree with findings of the Draft Environmental Impact Report published December 21, 2016**.**

I observed the ignored issues of insufficient prerequisite infrastructure to mitigate (1) bay water table rise due to global warming which will flood the Pier 70 location, (2) insufficient transportation infrastructure for +140,000 new daily trips to/from Pier 70, and (3) inadequate parks/recreations open space for new residents.

1. FLOODING

Sample from draft EIR: ***HY-4 FLOODING: "NONE REQUIRED"***

I'm opposed to all conclusions of "NONE REQUIRED" for the bayside elevation zero development at Pier 70.

This EIR report is based on obsolete data as current neighbors observe the new and accelerating flooding along The Embarcadero and our bayside waterfront neighborhoods.

I ask, "What world do San Franciscans live in surrounded on three sides by water? Was this draft EIR report written by incompetent out-of-state climate global warming

denialist?“

You, the planning officers, and the commissioners, need to decide now how to mitigate global warming impacts and to solve for imminent flooding at future development sites located along the sea level elevations. If you ignore the overwhelming scientific predictions of imminent rapid sea level rise --that will flood Pier 70-- you will negligently exposure San Francisco citizens to predictable flooding, massive property losses and unfunded mitigation solutions. In this decision, I urge you to consider if you would be willing to accept your own personal financial responsibility to pay for future property losses due to predictable flooding at this bayside elevation zero flood zone. Luckily, you aren't personally responsible; however, you will expose all of us to an unnecessary imminent loss if a new development is approved at this future flood site without expensive prerequisite preparations to this site.

I urge you to HALT this project until fresh studies can assess the impacts of future flooding based on new climate models.

2. TRANSPORTATION

The cumulative impacts of the newly approved Warrior Stadium, UCSF Hospital, ATT Park and the accelerating overdevelopment around Potrero Hill and Dog Patch are already overwhelming the existing public transportation infrastructure along Third Street, which is the only major transportation connection connecting Pier 70 to our city.

The 280 freeway is now chronic gridlock from 8am to 8pm during weekdays.

This Pier 70 development will add 131,000 to 141,000 new trips to/from the neighborhood.

I urge the project sponsor to fund creative solutions such as an **aerial cable-propelled transit system** —as considered in Brooklyn, Washington, Chicago, San Diego, Seattle, Cleveland, Cincinnati, Buffalo, Baton Rouge, Austin, Tampa Bay, Miami, and as already existing in Mexico, Brazil, Bolivia, Colombia, the Dominican Republic, Ecuador, Peru and Venezuela— that could complement the traditional MUNI ground networks of buses and streetcars.

An aerial system could be a “temporary” remediation that is removable after sufficient conventional transit improvements are afforded by MUNI.

To service new Pier 70 residents and workers, I would propose an aerial cable-propelled gondola transit system from Embarcadero BART > ATT Ballpark > Warriors > Pier 70 > Caltrain 22th Street Station. 3 mile over 32 towers traveled in 17 minutes.

A similar 3 miles aerial cable-propelled system in Mexico City opened in 2016 was constructed for $26 million.

Highlights of the “Mexicable” aerial system in Mexico City:

- 3,000 passengers per hour each direction
- Zero CO2 emissions
- "Two stations will house daycare centers for children of working parents"
- A ticket costs eight pesos (43 cents)

Here are more examples of aerial cable-propelled transit systems:

10 Urban Gondolas Changing the Way People Move

http://www.curbed.com/2016/7/25/12248896/urban-gondolas-cable-cars-cities

https://www.wsj.com/articles/uphill-climb-cities-push-gondolas-on-skeptical-commuters-1465237251

http://www.chicagotribune.com/news/local/breaking/ct-sky-gondolas-chicago-river-met-0505-20160504-story.html

https://archpaper.com/2016/05/chicago-skyline-gondola-proposal/#gallery-0-slide-0

http://www.chicagotribune.com/news/local/breaking/ct-sky-gondolas-chicago-river-met-0505-20160504-story.html

(3) PARKS and RECREATION

I strongly believe the Pier 70 would be better suited for OPEN SPACE and PUBLIC PARKS AND RECREATION as a natural extension to fulfill the promised benefits of the Eastern Neighborhood Plans.

Here are specific references to open space and recreation that should be addressed in the EIR for Pier 70.

Eastern Neighborhoods Plans
Chapter 5:
OBJECTIVE 5.1
PROVIDE PUBLIC PARKS AND OPEN SPACES THAT MEET THE NEEDS OF RESIDENTS, WORKERS AND VISITORS

Page 51 of Showplace Square/Potrero Hill Area Plan December 2008 adopted version:

"**It is critical that at least one new substantial open space be provided as part of this Plan. The Planning Department will continue working with the Recreation and Parks Department to identify a site in Showplace / Potrero for a public park and will continue to work to acquire additional open spaces."**

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Sincerely,

Sean D Angles
382 Arkansas Street
San Francisco, CA 94107
seanangles@hotmail.com

I-Atlas

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 6:53 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: Fwd: Pier 70 Mixed-Use District Project

Lisa M. Gibson
Acting Environmental Review Officer/
Director of Environmental Planning

Sent from my iPhone

Begin forwarded message:

> **From:** tricia atlas <triciaatlas@gmail.com>
> **Date:** February 21, 2017 at 6:52:42 PM PST
> **To:** "Lisa M. Gibson" <Lisa.Gibson@sfgov.org>
> **Subject: Pier 70 Mixed-Use District Project**
>
> Dear Ms. Gibson,
>
> I have lived on Potrero Hill not far from Pier 70 for decades. My first encounter with Pier 70 was in 1980 when I set up my artist studio on the third floor of the American Can Building directly across the street. I got to look out at the beautiful old warehouses and Irish Hill, an outcropping of serpentine rock covered by tall grass and trees. I loved taking a break to walk on the hill and down among the warehouses and got much inspiration for my artwork in the process. 1 (CR-6)
>
> I understand the need for redevelopment but something is always lost when old buildings with character are replaced with big box buildings. I urge you to keep the Pier 70 Mixed-Use District Project from growing even bigger and turning into another gulag of modern buildings blocking sunlight and views. Also at issue is increased traffic. It has spiked in years to the point of daily gridlock and I seriously dread more cars coming and going and parking in the neighborhood.
>
> Please please please keep Pier 70 development in check and Irish Hill still visible to the neighborhood. I and my neighbors will be grateful!
>
> Sincerely,
> Tricia Atlas

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 1:18 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: FW: Pier 70 support

Lisa Gibson
Acting Environmental Review Officer/
Director of Environmental Planning

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9032 | Fax: 415-558-6409
Email: lisa.gibson@sfgov.org
Web: www.sfplanning.org

-----Original Message-----
From: Nabeela Baig [mailto:nbaig318@gmail.com]
Sent: Tuesday, February 21, 2017 10:05 AM
To: Gibson, Lisa (CPC)
Subject: Pier 70 support

Hi Lisa:

We are writing in support of pier 70 plans. Please do all you can to expedite development of pier 70 and know there is strong support from the community despite a few loud naysayers. 1 (ME-1)

Nabeela Baig
1260 Minnesota st #103
San Francisco

Sent from my iPhone

Hue, Melinda (CPC)

From: Brad Brewster <brad.brewster@brewsterpreservation.com>
Sent: Thursday, February 16, 2017 1:20 PM
To: Hue, Melinda (CPC)
Cc: Gibson, Lisa (CPC)
Subject: Comments on the Pier 70 Mixed-Use District Project DEIR - Case #2014-001272ENV

Ms. Hue,

Congratulations to the San Francisco Planning Department in preparing the Draft EIR for the Pier 70 Mixed-Use District Project (Case ##2014-001272ENV), a vital step in completing this important project in San Francisco's eastern neighborhood. Having spent over two years preparing the Historic Architectural Resources subsection of the Cultural Resources section of the DEIR in association with SWCA/Turnstone and Planning/Port staff when I was the Senior Architectural Historian with ESA, I have a few suggested edits that would help improve the accuracy of the subsection. *Overall, I find the environmental analysis of the section to be adequate for CEQA purposes*. My suggested edits the Cultural Resources Section of the DEIR, which would not change the substance of the environmental analysis, are as follows: 1 (CR-7)

1) Chapter 4.D Cultural Resources. Page 4.D.35 footnote 15, page 4.D.69 footnote 39, page 4.D.70 footnote 40, and page 4.D.57 footnote 110: please change date of the report reference from May 16, 2017 to December 6, 2017.

2) Chapter 8, Authors and Persons Consulted, p. 8.2. Please add my name to the list of report preparers under *Environmental Science Associates*, specifically. Having worked on the DEIR for over two years, I would like my name to be associated with this important document. I also suggest removing the name Shiela McElroy, as she did not prepare the Cultural Resources Section or any other section of the DEIR, and was only an employee at ESA for three months. 2 (AU-1)

Thank you for the opportunity to comment on the DEIR, and I look forward to seeing these changes in the adopted version of the Final EIR.

Brad Brewster
Principal
Brewster Historic Preservation Consulting
141 Pierce Street
San Francisco, CA 94117
(415) 519-0254

Hue, Melinda (CPC)

From: PIC, PLN (CPC)
Sent: Tuesday, February 21, 2017 9:33 AM
To: Hue, Melinda (CPC)
Cc: Callagy, Alana (CPC); Moore, Julie (CPC)
Subject: Fw: Pier 70 Building Heights

Follow Up Flag: Follow up
Flag Status: Completed

FYI

Property Information Map (PIM): http://propertymap.sfplanning.org
---
The information provided in this correspondence is based on a preliminary review of information provided by the requestor. It does not constitute a comprehensive review of the project or request. For a more extensive review it is strongly recommended to schedule a project review meeting. The information provided in this email does not constitute a Zoning Administrator letter of determination. To receive a letter of determination you must submit a formal request directly to the Zoning Administrator. For complaints, please contact the Code Enforcement Division.

From: Gordon Brown <gdb_photos45@yahoo.com>
Sent: Monday, February 20, 2017 9:49 AM
To: PIC, PLN (CPC)
Subject: Pier 70 Building Heights

As a frequent visitor to the Potrero Hill area and an avid photographer, I would like to express my dismay and opposition to the proposed height recommendations. Allowing this to happen negates the intrinsic beauty of the neighborhood - destroying the beautiful views afforded those who live on the hill. In my opinion this does not serve the citizens of San Francisco. I recommend that the height limits be maintained at a maximum of four (4) floors. 1 (ME-1)

Thank you,
Gordon Brown
510 388-8133

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 1:15 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: FW: DEIR Pier 70 comments

Lisa Gibson
Acting Environmental Review Officer / Director of Environmental Planning

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9032 | Fax: 415-558-6409
Email: lisa.gibson@sfgov.org
Web: www.sfplanning.org

From: Janet Carpinelli [mailto:jc@jcarpinelli.com]
Sent: Monday, February 20, 2017 7:10 PM
To: Gibson, Lisa (CPC)
Subject: DEIR Pier 70 comments

2-20-2017

To:
Lisa Gibson
Acting Environmental Review Officer
San Francisco Planning Dept.
1650 Mission St, Ste. 400
San Francisco, CA 94103

Re: Comments on Pier 70 DIER

Environmental Setting and Impacts

D. Cultural Resources
4.D.4 Late Nineteenth Century (1860-1899)
Irish Hill noted as residential neighborhood founded as direct outgrowth of industrial complexes. Irish Hill is THE vestige of the historic residential neighborhood within Pier 70 Development.

1 (CR-1)

4.D.5-4.D.6 Irish Hill Neighborhood 1860-1885
Three paragraphs establish importance of the Irish Hill neighborhood as it relates to Shipbuilding industry and Pier 70 project area

4.D.7 Irish Hill Neighborhood, 1900-1914
Further states that Irish Hill "continued to attract new immigrants to the area"… "a place of employment and possibility"…"a place of work and residence for families from Ireland and other countries…

Further states that "the outline of Irish Hill did not change dramatically between 1900-1914" … that all residential housing had been removed by end of WWI.

1 (CR-1) cont'd

4.D.8 Prior Ground Disturbance within the Project Site
States that Irish Hill was cut back over time.

With all this, a fragment of Irish Hill still exists and can be viewed by anyone who goes by the site along Illinois Street. Irish Hill is a physical reminder of the history of the residential /worker presence on the Pier 70 site and is a visible illustration of the changes that have occurred on the site. The Hill straddles the past and present and can be a powerful visual vehicle for celebrating the past while educating current and future residents, workers and visitors of the colorful and significant history of the Pier 70 proposed development and community. This opportunity should not be missed.

If Irish Hill is fully surrounded by and virtually buried by 60+ foot tall buildings that are proposed, there will be a significant and virtually irreversible loss of cultural and historic resource. The plan does not offer an alternative that would leave Irish Hill viewable from the west or south as it is now and has historically been seen. Why has this alternative not been studied?

2 (CR-6)

I. Wind and Shadow
4.I.78 Impact Evaluation
Impact WS-4: shadow (rated as less than significant)
4.I.107 and Table 4.I.8 Shadow Coverage
Even though the shadows created would not shadow an existing park or open space**, by fully surrounding Irish Hill by 60+ foot tall buildings that are planned, there will be a significant shadow on the proposed childrens playground for much of the morning and afternoon and evening except around noon every day of the year with very significant shadows in the fall, winter and spring. If this situation were proposed for an existing public open space it would not be allowed by San Francisco law. This fact makes the proposed plan unacceptable and is a significant impact on the future use of the already questionable plan to use of the top surface of Irish Hill as a usable public open space/childrens playground.**

3 (WI-2)

I. Wind and Shadow
Cumulative Impacts
Impact C-WS-2: (Less than significant)
Though technically the DIER finds the cumulative affect of the shadowing of this proposed park to be "Less than significant," **in reality as we know people use open space with sunshine as a significant contributor to why they choose to use a park/open space, and why the SF law to NOT SHADOW AN EXISTING PARK was put into effect—because the shadowing causes people to use the park less, making the park a significantly less useful or valuable space.**

If one or two of the proposed buildings on the west and/or south sides of the proposed childrens playground/open space were eliminated or made to have a much smaller footprint/impact on the open space/shadow effect, the park might become a source of discovery of nature/history and a delightfully useful and attractive open space and childrens play area.

The EIR must ask and why has the DEIR not asked, what alternative proposal for height and/or proximity of buildings to this proposed park/open space would make this a truly usable and desirable park/open space?

4 (WI-2)

Thank you, and please acknowledge receipt.

Janet Carpinelli

934 Minnesota St
San Francisco, CA 94107

I-C&DClark1

Don Clark
572A Missouri St
San Francisco, CA 94107
February 8, 2017

Ms. Lisa M. Gibson
Acting Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Ms. Gibson,

This letter documents my EIR comments on the Pier 70 Mixed-Use District Project which have been emailed to Melinda Hue and of which Melinda has acknowledged receipt.

Transit Impacts

1 (TR-4)

The project covers 35 acres with between 1645 and 3025 residential units, and 479,980 to 486,950 gsf of commercial space. It will generate as many as 131,000 to 141,000 person trips a day in an area substantially under-served by public transportation.

2 (SB-1)

- Additionally the project does not qualify as an Infill Opportunity Zone under SB 743 because it is not within 1/2 mile of a major transit stop. Unless a project qualifies as an Infill opportunity zone under SB 743, it must be evaluated for visual impacts.
- The closest rail station is Cal Train at over 1 mile away. The commonly recognized definition of a rail station is a platform for passenger on-boarding with at least one building providing such ancillary services as ticket sales and waiting rooms.
- The closest light rail stops are platforms without buildings. This does not qualify as a transit station. SB 743 has no discernable application without applying a practical definition of rail station. Many muni rail stops have no facilities what-so-ever. Using a definition that recognizes train stations without facilities would be equivalent to defining all points on any rail system as an Infill Opportunity Zone.
- There are no intersections of two or more major bus routes within 1/2 mile that *in actual fact* provide service at 15 minute intervals.
- Attached are photos from Friday January 20 of the #10 bus stop at 7:10 am and the #22 bus stop at 5:35 pm showing intervals of 18 minutes, 63 minutes, 22 minutes and 39 minutes between buses serving the project area. These are peak morning and evening commute times. Photos are taken at 18th and Connecticut and 16th and Mission.
- Bus lines including #55, #22 and other lines routinely run two or three buses back to back during peak afternoon hours resulting in 20-30 minute service intervals. A photo of three #22 buses back to back is attached.

- Escalators are run backwards during peak hours to minimize transit station usage. See attached photo of Embarcadero Station.
- There is no public transportation within 1/2 mile of 20th - 24th street that routinely provides peak afternoon service in a measured routine 15 minute interval. A service interval of 15 minutes commonly means the maximum interval as measured over time does not exceed 15 minutes except in very rare events. There is no data in the EIR to substantiate actual 15 minute intervals.
- During baseball season, the T train routinely exceeds 20 minute intervals.
- San Francisco Muni is structurally incapable of meeting demand as noted in: http://www.savemuni.org/2016/03/sfmta-ignores-muni-metro-crowding/

2 (SB-1) cont'd

City Effectiveness as a Lead Agency or Responsible Agency

3 (BI-1)

The mitigations proposed by the city of San Francisco are significantly less stringent than those applied by state agencies that act as CEQA Lead Agencies. For example The Pier 70 Mixed-Use District Project EIR lists moderate likelihood of listed hawk and owl nesting. The mitigation measures are substantially less prescriptive than the following mitigation measures from the Fresno to Bakersfield High Speed Rail Final EIR. The likelihood of nesting is very high in vacant buildings and similar mitigation measures should be implemented during both demolition and construction.

- BIO-MM#31. Bird Protection. During Final Design, the Project Biologist will verify that the catenary system, masts, and other structures such as fencing are designed to be bird and raptorsafe in accordance with the applicable recommendations presented in Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 2006 (APLIC 2006) and Reducing Avian Collisions with Power Lines: State of the Art in 2012 (APLIC 2012). The Project Biologist will check the final design drawings and submit a memorandum to the Mitigation Manager to document compliance with this measure.
- BIO-MM#30. Conduct Preconstruction Surveys and Monitoring for Raptors. No more than 14-days before the start of ground-disturbing activities, the Project Biologist will conduct visual preconstruction surveys where suitable habitats are present for nesting raptors if construction and habitat removal activities are scheduled to occur during the bird-breeding season (February 1 to August 15). Surveys will be conducted in areas within the construction footprint and, where permissible, within 500 feet of the construction footprint for raptor species (not Fully Protected species) and 0.5 mile of the construction footprint for Fully Protected raptor species. The required survey dates will be modified based on local conditions. If breeding raptors with active nests are found, the Project Biologist in conjunction with the Contractor will establish a 500-foot buffer around the nest to be maintained until the young have fledged from the nest and are no longer reliant on the nest or parental care for survival or the nest fails (as determined by the Project Biologist). If fully protected raptors (e.g., white tailed-kite) with active nests are found, the Project Biologist in conjunction with the Contractor will establish a 0.5-mile buffer around the nest to be maintained until the young have fledged from the nest or the nest fails (as determined by the Project Biologist). Adjustments to the buffer(s) will

require prior approval by USFWS and/or CDFW. The Project Biologist will submit a memorandum, on a weekly basis or at other appropriate intervals, to the Mitigation Manager to document compliance with this measure

- BIO-MM#29. Conduct Preconstruction Surveys and Delineate Active Nest Exclusion Areas for Other Breeding Birds. Before the start of ground-disturbing activities, the Project Biologist will conduct visual preconstruction surveys where suitable habitats are present for nesting birds protected by the MBTA if construction and habitat removal activities are scheduled to occur during the bird breeding season (February 1 to August 15). In the event active bird nests are encountered during the preconstruction survey, the Project Biologist in conjunction with the Contractor will establish nest avoidance buffer zones as appropriate. The buffer distances will be consistent with the intent of the MBTA. The Project Biologist will delineate nest avoidance buffers established for ground-nesting birds in a manner that does not create predatory bird perch points in close proximity (150 feet) to the active nest site. The Project Biologist or Biological Monitor will periodically monitor active bird nests. The Project Biologist will maintain the nest avoidance buffer zone until nestlings have fledged and are no longer reliant on the nest or parental care for survival or the nest is abandoned (as determined by the Project Biologist). The Project Biologist will submit a memorandum, on a weekly basis.

3 (BI-1) cont'd

The following impact analyses are additional examples of inadequate effectivity as a CEQA Lead Agency:

4 (PH-1)

- The impact C-PH-1 should be classified as significant. The comparison of population increase from the project to overall population in San Francisco is an egregious basis for comparison. The Census Tract 226 reports 1534 residents currently live in the impacted area. This project will increase the population fivefold to 8420 residents (1534 + 6886) and have a comparable impact on support and transportation services in the local area. The local area is already substantially under-served by public transportation.

5 (GE-1)

- The impact of GE-1, exposure of people or structures to potential substantial adverse effects, is significant. No buildings built to San Francisco codes have been physically tested at 1906 earthquake levels. This project is located in a liquidation and landfill zones. The Millenneum Tower is built upon similar soils using the same codes as proposed in the EIR. The Millenneum Tower has severe differential settlement from which one must deduce either San Francisco building codes or building code enforcement is inadequate to mitigate exposure of people or structures to potential substantial adverse effects. GE-1 mitigations should require an independent qualified evaluation of geotechnical and structural engineering and independent engineering-supervised inspections. The developer should be required to meaningfully indemnify and insure San Francisco and project residents from structural and geotechnical deficiencies.

6 (AQ-1)

- The Air Quality section does not explicitly consider the potential for airborne serpentine particulate release (NOA) during civil construction.

7 (HY-1)

- The project design and ensuing construction are dependent on the San Francisco Sea Level Action Plan and logically should not commence before final determinations of the San Francisco Sea Level Action Plan are completed.

Visual Impacts

- The Pier 70 Mixed-Use District Project does not qualify as Infill Opportunity Zone under SB 743 and should be evaluated for visual impact to residents of Potrero Hill.
- 90 foot building heights will significantly impact aesthetics and obscure scenic vistas and substantially degrade the existing visual character or quality of the site and its surroundings, and create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

8 (SB-1)

Cultural Resource Impacts

- The proposed mitigations for CR-11 lack adequately specificity with regards to height. The existing mitigations lack inadequate independent controls for unbiased analysis of height compatibility with historical buildings. The EIR mitigations should be require independent analysis of historical compatibility under the guidance of a well-recognized historical architecture expert.

9 (CR- 5)

- CR-11 does not factor in ground elevation height increases to 15.4 feet above sea level as part of the overall structure height impacts.

10 (CR-5)

- 90 foot tall buildings self-evidently have different massing, size, scale and appearance from similar adjacent historical buildings which have a predominant maximum height of 40-60 feet.

11 (CR-5)

- Forest City representatives affirm that the new buildings with the largest footprint will be 50 to 70 feet above ground level and that no more than 4 feet infill will be added to existing ground levels. Given the previous points discussed in the City Effectiveness as a Lead Agency, specific maximum heights of new buildings and ground level should be explicitly noted in mitigation measures and not left in supporting documents which can be modified at sole discretion of the city without ready recourse for impacted local residents.

12 (CR-5)

- The mitigations state that new construction shall comply with the Secretary of the Interior's Rehabilitation Standard No. 9. This Standard states that "Designing a new addition so that its size and scale in relation to the historic building are out of proportion, thus diminishing the historic character" is "not recommended." This requirement is reasonably interpreted as: The height of new buildings shall not exceed the line of sight height of existing historical buildings as viewed from all impacted lines of sight.

13 (CR-5)

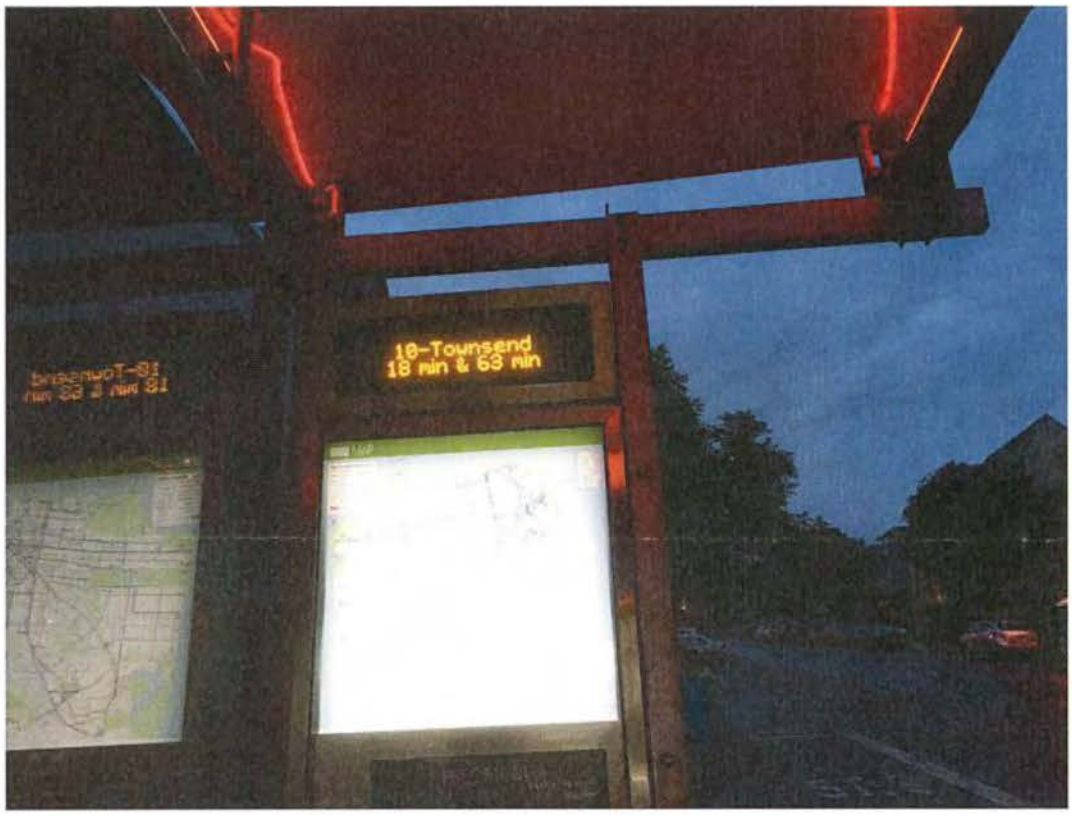
Please incorporate these comments into the final EIR.

Sincerely,

Clair D Clark

Clair D. Clark

I-C&DClark1




STOP


****ATTENTION****
ESCALATORS WILL RUN IN THE UP DIRECTION
MON-FRI
4:30 PM-6:30 PM
DOWN ESCALATOR LOCATED AT SOUTH END OF STATION
ELEVATOR LOCATED IN CENTER OF STATION
This change is being made in order to improve circulation and safety on the platform.
BART

I-C&DClark1

DON CLARK
572A MISSOURI ST
SAN FRANCISCO, CA 94107

1000

94103

U.S. POSTAGE
PAID
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94105
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AMOUNT
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R2305H129494-18

RECEIVED
FEB 10 2017
CITY & COUNTY OF S.F.
DEPT. OF CITY PLANNING
ADMINISTRATION

MS. LISA M. GIBSON
ACTING ENVIRONMENTAL REVIEW OFFICER
SAN FRANCISCO PLANNING DEPARTMENT
1650 MISSION ST., SUITE 400
SAN FRANCISCO, CA 94103

9410G$2480 C025

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 1:19 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: FW: Pier 70 EIR comments
Attachments: 20170221_Pier70_r1.pdf

Lisa Gibson
Acting Environmental Review Officer /
Director of Environmental Planning

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9032 | Fax: 415-558-6409
Email: lisa.gibson@sfgov.org
Web: www.sfplanning.org

From: Don Clark [mailto:c.don.clark@gmail.com]
Sent: Tuesday, February 21, 2017 10:46 AM
To: Gibson, Lisa (CPC)
Subject: Fwd: Pier 70 EIR comments

Dear Ms. Gibson,

I've also submitted these EIR comments to Melinda Hue.

Thanks,

Don Clark

I-C&DClark2

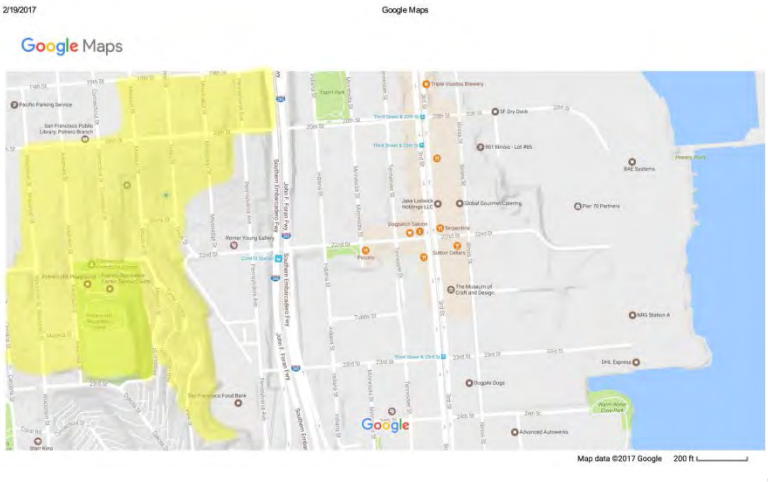
Don Clark
572A Missouri St
San Francisco, CA 94107
February 21, 2017

Ms. Lisa M. Gibson
Acting Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Ms. Gibson,

Please include this analysis of visual impacts from the Pier 70 Mixed-Use District Project along my EIR comments dated February 8, 2017 which I previously submitted. The analysis is in an attached presentation titled "Scenic Vistas are severely impacted by the Pier 70 Project." I have emailed an electronic copy of this presentation to Melinda Hue. To summarize: 1 (SB-1)

- Structures B, E1, E3, H1 and H2 appear to have the most significant impact due to 90' heights above 15' ground levels
- Visual Impact increases as elevation decreases
    - At 200' elevation bay views are obscured ~30% above buildings
    - At 175' elevation bay views are obscured ~50% above buildings
    - At 165' elevation bay views are obscured ~60% above buildings
    - At 155' elevation bay views are obscured ~80% above buildings
    - At 120'-140' elevation bay views are estimated to be obscured 100%
- Views of homeowners and residents are severely impacted – see figure to right



Please incorporate these comments into the final EIR.

Thank you,

Clair D Clark

Scenic Vistas are severely impacted by the Pier 70 Project

- Simulations are scaled to 100’ based on the 130’ height of power plant with structures B, E4, E3 and H2 located at the same longitude
- The **Red Line** is a datum from this height and longitude
- Structures B, E1, E3, H1 and H2 appear to have the most significant impact due to 90’ heights above 15’ ground levels
- Visual Impact increases as elevation decreases
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1 (SB-1) cont'd

After - 10 Turner Terrace aprox. 155 feet elevation

I-C&DClark2

Before - 10 Turner Terrace aprox. 155 feet elevation


After - Pathway from end of
Connecticut Ave aprox. 165' Elevation
Before - Pathway from end of
Connecticut Ave aprox. 165' Elevation

I-C&DClark2


After - Pathway from end of
Connecticut Ave aprox. 175' Elevation
Before - Pathway from end of
Connecticut Ave aprox. 175' Elevation

I-C&DClark2

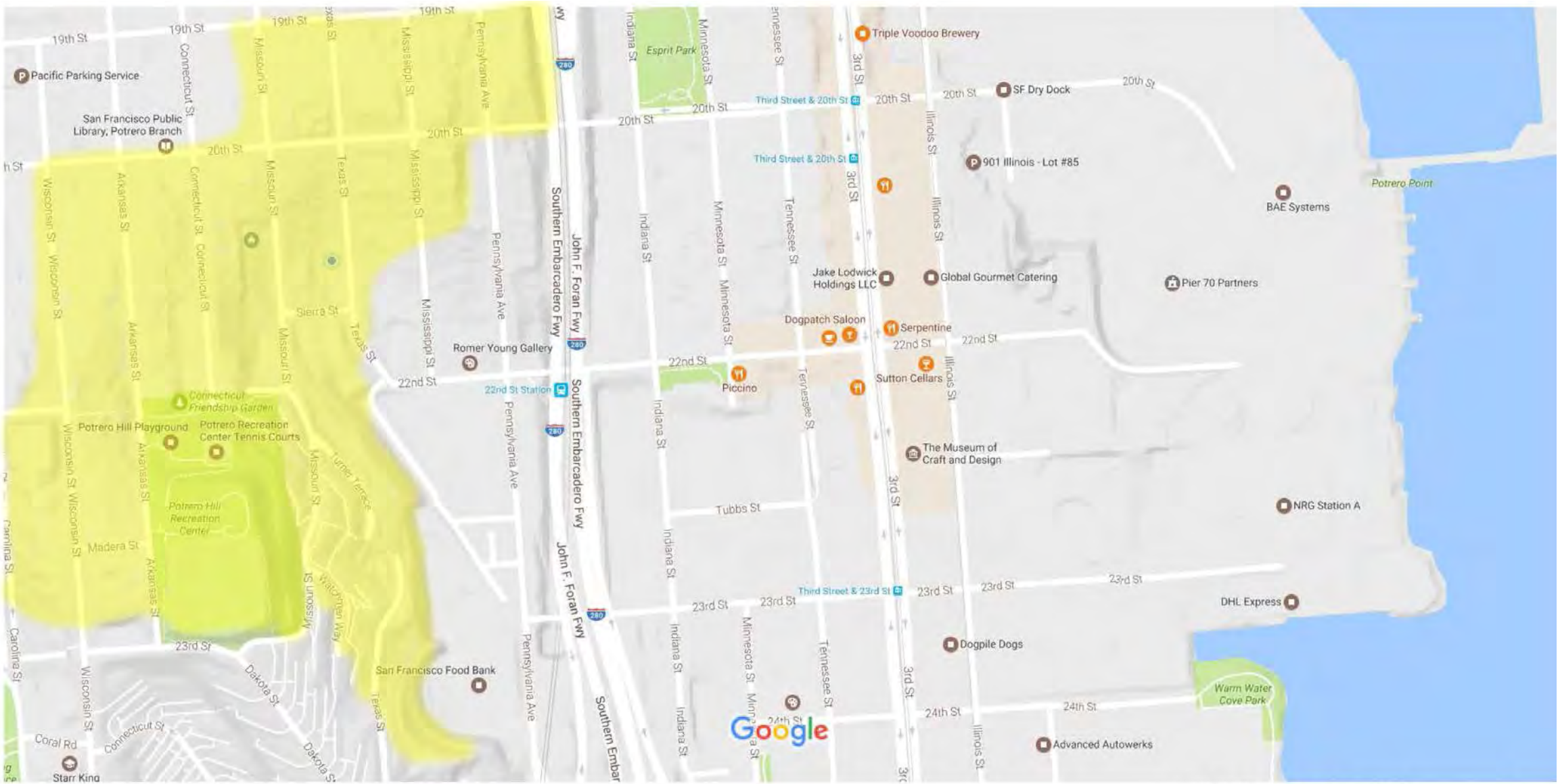
I-C&DClark2

After – Potrero Community Center ~200 feet

Before – Potrero Community Center ~200 feet

I-C&DClark2

Areas Affected by Pier 70 Project Visual Impacts



I-DClark3

Hue, Melinda (CPC)

From: Don Clark <c.don.clark@gmail.com>
Sent: Monday, January 09, 2017 10:27 PM
To: Hue, Melinda (CPC)
Subject: Fwd: Where do I file written comments on the Pier 70 Mixed-Use District Project

Dear Melinda,

I have the following comments on the Pier 70 Mixed-Use District Project

The EIR has not adequately evaluated of aesthetic impact of Pier 70 Mixed-Use District Project to residents of Potrero. 1 (SB-1)

- 90 foot building heights will significantly impact aesthetics and obscure scenic vistas and substantially degrade the existing visual character or quality of the site and its surroundings, and create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

The Pier 70 Mixed-Use District Project does not qualify as a Infill opportunity zone under SB 743 because it is not within 1/2 mile of a major transit stop. Unless a project qualifies as an Infill opportunity zone under SB 743, it must be evaluated for visual impacts

- The closest rail **station** is Cal Train at over 1 mile away. The commonly recognized definition of a rail station is a platform for passenger on-boarding with at least one building providing such ancillary services as ticket sales and waiting rooms
- The closest light rail **stop** is a platform without buildings and does not qualify as a transit station
- There are no intersections of two or more major bus routes within 1/2 mile that in actual fact provide service at 15 minute intervals
- There is no public transportation within 1/2 mile of 20th-24th street that routinely provides peak afternoon service in a measured routine 15 minute interval. A service interval of 15 minutes commonly means the maximum interval as measured over time does not exceed 15 minutes except in rare events. It is no actual data in the EIR to substantiate actual 15 minute intervals
- During baseball season, the T train routinely exceeds 20 minute intervals. San Francisco Muni is known to be structurally deficient in meeting service intervals with adequate capacity as delineated in the following: http://www.savemuni.org/2016/03/sfmta-ignores-muni-metro-crowding/
- Bus lines including 55, 22 and other lines routinely run two or three buses back to back consistently during peak afternoon hours resulting in 20-30 minute service intervals

The proposed mitigations for CR-11 lack adequately specificity with regards to height. The existing mitigations lack inadequate independent controls for unbiased analysis of height compatibility with historical buildings. 2 (CR-5)

- A 90 foot building self evidently has different massing, size, scale and appearance from similar adjacent historical buildings which have a predominant maximum height of 40-60 foot height
- The mitigation references a document (Pier 70 SUD and Design for Development) which is not publicly available and cannot be verified as an independent analysis of historical compatibility that was prepared under the guidance of a well recognized historical architecture expert.
- The mitigations state that new construction shall comply with the Secretary of the Interior's Rehabilitation Standard No. 9 which further states that "Designing a new addition so that its size and

scale in relation to the historic building are out of proportion, thus diminishing the historic character" is "not recommended." This requirement is reasonably interpreted as: The height of new buildings shall not exceed the height of remaining historical buildings that are closest in ground floor surface area and buildings closer to Illinois street shall not exceed an above ground-level height of the historical buildings further from Illinois street; i.e. in an east facing line of sight. This explicit mitigation should be incorporated into the EIR.

2 (CR-5) cont'd

The Pier 70 Mixed-Use District Project Table E2 lists moderate likelihood of listed hawk and owl nesting. The mitigation measures are less prescriptive than those typically required by CDFG. See the following mitigation measures from the Fresno to Bakersfield High Speed Rail Final EIR. The likelihood of nesting is very high in vacant buildings and similar mitigation measures should be implemented during both demolition and construction.

3 (BI-1)

- BIO-MM#31. Bird Protection. During Final Design, the Project Biologist will verify that the catenary system, masts, and other structures such as fencing are designed to be bird and raptorsafe in accordance with the applicable recommendations presented in Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 2006 (APLIC 2006) and Reducing Avian Collisions with Power Lines: State of the Art in 2012 (APLIC 2012). The Project Biologist will check the final design drawings and submit a memorandum to the Mitigation Manager to document compliance with this measure.
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Thanks,
Don Clark

I-DClark3

On Tue, Jan 3, 2017 at 9:04 AM, PIC, PLN (CPC) <pic@sfgov.org> wrote:
Your comments have been forwarded to Melinda Hue, environmental planner for the project.

I-DClark1

From: Don Clark <c.don.clark@gmail.com>
Sent: Monday, January 2, 2017 5:39:12 PM
To: PIC, PLN (CPC)
Cc: Don Clark
Subject: Where do I file written comments on the Pier 70 Mixed-Use District Project

Where do I file written comments on the Pier 70 Mixed-Use District Project?

Specifically I do not see any discussion of aesthetic impact to residents of Potrero. It would appear that the 90 foot building heights will significantly impact aesthetics and obscure scenic vistas and substantially degrade the existing visual character or quality of the site and its surroundings, and create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. 1 (SB-1)

I didn't note any visual simulation or assessment of impact to residents of Potrero. From topographical maps, it appears that all residents down-slope from Connecticut street will have scenic views completely eliminated.

---------- Forwarded message ----------
From: **PIC, PLN (CPC)** <pic@sfgov.org>
Date: Mon, Jan 9, 2017 at 1:34 PM
Subject: Re: Where do I file written comments on the Pier 70 Mixed-Use District Project
To: Don Clark <c.don.clark@gmail.com>
Cc: "Hue, Melinda (CPC)" <melinda.hue@sfgov.org>

Melinda Hue, in copy, is the environmental planner for this project. You may send comments to her directly.

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From: Don Clark <c.don.clark@gmail.com>
Sent: Saturday, January 7, 2017 9:01:57 PM
To: PIC, PLN (CPC)
Subject: Re: Where do I file written comments on the Pier 70 Mixed-Use District Project

Thank you.

Please also forward these additional comments:
The Pier 70 Mixed-Use District Project does not qualify as a Infill opportunity zone under SB 743 because it is not within 1/2 mile of a major transit stop. Unless a project qualifies as an Infill opportunity zone under SB 743, it must be evaluated under CEQA regulations for impacts that obscure scenic vistas or substantially degrade the existing visual character or quality of the site and its surroundings.

1 (SB-1)

- The closest rail station is Cal Train at over 1 mile away. The commonly recognized definition of a rail station is a platform for passenger on-boarding with at least one building providing such ancillary services as ticket sales and waiting rooms
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DUPLICATE (SEE I-D-Clark3)

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Don Clark

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From: Don Clark <c.don.clark@gmail.com>
Sent: Monday, January 2, 2017 5:39:12 PM
To: PIC, PLN (CPC)
Cc: Don Clark
Subject: Where do I file written comments on the Pier 70 Mixed-Use District Project

Where do I file written comments on the Pier 70 Mixed-Use District Project?

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I didn't note any visual simulation or assessment of impact to residents of Potrero. From topographical maps, it appears that all residents down-slope from Connecticut street will have scenic views completely eliminated.

Thanks,
Don Clark

I-DClark4

Hue, Melinda (CPC)

From: Don Clark <c.don.clark@gmail.com>
Sent: Tuesday, January 17, 2017 9:18 PM
To: Hue, Melinda (CPC)
Subject: Fwd: Where do I file written comments on the Pier 70 Mixed-Use District Project

Dear Melinda,

I have the following **additional comments** on the Pier 70 Mixed-Use District Project

- The impact C-PH-1 should be classified as significant. The comparison of population increase to San Francisco overall is irrelevant to the neighborhood impact of population growth and is an egregious basis for comparison. The local area of Census Tract 226 reports 1534 residents currently live in the impacted area. This project will increase the population five fold to 8420 residents (1534 + 6886) and have a comparable impact on support and transportation services in the local area. The local area is already substantially under-served by public transportation. 1 (PH-1)
- The impact of GE-1, exposure of people or structures to potential substantial adverse effects, is significant. No buildings built to San Francisco codes have been physically tested at 1906 earthquake levels. This project is located in a liquidation and landfill zones. These zones experienced some of the most severe initial damage in 1906. The Millenneum Tower is built upon similar soils using the same codes as proposed in the EIR. The Millenneum Tower has severe differential settlement which infers either San Francisco building codes or building code enforcement is inadequate. GE-1 should be mitigated with a evaluation of structural engineering performed independently from the designer by a qualified, licensed professional engineering firm and independent engineering supervised inspections. The developer should indemnify and insure San Francisco and project residents from structural deficiencies. 2 (GE-1)
- The Air Quality section does not consider the potential for airborne serpentine particulate release during civil construction. 3 (AQ-1)
- Any project work or design is otentially dependent on the San Francisco Sea Level Action Plan and should not commence before final determinations of the San Francisco Sea Level Action Plan are completed in 2018. 4 (HY-1)
- CR-11 does not factor in ground elevation height increases to 15.4 feet above sea level as part of the overall structure height impacts, i.e. heights above sea level will exceed 100 feet. 5 (CR-5)

Thank you,
Don Clark

DUPLICATE

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- 90 foot building heights will significantly impact aesthetics and obscure scenic vistas and substantially degrade the existing visual character or quality of the site and its surroundings, and create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

The Pier 70 Mixed-Use District Project does not qualify as a Infill opportunity zone under SB 743 because it is not within 1/2 mile of a major transit stop. Unless a project qualifies as an Infill opportunity zone under SB 743, it must be evaluated for visual impacts

- The closest rail **station** is Cal Train at over 1 mile away. The commonly recognized definition of a rail station is a platform for passenger on-boarding with at least one building providing such ancillary services as ticket sales and waiting rooms
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- Bus lines including 55, 22 and other lines routinely run two or three buses back to back consistently during peak afternoon hours resulting in 20-30 minute service intervals

The proposed mitigations for CR-11 lack adequately specificity with regards to height. The existing mitigations lack inadequate independent controls for unbiased analysis of height compatibility with historical buildings.

- A 90 foot building self evidently has different massing, size, scale and appearance from similar adjacent historical buildings which have a predominant maximum height of 40-60 foot height
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Thanks,
Don Clark

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Thanks,
Don Clark

I-DClark5

Hue, Melinda (CPC)

From: Don Clark <c.don.clark@gmail.com>
Sent: Monday, February 20, 2017 12:12 AM
To: Hue, Melinda (CPC)
Subject: Additional Comments on Pier 70 Mixed Use Project
Attachments: Scenic Vistas are severely impacted by the Pier70 Project.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Melinda,

I would like to submit the following Visual Simulations as comments on the Pier 70 Mixed Use Project.

Don Clark

Scenic Vistas are severely impacted by the Pier 70 Project

- Simulations are scaled to 100’ based on the 130’ height of power plant with structures B, E4, E3 and H2 located at the same longitude
- The **Red Line** is a datum from this height and longitude
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1 (SB-1) cont'd

After - 10 Turner Terrace aprox. 155 feet elevation

I-DClark5

Before - 10 Turner Terrace aprox. 155 feet elevation


After - Pathway from end of
Connecticut Ave aprox. 165' Elevation
Before - Pathway from end of
Connecticut Ave aprox. 165' Elevation

I-DClark5


After - Pathway from end of
Connecticut Ave aprox. 175' Elevation
Before - Pathway from end of
Connecticut Ave aprox. 175' Elevation

I-DClark5

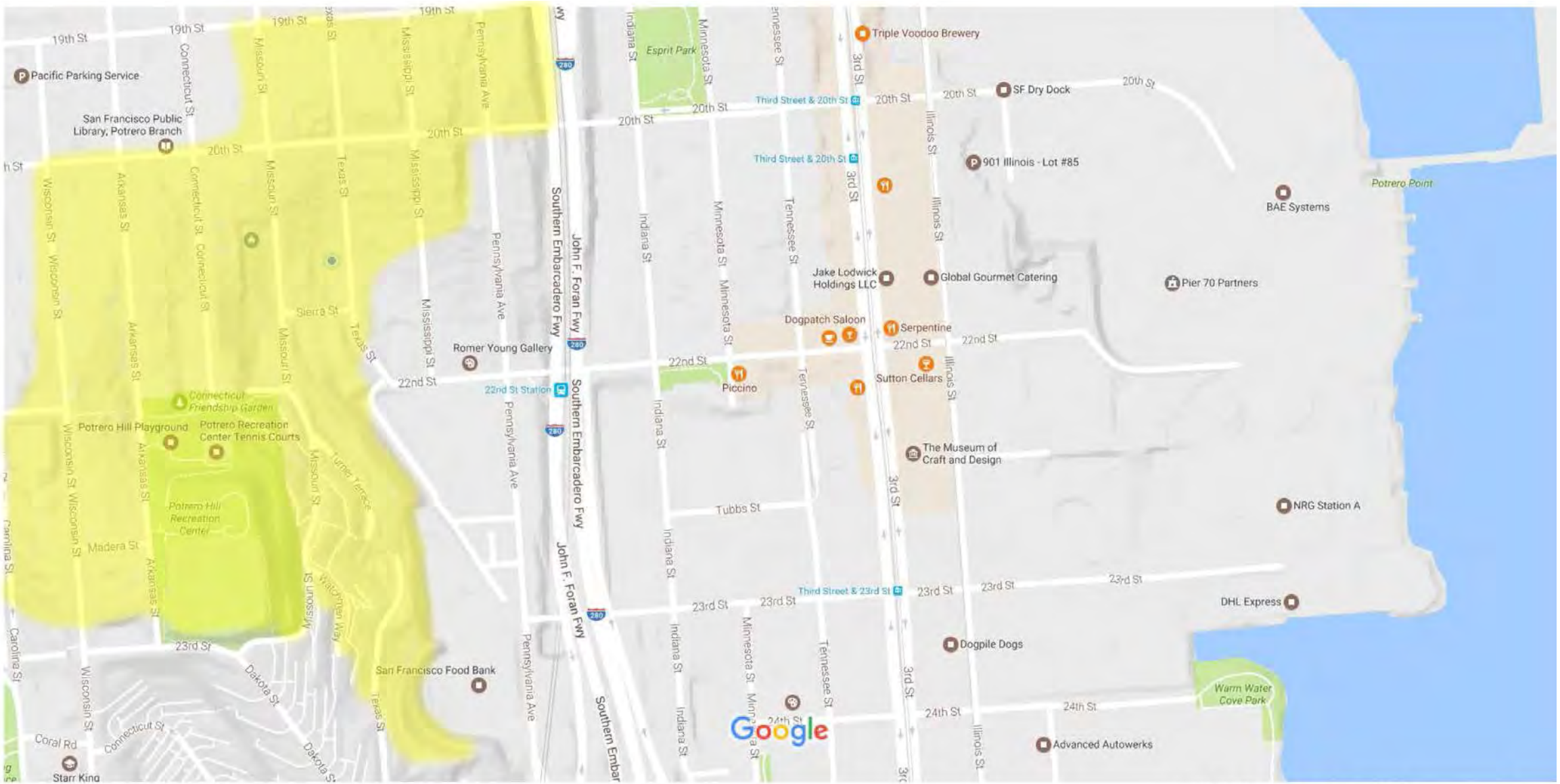
I-DClark5

After – Potrero Community Center ~200 feet

Before – Potrero Community Center ~200 feet

I-DClark5

Areas Affected by Pier 70 Project Visual Impacts



Hue, Melinda (CPC)

From: PIC, PLN (CPC)
Sent: Thursday, February 09, 2017 11:44 AM
To: Hue, Melinda (CPC); Sucre, Richard (CPC)
Subject: Fw: height at Pier 70

Follow Up Flag: Follow up
Flag Status: Flagged

Forwarding this comment on Pier 70 to you.

Property Information Map (PIM): http://propertymap.sfplanning.org
---
The information provided in this correspondence is based on a preliminary review of information provided by the requestor. It does not constitute a comprehensive review of the project or request. For a more extensive review it is strongly recommended to schedule a project review meeting. The information provided in this email does not constitute a Zoning Administrator letter of determination. To receive a letter of determination you must submit a formal request directly to the Zoning Administrator. For complaints, please contact the Code Enforcement Division.

From: Audrey Cole <Audrey@AudreyCole.com>
Sent: Wednesday, February 8, 2017 3:47 PM
To: PIC, PLN (CPC)
Subject: height at Pier 70

Hi. I am a resident and small business owner on Potrero Hill. I love that we're finally redeveloping Pier 70 into something the City will use and enjoy. That said, I am against removing the height restrictions. 9 stories is too tall for the area. We were forced to go through this with the 8 Washington Street situation. Let me repeat that point here: We do NOT want a wall on our waterfront! We don't want a wall on the waterfront at 8 Washington or at Pier 70. 1 (ME-1)

Thank you for your consideration,

Audrey Cole
Missouri Street resident
--
Audrey D. Cole
Computer Consulting - Databases in Access, Fox and FileMaker
415-648-1926 voice - 415-648-9455 fax - Audrey@AudreyCole.com

** Helping people manage their information since 1985 **

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 5:07 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: FW: Pier 70 Deir commnet

Lisa Gibson
Acting Environmental Review Officer / Director of Environmental Planning

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9032 | Fax: 415-558-6409
Email: lisa.gibson@sfgov.org
Web: www.sfplanning.org

From: heidi dunkelgod [mailto:dunkelgod@gmail.com]
Sent: Tuesday, February 21, 2017 5:04 PM
To: Gibson, Lisa (CPC)
Subject: Pier 70 Deir commnet

Lisa Gibson

Acting Environmental Review Officer

San Francisco Planning Department

1650 Mission Street, Suite 400

San Francisco, CA 94103

lisa.gibson@sfgov.org

February 21, 2017

Via email

Re: Comments on the Draft EIR prepared for the Pier 70 Mixed-Use District Project

Dear Ms. Lisa Gibson:

I-Dunkelgod

I write with concern over the Pier 70 Project's proposed traffic routing to and from the Project site via 22nd Street. 1 (TR-10)

The vacant Pier 70 site, under management by Forest City, has hosted several events of the past few years. Through trial and error, and responding to community feedback, various traffic plans have been developed.

When significant event traffic is routed through the Dogpatch residential neighborhood, via 22nd Street, gridlock occurs.

Conversely, when traffic is routed around the Dogpatch neighborhood via larger arteries (e.g., via Cesar Chavez to 3rd Street) traffic flows with relative normalcy.

An example of a successful traffic plan is Forest City's Ghost Ship Traffic Plan.
The proposed Project's traffic routing should be compared with the attached Ghost Ship Traffic Plan. The map below illustrates the Ghost Ship Traffic Plan.

Please note, the Ghost Plan's traffic plan routes traffic around the Dogpatch neighborhood, avoids 22nd Street, thus preventing gridlock in the Dogptach neighborhood. This plan stands in contrast to previous Pier 70 entertainment event traffic plans, such as the SalesForce "DreamForce" event wherein 22nd Street was used unsuccessfully as a main connection from points South (Cesar Chavez, HWY 280 N, 101 N) and North (Pennsylvania, HWY 280 S).

Additionally, 22nd Street is composed of a series of short blocks and prone to congestion under current conditions. The 22nd street Greening Plan (area plan) will reduce pace of VMT throughput by narrowing block intersections with traffic calming bulbouts, and newly installed cross walks. 1 (TR-10)

What alternatives for rerouting buses, shuttles, and private vehicles via 22nd street should be considered?

Has the foreseeable 22nd street gridlock been considered in the Project's air quality analysis?

What is the increased danger to residents from particulates that result from this kind of gridlock?

Shouldn't this be considered in the Project's cumulative impacts analysis?

Thank you,
Heidi Dunkelgod

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 1:19 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: FW: Pier 70

Lisa Gibson
Acting Environmental Review Officer /
Director of Environmental Planning

Planning Department | City and County of San Francisco
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Email: lisa.gibson@sfgov.org
Web: www.sfplanning.org

From: Jeffrey Fleeman [mailto:jeff@hailegroup.com]
Sent: Tuesday, February 21, 2017 11:27 AM
To: Gibson, Lisa (CPC)
Subject: Pier 70

Dear Ms. Gibson,

I am a resident of Potrero Hill (565 Connecticut St.) and I am writing to express my disapproval and disappointment with the proposed height of the buildings contemplated for the Pier 70 project between 20th and 23rd Streets. Even though the renderings shown in the draft misleadingly depict buildings of six stories, the text and tables make it clear that a 90 ft. height limit is permitted under the project plan. 1 (ME-1)

In my opinion, this is poor planning. I understand the developer's desire to maximize its return on investment and the City's desire to provide more housing but the waterfront is a community resource that shouldn't be walled off from view. The place for taller buildings is in the center of the city, not the waterfront edge. It simply isn't appropriate to create a visual barrier of the magnitude allowed in this version of the plan.

I strongly suggest that you request the developer to come back with a revision showing a maximum height of 65 feet.

Regards,
Jeffrey Fleeman
(415) 762-1010

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 5:01 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: FW: Comment on 2014-001272ENV Pier 70 Mixed-Use District Project

Lisa Gibson
Acting Environmental Review Officer /
Director of Environmental Planning

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9032 | Fax: 415-558-6409
Email: lisa.gibson@sfgov.org
Web: www.sfplanning.org

From: Kayleigh Henson [mailto:henson.kayleigh@gmail.com]
Sent: Tuesday, February 21, 2017 5:00 PM
To: Gibson, Lisa (CPC)
Subject: Comment on 2014-001272ENV Pier 70 Mixed-Use District Project

To Whom It May Concern:

I am rapidly approaching my 20th year at my current address on 22nd Street in Dogpatch and have lived on and off in Potrero Hill since I was a teenager in the 1980s. Let me start by saying that I'm not a NIMBY, however, I've become a NEIMBY (Not EVERYthing In My Backyard.) It isn't just the new high density housing, the Warriors Stadium, UCSF, the homeless navigation center or Pier 70 individually, it is the collective impact of all of these projects happening simultaneously and with seemingly no relationship to each other or acknowledgement of the totality of the impact on what was once a sleepy little neighborhood.

Until there is an environmental, congestion, and traffic study that addresses the combined impacts of these projects, with Pier 70 having by far the biggest, longest lasting impact, there should be no approval of anything. How are residents going to get in and out of our own homes with literally tens of thousands of workers and shoppers flooding into our already overburdened neighborhood every working day? How are we going to get in and out of our homes when the streets are already blocked by construction vehicles and infrastructure projects? Transit is insufficient for our needs now, what about 2 years from now?

These projects cannot be permitted and approved individually as though each exists in a vacuum. The impact to the existing residents and businesses must be taken into consideration in light of whatever projects are already in process, before others are added. Dogpatch is currently saddled with the unfair burden of being the dumping ground for literally dozens of separate projects. We are seen as the solution for housing, retail, homelessness, student housing for UCSF, the list is seemingly endless. Pier 70 cannot exist as currently planned without adequately addressing the impact to both current residents and those thousands that will be added while the project is in development.

I urge the city to look at the projects being proposed and make decisions based on the combined impacts of the projects, not each project individually.

1 (ME-1)

Most Sincerely,
--
Kayleigh Henson
808 22nd Street
415.706.6860

February 20, 2017

Esteemed Commissioners,

My name is Steven Fidel Herraiz./I am an independent research historian and have been studying the neighborhood of Irish Hill for three years. I have also done extensive research on the Dogpatch neighborhood and am the co-author of a book about these dynamic neighborhoods for Arcadia Press, to be released this fall. I am a San Francisco City Guide and lead monthly walking tours of these neighborhoods once a month. I also submitted oral comments at the February 9, 2017 meeting. 1 (CR-6)

I am writing to request that the Planning Commission not accept Forest City's Environmental Impact Report Draft in its current form. It is deficient in its research and treatment of Irish Hill. Also, the EIR does not provide a Cultural Resource Analysis of Irish Hill and thus does not recognize the cultural and historic impact the neighborhood had on Potrero Point (today's Pier 70). Irish Hill deserves the same treatment and recognition of its importance in the area as any of the buildings in the Historic Core.

IRISH HILL HISTORY

The neighborhood of Irish Hill was first inhabited in the late 1850's, by workers who settled there because of its proximity to the heavy industries that operated on Potrero Point. Settlement increased with the completion of the Long Bridge to the Potrero in 1867. At its peak, 1,100 people lived there. The neighborhood was bounded by 20th Street on the north, 22nd Street on the south, Illinois Street on the west and the Bay on the east. Its residents were working-class first and second-generation immigrants (many of them Irish) that worked in shipbuilding and other heavy industries adjacent to Irish Hill. This ten square block neighborhood was home to many saloons and boarding houses, which served the men that actually built the submarines and battleships our country used to win both the Spanish-American War and WWI. Before I began this research, very little was known about this dynamic, rowdy neighborhood, possibly due to the facts that it was

a low-status neighborhood and that its residents, their homes and businesses, even the physical hill itself, disappeared almost 100 years ago. Ironically, the industries that brought the workers to settle Irish Hill were also responsible for its demise and destruction, systematically working together to buy up the properties and level the hill to create flat land for their expansion. My work is akin to researching a ghost town of which no physical remains exist, but for a lonely bluff of serpentine rock visible in from Illinois Street at the edge of a parking lot.

Irish Hill's history is an integral part of the history of Pier 70, but this importance is not recognized in Forest City's EIR.

1 (CR-6) cont'd

IRISH HILL'S POTENTIAL FOR LISTING ON STATE AND NATIONAL REGISTERS

The Irish Hill (remnant) is listed as 'contributing' to the Union Iron Works Historic Features (noted above as 'yes') but not 'individually significant (noted above as 'no'). This false belief guides Forest City's treatment in its plan.

From page 4.D.36 of the EIR:

"As a property listed on the National Register, the UIW Historic District, including its contributing features, is automatically listed in the California Register of Historic Resources (CRHR)."

Irish Hill is included in the Historic District and actually satisfies all 4 criteria for being on the CRHR:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
2. Is associated with the lives of persons important in our past.
3. Embodies the distinctive characteristics of a type, period, region or method of construction; represents the work of an important creative individual/ or possesses high artistic values.
4. Has yielded or may be likely to yield information important in prehistory or history.

However,

1. Irish Hill is associated with the UIW shipyard becoming the largest ship builder on the West Coast.
2. Irish Hill is associated with Frank McManus, also known as 'King of the Potrero.' McManus was known city-wide. He was a member of the Republic Committee, owner of the Union Hotel (across the street from the UIW Machine Shop). His political and economic influence shaped Irish Hill's history. (see pp. 7-9)
3. Irish Hill embodies the characteristics of a region. Throughout its history, the Potrero underwent multiple 'cuts, for railways and streets. Third Street, Illinois Street, Tennessee Street and Minnesota Streets were all products of these cuts. Today, Irish Hill is the most visible record of these cuts. (see p. 10)
4. Irish Hill has yielded and is likely to yield important historical artifacts. I have attached a photograph of some of the artifacts that were found on Irish Hill. (see pp. 11-12)

1 (CR-6) cont'd

2 (CR-1)

Contrary to the information in the EIR, Irish Hill is a feature of the District that may be individually eligible for listing in the CRHR.

3 (CR-6)

Because the UIW Historic District, including its contributing features like Irish Hill, is listed on the National Register of Historic Places, it is automatically listed in the CRHR (page 4.D.36 of the EIR). It is possible that Irish hill is eligible for listing on the National Register of Historic Places, whose criteria are the same for eligibility on the CRHR.

It is also possible that Irish Hill qualifies as a California Point of Historical Interest (CPHI):

To be eligible for designation as a Point of Historical Interest, a resource must meet at least one of the following criteria:

- The first, last, only, or most significant of its type within the local geographic region (City or County).
- Associated with an individual or group having a profound influence on the history of the local area.
- A prototype of, or an outstanding example of, a period, style, architectural movement or construction or is one of the more notable works or the best surviving work in the local region of a pioneer architect, designer or master builder.

The hill itself is the last remnant of its type in San Francisco. Irish Hill's residents were a group that had a 'profound influence on the history of the local area.'

Again, the EIR doesn't contain a Cultural Resource Analysis of Irish Hill, which could lead to its listing on the CRHR (California Register of Historic Places), the NRHP (National Register of Historic Places, and the CPHI (California Point of Historic Interest).

3 (CR-6) cont'd

ARCHEOLOGICAL CONSIDERATIONS

From page 4.D.25 of the EIR, with regard to the artifacts that have been found or may be found on Irish Hill:

"Unless mitigated, ground-disturbing construction activity within the project site, particularly within undisturbed soils, could adversely affect the significance of archeological resources under CRHR Criterion 4 (Information Potential) by impairing the ability of such resources to convey important scientific and historical information. This effect would be considered a substantial adverse change in the significance of a historic resource and would therefore be a potentially significant impact under CEQA."

Though excavation of the hill would mostly take place along the northern foot of the hill, this area has been undisturbed since 1918, and could provide important artifacts. Unless Irish Hill is listed on the CRHR, any artifacts would not be protected or deemed 'significant.'

4 (CR-1)

BUILDING PLACEMENT

The EIR does not provide enough information regarding the placement of new buildings around Irish Hill. The placement of the new buildings would essentially 'bury' it by surrounding it. (see p. 13) Today's view of the hill from Illinois Street is the view that San Franciscans know of Irish Hill, the view they've seen for decades. It shows the shorn face of the hill with its exposed serpentine rock. More importantly, this western view from Illinois Street shows the original elevation of the remaining portion, which is missing from both northern and eastern views.

Under the EIR, the proposed northern view of the hill would only be accessible from the width of the new Michigan Street. This view only

5 (CR-6)

shows a slight upward slope covered in plant life and no shorn rock. The proposed southern view (from today's parking lot of Building 12) does not give an accurate rendering of the original elevation of the hill, which was shorn off with the construction of 1941, nor does the view from the proposed Irish Hill Playground. Neither of these views show the detail of the hill and provide as much meaning as does the present view from Illinois Street. These views are unknown to people that have seen the view from Illinois Street. Those who know and have seen Irish Hill recognize the view from Illinois Street.

5 (CR-6) cont'd

I applaud Forest City's decision not to raze the last physical reminder of this lost San Francisco neighborhood. However, the heights of the four proposed buildings that would surround it on every side (on parcels PKS, C1, C2, HDY1, and HDY2) do not allow for more than one or two hours of direct sunshine for this open space. Locating the playground in front of Irish Hill on parcel PKS would allow full sun for the majority of the day.

The renderings in the EIR show that the majority of the physical hill will be preserved (less 3% of the hill at the foot of the new Michigan Street), which shows Forest City's commitment to honoring the history of this area. However, the placement of these buildings will completely obscure public view of recognizable Irish Hill, which would not represent the historic period for which it was designated. I believe that more research needs to be included in the EIR regarding the placement of these two buildings, particularly those on the Illinois Street parcels PKS and HDY2.

CONCLUSION

6 (CR-6)

The current draft of the EIR shows Irish Hill has not been adequately studied and may be eligible for placement on the CRHR (the California Register of Historic Resources) and the NRHP (the National Register of Historic Places), just as the Union Iron Works Historic District is. Irish Hill is, literally, a neighborhood that disappeared. Its story is unknown to most San Franciscans, yet represents an important chapter in San Francisco history that is being preserved in the rehabilitation of the culturally, historically, and architecturally significant buildings at Pier 70. Irish Hill shares that significance, yet has not been afforded the

same research and treatment as those buildings around it. Had it not been for the settlement of Irish hill, it is unclear what the Historic Core would look like today.

6 (CR-6) cont'd

Thank you for your consideration,

Steven Fidel Herraiz

Steven Fidel Herraiz
Irish Hill Research Historian

Frank McManus

Frank McManus, known city-wide as the 'King of the Potrero,' was the most famous resident of Irish Hill. An Irish immigrant, hotel owner and Republican Committee member, he exerted great political and economic control over the men of Irish Hill. If you wanted a job at the Union Iron Works, you stayed at his Union Hotel, ate your meals from the Union Hotel's kitchen and drank in the Union Hotel's saloon, right across Michigan Street from the Union Iron Works Machine Shop. His notorious battle with competing hotel owners, the Welch brothers, lead to the Blue Mud Wars,' in which the rival factions fought with clubs and knives,in the muddy streets of Irish Hill, tinted blue form the serpentine rock of the hill. His drunken antics were sensationalized in San Francisco newspapers.

A POTRERO RIOT.

Meeting of Rival Hoodlum Factions.

King McManus Meets Leader Welch.

An Early Morning Blaze and a Free Fight in the Vicinity.

San Francisco Call Bulletin 7 June 1892

William McManus and J. C. Welch are the leaders of ruffianly factions at the Potrero which have long been at loggerheads. Early on Monday morning the rival gangs met, and McManus, Welch and William Phillips are confined in the city prison with their heads and bodies more or less bruised, and charges of battery and disturbing the peace against their names on the prison register.

An alarm for a small fire at 2:30 in the morning at the rear of the Monterey House, at 909 Illinois street, was the immediate cause of the gathering of the rival factions.

Welch's Hotel is not far from the Union Iron Works and his boarders are mostly employes of the works. Adjoining his place is the grocery store of Phillips. McManus, his brother-in-law, the man who bears the title of "King of the Potrero," keeps the Union Hotel, in the rear of both houses. During the progress of the fire, which was quickly extinguished by some people in the neighborhood, Phillips made an insulting remark about the origin of the blaze and said that it was singular that Welch's boarders had been able to pack their trunks so speedily, thereby insinuating that the fire was of an incendiary nature. One of the Welch men promptly struck Phillips and a general fight ensued. McManus arrived on the scene with all haste, accompanied by a band of forty men armed with sticks and knives.

When the police put in an appearance the men were hard at it and did not know that their common enemy was at hand until the hickory clubs came down on their heads.

Then they began to scatter in all directions. In the melee McManus discharged his pistol and when arrested threw it away. It was subsequently found in the mud, but the hoodlum chief denied owning it. Other arrests will be made, and the three men will be vigorously prosecuted.

Yesterday afternoon Frank McManus was arrested on a warrant charging him with assault with intent to commit murder. The warrant was sworn out by J. C. Welsh. McManus at once procured the necessary bail and was released.

CON THE GOSSOON

+Herraiz2

Death Puts an End to His Sufferings.

Sweeney Is Charged With Murder. Frank McManus Creates a Scene at the Prison.

Con McManus, "the Gossoon," died about 3 o'clock yesterday afternoon, and shortly afterward Charles Sweeney, the ballplayer, was booked at the City Prison on the charge of murder.

When Detective Cody told Sweeney that Con was dead he broke down and cried like a child.

Frank McManus, Con's brother, caused no little excitement at the City Prison yesterday afternoon about 1 o'clock. He drove up in a buggy, accompanied by a friend, and asked to be admitted, as he wanted to speak to Sweeney. He had been drinking and Doorkeeper Shaw refused to admit him unless he had a permit from the Chief's office. He went to the Chief's office, but could not get a permit. Then he returned to the prison and pleaded with Shaw to let him in.

Just then Detective Seymour came along and McManus tried to talk him over, but he advised him to go home. As Seymour entered the prison McManus planted his foot against the doorsill and pushed with all his strength to force the door open. It was a trial of brute strength for a minute or two, but Shaw, inch by inch forced McManus back till he finally was able to turn the key in the lock. McManus then gave up the struggle, jumped into the buggy and drove off.

The police think that he intended to shoot Sweeney, as they have a lively recollection of the fact that when Jack Welch, who shot Con about two years ago, was on the operating-table in the Receiving Hospital Frank tried hard to get at him with a blackthorn to beat out his brains.

Such protest was made by King McManus, his brother, to having the body removed that Dr. O'Connell consented to hold the autopsy there instead of removing it to the Morgue.

As a result of the autopsy it was found that the ball had entered the left breast six inches below the nipple, passing through the diaphragm and the right lobe of the liver and perforating the smaller intestines five times.

Frank McManus was on a rampage all of yesterday and threatened vengeance upon all who came near the body. He declares that he will certainly kill Sweeney.

The funeral will take place to-day.

Dr. O'Connell says the deceased was a magnificent physical specimen.

San Francisco Call Bulletin 17 July 1894

I-Herraiz2

KING McMANUS AMONG THE DEAD

The Former Ruler of the Potrero Succumbs to Dropsy.

He Was Once a Powerful Factor in the Politics of This County.

HOW HE LOST A THRONE.

The Murder of His Favorite Brother Drove Him to Drink and to a Premature Grave.

Frank McManus is dead.

As "King of the Potrero" he was once a power in the political arena of this County. His boarding-house was the resort and home of the men from the slaughter-houses of Butchertown and the laborers from the shipyards and the Union Iron Works.

A powerful man physically, he was the terror of his guests when he chose to dominate and control them; still, when in his better mood, his generosity and urbane manner won back to him the friends he lost when in his tantrums.

The "King," as McManus has been known for years, held the scepter and wielded it in the Potrero until the Welch boys moved over there and ran a rival house. The Welch boys had gone there to stay and the King ordered them to leave. The clash came. Jack Welch and McManus met, fought and the throne was toppled. They met again, and again the King fell. Thrice this occurred, each time with the same result, and the Welch boys ruled.

The climax came when Cornelius McManus, a brother of the King, came over here from Ireland. Bent upon resenting his royal relative, he went forth to meet the Welch faction. In the first scrimmage the "Gossoon," as Cornelius was known, shot Jack Welch in the side, almost removing the vanquisher of his brother to the great beyond. Welch recovered, however, and was magnanimous enough to refuse to prosecute his assailant.

Shortly after that the Gossoon mixed matters with a baseball-player named Sweeney. The latter is now serving a ten years' sentence in San Quentin for manslaughter and the Gossoon lies in a grave at Cypress Lawn Cemetery.

Frank McManus never got over the death of his brother. He sought solace in drink, and his once magnificent physique fell away to a mere skeleton of his former self.

About one year ago dropsy set in upon him, and he had been under the care of physicians from that time until the moment of his death.

One week ago he sold a half interest in his Third-street liquor-house to an old friend—George A. Glen—who at one time was known as the "Mayor of Sausalito." Believing his interests safe in the hands of his partner he hied himself to the home of his brother James, an undertaker in Oakland.

It was at the latter's home he died yesterday afternoon, during an operation in which he was being "tapped."

McManus was born in County Leitrim, Ireland, in 1850. In 1882 he located permanently in this County. He leaves a widow and a son 13 years old, also his brothers, James, Patrick, William, and a nephew named Terrence McManus.

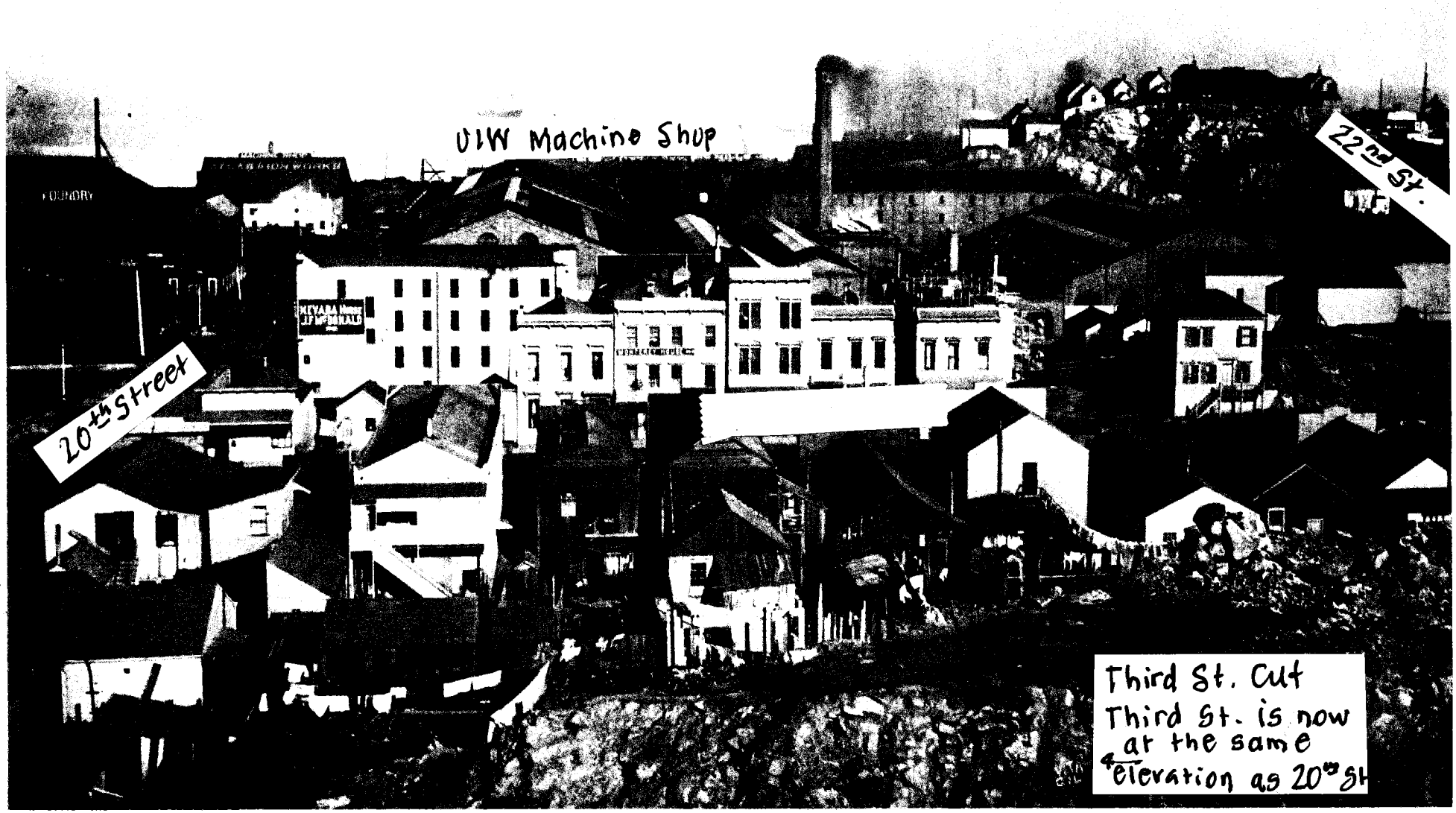
The funeral will be held Wednesday morning.

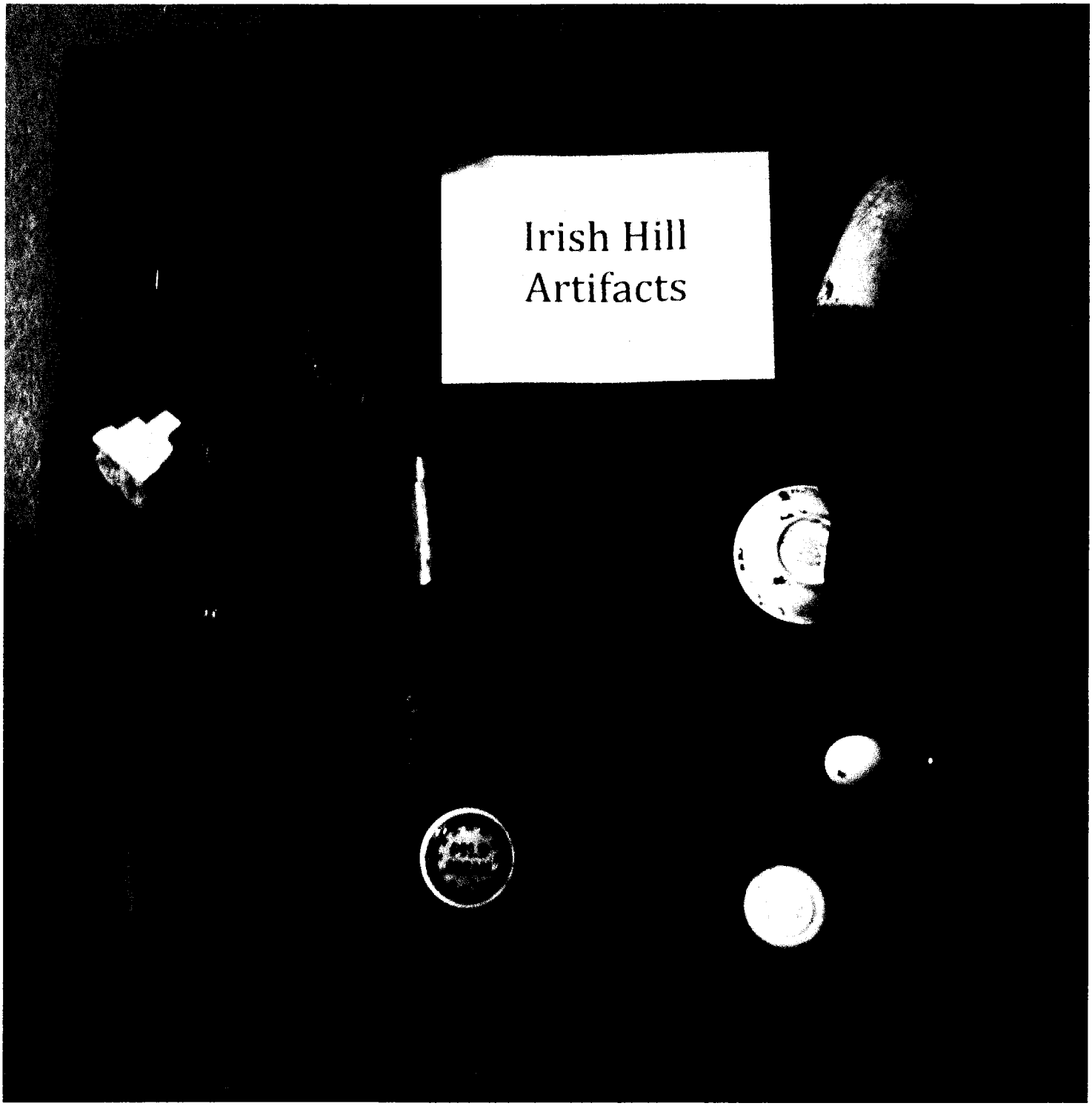
The Late Frank McManus, Known as the "King of the Potrero."

San Francisco Call Bulletin 27, October 1896

I-Herraiz2

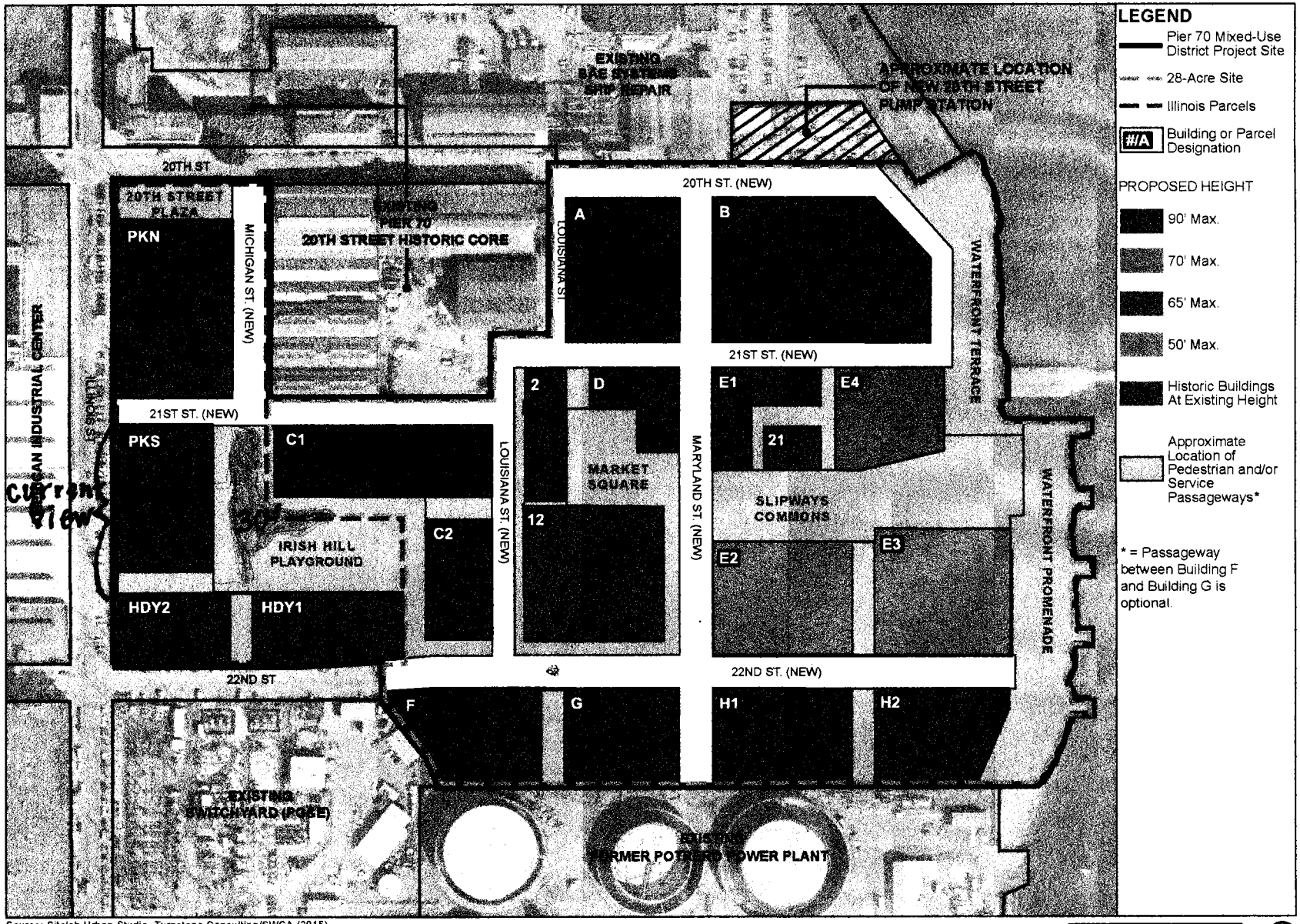
1892




Irish Hill
Artifacts

Irish Hill Artifacts

1. women's shoe
2. beer bottle
3. tile fragment
4. shot glass fragment
5. Carter's ink well, circa 1878
6. glass bottle, 'Dr. Munn's Elixir of Opium' This medicine was billed as 'completely non-habit forming and was used to treat a variety of ailments ('pain and irritation, nervous excitement, and morbid irritability of body and mind.' C. 1864+
7. Small bowl fragment 'Royal Stone China, Maddock & Company, Burslem England' c. 1906+
8. glass door knobs
9. handmade domino
10. glass bottle, 'Mrs. Winslow's Soothing Syrup' This medicine soothed pain, particularly a baby's teething. Its main ingredients were morphine and alcohol. Mothers accidentally killed their children with an incorrect dose. It was nicknamed 'the baby killer.' C. 1849+
11. glass cold cream jar lid 'H.P. Wakelee Druggist, San Francisco' circa 1877+
12. glass canning jar lid



Source: Sitelab Urban Studio, Turnstone Consulting/SWCA (2015)

PIER 70 MIXED-USE DISTRICT PROJECT

FIGURE 2.13: PROPOSED HEIGHT LIMITS PLAN

I-Hong

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Thursday, February 23, 2017 1:51 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: FW: Pier 70 - my quick Comments to DEIR - 2014.001272ENV -

Follow Up Flag: Follow up
Flag Status: Flagged

Lisa Gibson
Acting Environmental Review Officer /
Director of Environmental Planning

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9032 | Fax: 415-558-6409
Email: lisa.gibson@sfgov.org
Web: www.sfplanning.org

From: Dennis Hong [mailto:dennisj.gov88@yahoo.com]
Sent: Thursday, February 23, 2017 1:11 PM
To: Gibson, Lisa (CPC)
Cc: Kim, Jane (BOS); Lee, Mayor (MYR); Secretary, Commissions (CPC); Board of Supervisors, (BOS); Rose, Paul (MTA); Wertheim, Steve (CPC); alex.jonlin@sfmta.com; Yee, Norman (BOS); Cohen, Malia (BOS)
Subject: Pier 70 - my quick Comments to DEIR - 2014.001272ENV -

Good morning Miss Lisa Gibson, Honorable Mayor Edwin Lee, honorable members of the San Francisco Planning Commission, Honorable Members of the Board of Supervisors and all./As a resident of San Francisco - for more than 70 Plus years, but, (not related to Pier 70). I still visit the Show Place Square and the Design Center often.

1
(GC-1)

As requested I'm making my thoughts and comments to this most exciting Pier 70 Mixed Use District Project. Both the Sponsor, Planning Department and the community has worked together and

has done an excellent job with this report. With that said, I will focus in on this DEIR #2014.001272ENV of December 21, 2016.

1 (GC-1) cont'd

First of all I fully support this project. This DEIR is very comprehensive and addresses just about all the issues and has done an excellent job with this Document. The project has took in to account the other adjacent mini-master plans. Thank you for the opportunity to review and comment on this Project. Here are my thoughts and comments.

2 (SB-1)

1. **CEQA:** Even though current CEQA does not require images renderings and etc. of a proposed project. I disagree with this CEQA issue only because all to often words, black and white elevations - describing the design and etc., does not present what it will look like when finished. I believe all too often some great projects fail because of this missing Figure or image. This DEIR does an excellent job with this issue and is a positive Plus for its justification and uniqueness to this blighted area. Granted, design, color and materials are personal, but I studied and practiced both architecture and urban design and understand this, it's not perfect but it does it's due diligence with this. To add just one link to this document / presentation in my opinion in future cases would be to insert a project rendering in to an existing aerial photograph along with other proposed adjacent foreseeable projects would be very beneficial. In my hey days we called it an Birds Eye View, so lets get started:

3 (TR-9)

2. **TRAFFIC and Vision 0:**

A. As this project gets both under way and completion, can some of

these intersections get a calming approach? As shown in the charts

a number of these intersections will need this implemented. From

the looks of the project it will generate major changes; street

improvements, both vehicle and pedestrian traffic will be quite

busy, fast moving transit - only because it will be mix of residential,

recreation, office and industrial space/use.

3 (TR-9) cont'd

B. It would be wonderful if commuter shuttle bus stops can be

placed close by and or thru out. Because this too can be sort of a
major traffic HUB.

This project is adjacent to Cal Train, Mission Bay, BART Stations,

MTA's/Muni's T-Line, 22 Filmore, 10, 48 and several other lines. I
believe MTA just finished another great Commuter Shuttle Bus

Plan for the City.

4 (TR-4)

C. What impact will the demolition of the 280 Freeway have to this

area?

5 (TR-12)

D. I was unable to reconcile all of the pedestrian and vehicle traffic safety issues in the DEIR. But trust they have been looked at and

6 (TR-9)

have been addressed.

E. The 22nd Street plan has some great ideas. Can some of these

thoughts could be used in this project only because it can sort of be a transition point to the Pier 70 Plan and the Central Water

Front Plan especially at 3rd Street and Illinois Street? I think this

was mentioned in the DEIR?

F. What are the differences between the Class 1, 2 and 3 Bike lanes.

G. Has any thoughts been given to Scooter/motor cycle parking?

2. **Recreation/ Parks:** I would like to see a bit more attention to parks/playgrounds to this area. A play ground similar to the one in Mission Bay. Maybe add another play yard to the Waterfront Promenade / other open spaces in the Project. Keeping the existing Playground (Irish Hill) where it is; can more be done to enhance this play yard? Would it be safe right next door to the PG&E Switch Yard/Power plant, not sure how PG&E uses this site? This area and playground area needs to be protected during the construction period from dust, debris, noise pollution and then some.

3. **Foreseeable Projects (Cumulative Land Use Chart or current adjacent Projects to this Central Waterfront:** (not sure what guidelines are used to show what projects need to be shown in a

6 (TR-9) cont'd

7 (TR-12)

8 (TR-6)

9 (TR-11)

10 (RE-2)

11 (CU-1)

Project Vicinity Map). Here are a few to consider, maybe some of these are already in the DEIR: 11 (CU-1) cont'd

a. Dog-patch Street Space Plan.
b. Eastern Neighborhoods Street and Open Space Plan/s.
c. Mission Action Plan
d. Potrero Hill
e. Miraposa Park
f. UCSF Plan
g. 19th Street Parking Site.
h. Other building projects not listed here.

4. Can a chart / table include a construction time table with this project and the foreseeable projects - only because this project will take a number of years to build out? 12 (CU-1)

5. **Housing / Occupancy** in the proposed DEIR, can Table 2.3 summary show a break down of these dwelling units by: 13 (PD-3)

a. Studio, One Bed Room, two bedroom, three bedroom, family units.

b. Can this chart also show what is required and what the Sponsor is providing, (such as what the sponsor providing in excess of what is required by the Sponsor)?

c. How does the affordable housing requirements - MOHCD 14 (PD-3)

requirements and etc., (BMR), fit in to this project? 14 (PD-3) cont'd

d. I believe that Supervisor Norman Yee (currently) is proposing some 15 (ME-1)

Family Friendly + children housing legislation #170112 and then

some for the Planning Department to draft up / consider. Would it

be possible to implement some of these thoughts?

6. **Roof top open space**: 16 (RE-2)

a. Nice job with the distribution of this issue. Would like to see a

possible mix of vegetable gardens as a roof top open space

element. This area gets great weather too.

7. **Project Aesthetics and Architectural Design:** 17 (ME-1)

a. I like unique design and the master plan for this site.

b. The plans does an excellent job with communicating what this will look like, vs black and white elevations. (Just a simple CEQA issue. I believe this issue is being currently reviewed with CEQA and may soon be a requirement down the road).

c. The Sponsor has done an excellent job with the public open space

issue.

7. **Graphics**:
   a. N/A.

8. **CONSTRUCTION:** One of my major concerns with these projects is the use of "Best Practices" with the construction work. All to often this fails and is hard to enforce. For example all the work being done with the Transit Center; Dust control, hours of construction operation, noise, vibration, control of vehicle traffic, pedestrian safety, staging of material, the list list goes on has been very disruptive to the neighborhood. The construction issues needs to be better controlled/monitored. Small business's daily struggle on this issue and all to often have to close their business because of issues like this. I think this construction issue must be monitored more closely. 18 (GC-1)

9. **In Conclusion**: As I mentioned earlier, I fully support this project. This semi blighted area needs this project so developers can continue to develop in this area and across the City. Let's call it another new gateway to further develop this part of town. 19 (ME-1)

Once again, thanks again for the opportunity to review and comment on this most exciting project and for my comments to be considered. Please add my comments to this DEIR and please send me a hard copy of the RTC when finished.

If anyone has any questions on this mater, please contact me at

dennisj.gov88@yahoo.com if you need any additional information to my comments.

I-Hong

Best regards, Dennis

[ ]

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 1:15 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: FW: My comments on Pier 70

Lisa Gibson
Acting Environmental Review Officer/
Director of Environmental Planning

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9032 | Fax: 415-558-6409
Email: lisa.gibson@sfgov.org
Web: www.sfplanning.org

-----Original Message-----
From: Gary S Horowitz [mailto:Garyshorowitz@yahoo.com]
Sent: Monday, February 20, 2017 9:34 PM
To: Gibson, Lisa (CPC)
Subject: My comments on Pier 70

I am a resident of Potrero (588 Missouri St, SF 94107). I also need to say that I am not opposed to development but I feel that it needs to be compatible to the community. Thus, I have concerns about the proposed Pier 70 development. 1 (ME-1)

My primary concern is that the height of the buildings will cut off the current views of the bay for so many residents including myself. The view from Missouri and 20th is nothing short of spectacular- I think it is one of the best views in many urban settings. To block that view with buildings is wrong and hurtful to the community.

I currently have an excellent view of the bay from my residence that is broad and extensive. One joy is being able to count ships each day waiting to dock for unloading and loading. Most days I can count 6 or 8 ships and maybe one day a week there are 10 ships in the bay. The proposed development will wipe out that view.

Another concern is the high rate of development in Potrero and Dogpatch. Recently, 1010 16th St opened with over 400 units; there are 91 units soon to be completed at 22nd and Texas; I do not know how many units at 23rd and Third St or the 2 rather large developments on Indiana. Then there are several smaller developments, such as the one on Missouri near 17th. The basic nature of Potrero and Dogpatch is changing rapidly - the unique sense of a compact community is threatened- some development is good and desirable but such a rapid pace with large units is not desirable. 2 (OC-1)

I urge that the Pier 70 project be reconsidered with community input on these matters be given great weight.

Thank you,

Gary Horowitz
588 Missouri St, Apt A

San Francisco, CA 94107

415-529-8125

I-Kinser

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 4:58 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: FW: Pier 70 comments

Lisa Gibson
Acting Environmental Review Officer /
Director of Environmental Planning

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9032 | Fax: 415-558-6409
Email: lisa.gibson@sfgov.org
Web: www.sfplanning.org

From: karen kinser [mailto:kkinser2@yahoo.com]
Sent: Tuesday, February 21, 2017 4:56 PM
To: Gibson, Lisa (CPC)
Subject: Pier 70 comments

I oppose the expansion of development rights for Pier 70 due to the negative impacts to traffic, pollution and GHG emissions, and to Irish Hill. 1 (ME-1)

Karen

I-Kristen

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 1:15 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: FW: I object!!

Lisa Gibson
Acting Environmental Review Officer/
Director of Environmental Planning

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9032 | Fax: 415-558-6409
Email: lisa.gibson@sfgov.org
Web: www.sfplanning.org

-----Original Message-----
From: christine kristen [mailto:ladybee@burningman.org]
Sent: Monday, February 20, 2017 4:26 PM
To: Gibson, Lisa (CPC)
Subject: I object!!

Please do not go ahead with the proposed Pier 70 plan - where will all those cars go? this will create horrid traffic issues worse than we already have in Potrero Hill. 1 (ME-1)

Think SMALL not BIG!!

Christine Kristen
1101 Carolina Street
SF, CA 94107

I-Leuthold&Jim

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 3:56 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: FW: Pier 70

Lisa Gibson
Acting Environmental Review Officer/
Director of Environmental Planning

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1650 Mission Street, Suite 400, San Francisco, CA 94103
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-----Original Message-----
From: Mark Leuthold [mailto:markrex@me.com]
Sent: Tuesday, February 21, 2017 3:52 PM
To: Gibson, Lisa (CPC)
Subject: Pier 70

Hello Ms. Gibson,

I have lived in the Dogpatch since 1993 when only a few hundred people lived here.
I am opposed to the huge Pier 70 Developement. It is too big, too many offices, there are way too many parking spaces for commuters and we don't and will not have enough public transportation for all these people.
I moved to the Dogpatch because it was nice and quiet, off the beaten path. Now there is not enough parking for my car, Esprit Park is run over with hundreds of dogs and feces, and there are traffic jams even on the residential streets, not just the main arteries.
Pier 70 needs to be scaled back considerably in size now that we have Chase Stadium also being built, along with all the other UCSF buildings suddenly going into our neighborhood!

1
(ME-1)

Too much developement happening without a care from City Hall about the consequences!

Mark Leuthold and Nelson Jim
701 Minnesota St. 153
Dogpatch.

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 1:19 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: FW: Pier 70 DEIR Comments
Attachments: Pier 70 DEIR Comments CWAG 022117.docx

Lisa Gibson
Acting Environmental Review Officer /
Director of Environmental Planning

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1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9032 | Fax: 415-558-6409
Email: lisa.gibson@sfgov.org
Web: www.sfplanning.org

From: Katy Liddell [mailto:clliddell@me.com]
Sent: Tuesday, February 21, 2017 12:47 PM
To: Gibson, Lisa (CPC)
Cc: Forbes, Elaine (PRT); Adams Willie; Paez, Mark (PRT); Beaupre, David (PRT); Levine Toby; Liddell Katy
Subject: Pier 70 DEIR Comments

February 21, 2017

Ms. Lisa Gibson

Acting Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103 lisa.gibson@sfgov.org

Re: Pier 70 Mixed-Use District Project DEIR

Dear Ms. Gibson:

Attached please find comments from a number of residents, experts, and business owners who are intimately familiar with the Pier 70 Project and surrounding neighborhoods. We are connected via our membership in the Port's Central

1 (GC-1)

Waterfront Advisory Group (CWAG) , but we are not submitting these comments on behalf of that group. That information is solely to let you know how we are all connected.

1
(GC-1)
cont'd

We have tried to combine our comments in to one document for your perusal. This document is not entirely consistent in writing style and format because of the number of contributors. At the same time, we want the authors to be able to express themselves as individuals.

We hope you will see how familiar we are with the details of this proposed project and how much we care that it be developed in the right way. Thank you for your thorough review.

We look forward to the future implementation of this project.

Regards,

Toby Levine and Katy Liddell

Co-Chairs, Central Waterfront Advisory Group

Cc: Elaine Forbes, Executive Director, Port of San Francisco

Willie Adams, President, San Francisco Port Commission

Mark Paez, Port of San Francisco

David Beaupre, Port of San Francisco

PIER 70 MIXED-USE DISTRICT PROJECT DEIR COMMENTS
Submitted by Port Central Waterfront Advisory Group Members

CHAPTER 2: PROJECT DESCRIPTION

2B. Project Sponsors' Objectives — 2 (ME-1)

Two other urban design goals that have been emphasized over the years include:

- Activation of the entire ground level and streets of the project.
- Integrating seamlessly with adjoining streets and neighborhoods---by design and character.

Figures 2.5, 2.7 and 2.8: Proposed Land Use Plans — 3 (ME-1)

The plans should show a complex mix of uses at ground level and streets, which assure activation of the entire site and all its uses.

To increase the chances of social and economic vibrancy, a certain degree of "chaos" should happen at the ground. Mixed-use should be shown vertically as well as horizontally, by example, housing above retail, commercial, services, art studios, and light manufacturing.

Figure 2.26 and 2.27: Proposed Phasing Plans — 4 (PD-5)

In Phase 1, improvements to 20th Street should be included---at least to Louisiana Street if not to the water's edge. 20th Street is the circulation spine that activates the buildings. Because the historic core's buildings will already be operational, funds from all adjoining projects should be focused on the 20th Street streetscape. For subsequent phases, construction access can be diverted to 21st and 22nd Streets, to protect 20th Street. SIDENOTE: Under what circumstances could the Pier 70 Mixed-Use Development be accelerated in schedule? Like the Historic Core's fast-paced construction schedule and successful leasing, favorable economic and market conditions could warrant earlier completion.

CHAPTER 4: ENVIRONMENTAL SETTINGS AND IMPACTS

4B: Land Use and Land Use Planning — 5 (ME-1)

Generally, given the recent emphasis for much more housing, other variables to be added are residential sizes and types. This large project can work with neighborhoods, housing advocates, Board, Mayor and Planning to create a flexible plan, allowing for many more housing units within the same envelope. Throughout the world, housing innovations include micro-units, cooperative housing, shared housing, prefabricated dwellings, and floating units.

Pedestrian Passageway Option — 6 (ME-1)

Be cautious about the imagery of a mall. There are many bad examples of passageways, especially when unnecessary in moderate climates. Neighborhood character may be better served with colorful awnings and canopies that mesh with prototypical SF neighborhoods.

Proposed Open Space Plan

Emphasize that streets themselves are vital open space. Well-designed and unique streetscapes seamlessly connect people, stores, homes, architecture, neighborhoods, and waterfronts. 7 (ME-1)

Parking
Off-street parking could be concealed in mid-blocks, surrounded by buildings with active uses. Also, green walls have been very successful on parking structures. 8 (ME-1)

4C: Population and Housing

This section is full of useful information concerning housing needs and the growth of jobs. There are two scenarios proposed: "Maximum Residential Scenario" and the "Maximum Commercial Scenario". In the former, 6,868 residents are added to 28-acre site along with 5599 employees. In the latter, 3735 residents and 9768 employees are added. Each scenario provides considerable parking, with the commercial scenario providing 35 more (out of a max of 3,496.) 9 (PH-5)

There are only two ways into this part of pier 70 -- 20th Street and 22nd Street. The Housing/Population section does not provide any thought on the degree of crowdedness nor how the project can be accomplished with a population of 12,467 or 13,503 to be squeezed into the space provided. It will be a dense neighborhood. However, In terms of San Francisco needs as revealed in this discussion, the "Maximum Residential Scenario" will satisfy to a greater degree the intense housing crunch we are having. In either case, no mitigations were required so long as the project follows City rules and regulations outlined.

Another point about this section is that very little discussion occurs regarding the effects of the UCSF expansion, the presence of the Warriors, The Giants' Mission Rock development, the development of the space next door at the Potrero Power plant site or even the Orton Historic project happening right next door. So, it seems we are looking at this development in isolation. That needs to be fixed. 10 (CU-1)

4D: Cultural Resources

Figure 4.D.3 Viewpoint Location Map [and other site plans]
The shape and proportions of Slipways Common, which reside in the heart of the project, seem a bit odd. From a "Jane Jacobs" planning perspective, the space seems more like a corridor---not a habitable space that embraces people. It may also be a windy corridor. Consider studying great plazas and piazzas around the world---superimposing them onto the site plan. Ideas include a series of connected spaces, a central focal point like a clock tower, grade changes (like the sloped Project Variant)…. 11 (ME-1)

This chapter is extremely detailed covering archeological resources, tribal cultural resources and historic architectural resources as well as considerable geotechnical information about the soil, sub soils and much more. The section is very interesting, covering a minutia of details, and proscribing important rules and regulations to govern the discovery of important artifacts and in general how to deal with a site that has so much history attached to it. The developer will be held to considerable reporting standards, particularly since Pier 70 is national historic center. 12 (GC-1)

In several instances, justification for demolition of contributing buildings is given as 13 (CR-2)

follows: “In many instances the structures to be demolished are repeated elsewhere in the Historic District…” and because of this, a "significant concentration of World War II-era contributing features would remain in the historic district” and thus would “continue to provide strong visual and physical examples of the WWII eras of the UIW Historic District” (page 4.D.90).

Is this a common and accepted methodology for determining that contributing fabric within a district can be removed with causing a significant impact?

13 (CR-2) cont'd

Assuming for the purposes of argument that the justification described above is valid, there are several buildings on the list to demolish that may be unique enough in form and historic importance and as a record of the growth and historic events to warrant special attention.

For instance, the removal of Building 66 falls under this blanket “there are other versions of this building type” argument, but in fact is unique among similar steel-framed WWII buildings in several ways. First, it has a unique form and silhouette because it lacks walls, and appears more as an open air industrial “pavilion.” Second, it functioned as a welding pad (hence the need for ample ventilation and therefore no walls), so the form is expressive of an particular activity, whereas many of the similar buildings of the era are simply big sheds, with no expression of the particular function within; Finally, the change from riveted connections to welding of ship hulls in an important development that occurred at this this location, and this structure is a record of that change.

Another example of a structure deemed to be expendable without impact is Building 15, which is really less an independent building than an addition to Building 12. Building 12 has a distinctive and fully resolved silhouette and roofscape. Building 15 is an appendage of similar scale with a fully open and contiguous interior volume, but of very different architectural form and roof shape. It seems clearly an “ad hoc” and fully utilitarian addition to a previously homogeneous building. As such it is representative of the “as needed” patterns of growth in this structures of utility, where likely the demands of time and space overruled the need for architectural unity. One could certainly make an argument that this architectural “mash-up” provides an important visual record of the history of the complex’s development, and renders clearly the message that above all these are structures of utility.

14 (CR-2)

It is hard not to think that this building is being removed in order to align 22nd street with the city street grid. We’d suggest that the City grid and the complex street grid have little to nothing to do with one another historically, and that lack of alignment is an important pattern. One could imagine that 22nd street could “bend” around Building 15 in a similar manner that 20th Street jogs around Building 103.

15 (CR-4)

Building 21’s relocation is judged to have no significant impact because it preserves the visual relationship between it and surrounding buildings 2 and 15 and will result in the building being in the same orientation as it is currently. This seems to privilege the visual relationship of historic buildings—from different historic eras of development—over the generally accepted preference in treatment of historic fabric that relocation is a measure of “last resort.” The relocation always means the buildings south facade—traditionally its rear facade, will front the new public park. It is unclear whether fronting this park was a design goal or a coincidence. What is also not clear is why the relocation is needed. We understand and acknowledge that the building must be raised

16 (CR-3)

in order to accommodate the raised grade for sea level. One justification given in the CWAG meeting is that once you raise a building, it is relatively trivial matter to relocate it. From a construction point of view, this is simply not true. 16 (CR-3) cont'd

Building 2: Surrounding grade is being raised in anticipation of sea level rise, and three approaches are given. Only one actually raised the building so its sits on its new grade with the same elevation as it currently has. All three approaches are nevertheless judged as having no significant impact. As an architect, I cannot accept that lopping four feet of the bottom of a building—even a large one—does not have a detrimental visual effect. 17 (CR-3)

Cumulative Impact: The Forest City project removes 7 of 11 historic structures. Within the entire district, and accounting for the Orton project and the BAE project, the project removes 14 of 44 structures. As pure percentages, these are high, and above general "rules of thumb" within historic districts. We acknowledge that the strong majority of the square footage (and cubic footage, if one includes volume) of the complex is being preserved. But given the overall high percentage of removal—especially in the FC project—we questions the need to remove certain structures that seemingly could be preserved without significant impact to the buildable area for new development—and therefore without negatively affecting to the overall financial viability of the project. 18 (CR-2)

4E: Transportation

The transportation and circulation issues for this project are of primary importance because of safety issues. Although Vision Zero is mentioned, it needs to be emphasized more and up front. The introduction to this section needs to be very clear that Vision Zero is a driving force for all modes of transportation – public transit, private and commercial vehicles, bicyclists, pedestrians, etc. 19 (TR-9)

The long blocks and lack of pedestrian facilities are noted. Again, Vision Zero philosophy and guidelines must assure that these dangers are resolved. Pier 70 and its surrounding areas will draw more and more people on foot to enjoy the new facilities. They must be accommodated. 20 (TR-9)

This section covers baseline conditions and considers the current and future construction projects such as the Warriors Arena and Mission Rock. This area of the City is so dynamic that a sharp eye needs to stay on all of these concurrent projects to assure they can work together without conflict when it comes to transportation and circulation. Detailed pre-planning must occur when simultaneous events are occurring – whether they are at Pier 70, the Warriors Arena, the future Mission Bay School, UCSF, or any other spot in close proximity. 21 (TR-10)

Transportation to Pier 70 is currently very limited. The Waterfront Transportation Assessment (WTA) looks at a number of resolutions, and the City's Transit First Plan is noted. More and better transit options must be provided if Pier 70 is going to be successful. This project will attract people if good public transit is provided and so that walking there is pleasurable. 22 (TR-4)

Transit Improvements
The proposed free shuttle service has greater opportunities. Free Shuttle Bus Loops are the rage in transit, implemented in Baltimore, Dallas, Raleigh, Denver, Minneapolis, 23 (TR-4)

Houston, Bethesda, Aspen, Long Beach, Oakland, Emeryville, Walnut Creek, Palo Alto, East Palo Alto, South San Francisco, and Mountain View. A free bus loop could connect neighborhoods to markets, shopping areas, schools, libraries, parks and transit hubs. Like in Mountain View, additional funds could come from tech companies---merging mutual needs.

23 (TR-4) con't

Loading Supply
Consider time management by restricting heavy deliveries to early morning---like in other cities.

24 (TR-7)

4F: Noise

Since it will take 11 years to build this part of pier 70 into a new neighborhood, residents and workers are going to be subject to construction noise while they are working or snoozing. Parts of the project will begin after another section is completed. Dealing with noise is going to be a very complex and difficult activity, particularly with the historic buildings nearby, which should be filled with workers by the time the 28 acres are started.

25 (NO-3)

Noise will have to be tightly monitored throughout the project, including truck movements (45,000 truck trips to just take away and deliver soil). New buildings will have to be built to a high standard in terms of noise attenuation. The problem is that so many troublesome noise sources exist within and without the project. The various mitigations are proposed are fine. Air quality is also a concern because noise (re. trucks, pile drivers, excavators, cement breaking machines) not only causes lots of noise, but also considerable air pollution.

4J: Recreation
Generally, emphasize streets as open space too. Like in Mediterranean towns, streets/ pizzas/ parks merge seamlessly with people, neighborhoods and waterfronts.

26 (ME-1)

4L: Public Services
There's a need for community meeting rooms and spaces. Gathering places and multipurpose facilities activate other uses.

27 (PS-1)

DEIR Statement: Page 34: As the SFUSD is not currently experiencing high growth rates, facilities throughout the County are generally underutilized. The SFUSD maintains a property and building portfolio that has a student capacity for over 90,000 students. As such, the SFUSD currently has more classrooms district-wide than it needs, resulting in a surplus of property. The SFUSD has responded to this trend by closing and merging certain schools, and is not planning to construct new schools near the project site.

Comment: This is not true—DEIR seems out of synch with current population forecasts. The SFUSD in in the process of approving the building two new schools, one in Mission Bay and one in the Bay View, due to the housing development, especially affordable housing, AND the fact that far more families have moved into and will move into these newly developed and rapidly neighborhood than the City and SFUSD had anticipated. In addition, this section states that "The elementary school nearest the project site is Daniel Webster Elementary School at 465 Missouri Street, located approximately 0.5 mile west of the project site.59 For the 2015-2016 academic year, this school had a total K-5 enrollment of 275 students. According to the current SFUSD enrollment and

matriculation process, students who attend this elementary school would subsequently attend James Lick Middle School at 1220 Noe Street, approximately 2.5 miles west of the project site. This school has an enrollment of 601 students. After middle school, students would apply to any high school in the City. The public high school nearest the project site is the International Studies Academy at 655 De Haro Street, approximately 0.7 mile west of the project site. The International Studies Academy has an enrollment of 128 students.

27 (PS-1) cont'd

Comment: It appears that the DEIR information is incorrect and out of date. Though SFUSD does have a lottery, it gives preference to neighborhood location, and so where would the children of Pier 70 be offered neighborhood preference? If it is Daniel Webster, can the school accommodate this number of children? Additionally, ISA has now been moved to John O'Connell HS site in the Mission, and currently NO local Middle Schools serving Mission Bay, Potrero, Dogpatch, though it is the preference of the families to have their children attend schools near their homes, preferably within walking distance, as born out by the fact the Daniel Webster PTA as well as PREFund has been advocating for several years to ensure that the Enola Maxwell site as a Middle School Option for our neighborhood. How will the additional youth in Pier 70 affect the enrollment potential of a local Middle School?

28 (PS-2)

Impact PS-4 : The Proposed Project would not result in an increase in demand for library services that could not be met by existing library facilities. (Less than Significant) Maximum Residential Scenario˜The number of new reside nts at the project site under the Maximum Residential Scenario would represent an approximately 448 percent increase in the total number of residents located in Census Tract 226, the census tract in which the project site is located. Although this increase would be large for the project area, it would be not be substantial for the City as a whole, because it would represent 2.4 percent of the total Citywide population growth from 2010 to 2040. ˜Residential and nonresidential development associated with the Proposed Project would increase demand for local library services. However, the existing library branches near the project site have been either recently renovated or constructed in accordance with the Branch Facilities Plan (the Mission Bay Branch was constructed in July 2006, the Potrero Branch was renovated in 2010, and the Bayview Branch was constructed in 2013), and they would therefore be able to meet the demand for library services generated by the 6,868 residents and 5,599 employees at the project site under the Maximum Residential Scenario. The Proposed Project would not require construction of new or expanded library facilities beyond those already proposed or under construction under the BLIP. Thus, the new, existing, and rebuilt San Francisco Public Library branches could accommodate increased demand from the Proposed Project, and no additional library facilities would be required. Impacts on library services would be less than significant, and no mitigation measures are necessary

Comment: Branch libraries are built to support community use, so why, when considering the impact on library services, does the DEIR reject the local increase in favor of the spreading the impact throughout the overall SF population? This is not logical, and assumes people will travel to other libraries if the local ones are full. This does not seem to be the point of accurately measuring and mitigating Pier 70s true impact on local library services.

In addition, Why does this DEIR assume that simply because a library has been renovated that it has increased its capacity to meet community needs? In fact the new

Mission Bay Library is already oversubscribed, with lines out the door for story time. The Potrero Branch in fact *lost capacity* with its new open, loft-like redesign, with the public meeting room square footage being halved in size, further diminishing its ability to meet a rapidly growing community's need. 28 (PS-2) cont'd

Despite the cumulative quantity of development approach, it appears that this DEIR's estimates were not accurate. Demand has outstripped supply TODAY and the impact of Pier 70 should be mitigated appropriately with a new Branch Library to serve this community.

DEIR Statement: ˜In conclusion, the Proposed Project, in combination with past, present, and reasonably foreseeable future projects, would result in less-than-significant cumulative impacts on public services. 29 (PS-3)

Comment: In addition to the outdated data and inaccuracies mentioned above in relation to schools and libraries mentioned, please compare this DEIR's cumulative quantity of development approach for quantifying and mitigating impact on all public services, to Mission Bay, where that new neighborhood of 6000 residential units prompted the addition of a new fire station, school, library and vast network of parks and playgrounds. Here in the Central Waterfront, with more than 4000 new residential units in and around Dogpatch built since 2010 or coming online by 2020, with plans to grow to well over 7000 new units by 2030, it seems that a re-evaluation needs to be done. The impact is hardly "less than significant" and should include the construction of new public service facilities altogether, as was done for Mission Bay, to serve what cumulatively and essentially is new neighborhoods being constructed whole hog, with no commensurate public services and facilities to serve it.

4J: Recreation

DEIR Statement: ˜Section 4J7˜"Although the Central Waterfront area of the City may have pedestrian obstacles − such as steep topography toward Potrero Hill west of I-280, discontinuous sidewalks, or missing crosswalks − it is assumed that all parks and recreational facilities within a 0.5-mile radius could be used." 30 (RE-1)

Comment: Why is this an assumption? The barriers quoted above are a real obstacle to recreation facility access and a burden for anyone in the central waterfront wanting to make use of the Potrero Rec Center. It therefore provides a sound foundation for the argument that a new recreation facility should be provided that does not have these pedestrian obstacles and allows easy access for residents and workers in Pier 70, Dogpatch and the Central Waterfront.

In addition, and more importantly, the map on 4J8 combines the coding for park, rec facility and playground and does not clearly depict the lack of recreation facilities and playgrounds within a .5 miles of the Pier 70 site, *as the Potrero Rec center is barely within the distance*, (only the steep edge of the hillside makes it inside the boundary). And as stated above, this center has enormous access obstacles for Central Waterfront residents and workers due to the lack of through streets, steep incline and highway between the site and the rec center. This begs the question of how Pier 70 will provide publicly accessible active recreation resources to its new residents and workers, because the Potrero Rec Center should not be included within .5 miles of the project site. 31 (RE-1)

DEIR Statement: There are also a number of open spaces just outside a walkable distance from the project site (i.e., beyond the 0.5-mile radius of the project site), including the 4.4-acre Jackson Playground and the 1-acre Daggett Place Park. Jackson Playground occupies two City blocks and is bounded by 17th Street to the north, Mariposa Street to the south, Carolina Street to the west, and Arkansas Street to the east. The park includes a children's play area, picnic tables, tennis and basketball courts, a small community garden, a recreation center with a wooden gym floor and public restrooms, and two baseball fields with bleachers, team benches, and two small storage buildings. 32 (RE-1)

Comment: The Jackson Park has no recreation center. It has a clubhouse that has been shuttered on and off for the past five years by RPD due to safety issues and needed repairs. The toilets are often locked or closed. Jackson Park is already completely oversubscribed by current residents and rec uses, and is going to have even greater and more intense use become a point of contention beyond what is now due to the large residential developments going in on its north and south sides by Martin Building Co. and Related Corp. There is an effort to support redoing the park, but at this time it should not be listed as an amenity to Pier 70 that could provide a needed active recreation facility.

DEIR Statement: Existing City-owned facilities managed by RPD, the San Francisco Municipal Transportation Agency, or the Port within a 0.5-mile radius of the project site (Esprit Park, Warm Water Cove Park, Woods Yard Park, Potrero Hill Recreation Center, Potrero Hill Mini Park, Connecticut and Arkansas Friendship Gardens, Agua Vista Park, and Bayfront Park amenities at P21 and P22) provide approximately 16.46 acres of existing parks and recreation space. ... 33 (RE-3)

Comment: Again, the Potrero Rec Center should not be counted as within .5 miles or a 10 minute walk of the plan site due to geographical and topographical barriers. The impact of the population should be recalculated without Potrero Rec. Center.

DEIR Statement: ˜With the addition of 9 acres of parks and recreational facilities, implementation of the Proposed Project would increase the total open space acreage on and within a 0.5-mile radius of the project site to approximately 36.25 acres. 34 (RE-2)

The DEIR continually lumps together open space, parks and recreation. In the context of the above statement, please specifically define recreation facilities that the project will be providing on Pier 70.

DEIR Statement: Other RPD parks within the 0.5-mile radius of the project site include Esprit Park and Woods Yard Park. As discussed above under "Existing Recreation Demand," p. 4.J.14, the most recent park evaluation scores indicate that Esprit Park is a well-maintained park (92.7 percent), and, as of the latest quarterly evaluation conducted by RPD and the Office of the Controller (April 1 to June 30, 2014), the natural turf area was inspected twice (April 22, 2014 and May 31, 2014) and received park evaluation scores of 100 percent and 85.71 percent.47 35 (RE-1)

Comment: The park evaluation quoted here does not reflect reality and should be reconsidered. Esprit Park is in very poor shape. The drainage has failed, leading to a combination of swamp and dead areas, despite being redone a great public expense in

2006. The trees are suffering and many have been lost and removed in the past 5 years, and the intensity of use is only increasing as new residents and workers pour into the neighborhood. It is not a park that can sustain any further influx of residents. Rec Park and Planning will concur.

35 (RE-1) cont'd

DEIR Statement: ˜The Maximum Residential Scenario would create nine acres of new open space and add 6,868 new residents to the area, for a total new service population of approximately 12,272 residents. Comparably, the existing 9.5-acre Potrero Hill Recreation Center also serves a population of approximately 12,000 residents as of 2010. Potrero Hill Recreation Center was found to be well maintained per quarterly RPD evaluation. This comparison suggests that the amount of open space provided by the Proposed Project is reasonable to support the resulting new population (9 acres for 12,272 residents).

36 (RE-3)

Comment: ˜ The Potrero Rec center is an active recreation facility that includes a playground, indoor basketball courts, grass soccer field, baseball field, small auditorium, and a separate dog run. Why is it being used as a comparison the Pier 70 site's planned open space? There is little to compare beyond acreage and residents.

DEIR Statement: ˜ The increase in residents as a result of the Proposed Project and past, present, and reasonably foreseeable development would not be beyond levels anticipated and planned for by the City for this area and at the citywide level. When the resultant demand is considered in the context of existing public open space in the area and at the Citywide level, proposed open space that would be developed as part of the Proposed Project, and the anticipated additions to San Francisco's open space system, the demand generated by the Proposed Project and past, present, and reasonably foreseeable developments would be expected to be accommodated. For these reasons, the Proposed Project's contribution to cumulative impacts on recreation at the local and citywide level would not be cumulatively considerable and would not substantially accelerate physical deterioration of recreational resources. Therefore, the Proposed Project would not contribute to any significant cumulative impacts on recreation. No mitigation is necessary

37 (RE-1)

Comment: ˜This statement does not take into account the difference between open space and active recreation facilities. Please explain the difference and how much open space AND active recreation space/facilities, and what kind, are being provided for on the project site vs. the same open space and recreation resources currently available outside the site.

CHAPTER 6: PROJECT VARIANTS

Generally, sloped streets, spaces and Slipways Commons could create a San Francisco hill-like ambience. It is important to design the site in three dimensions, giving Pier 70 even greater complexity and depth.

38 (ME-1)

Overall

The topic is so complex, and the data drawn from so many sources, that data often becomes obsolete before the draft is printed. An example of this is data from the school district, which indicates that San Francisco's student population is demising, and new schools are not needed. Yet, by November 2016, the School District campaigned for Proposition A school bond, which requested funds for the building of two new schools in

39 (PS-1)

the eastern part of the City including an elementary school in Mission Bay. Below is a quote from the draft EIR, as an example

"As the SFUSD is not currently experiencing high growth rates, facilities throughout the City and County are generally underutilized. The SFUSD maintains a property and building portfolio that has a student capacity for over 90,000 students. As such, the SFUSD currently has more classrooms district wide than it needs, resulting in a surplus of property. The SFUSD has responded to this trend by closing and merging certain schools, and is not planning to construct new schools near the project site."

39 (PS-1) cont'd

TABLE S-1

CR-11 Review Process
For infill design review, a wider range of perspectives is helpful. Because the project is within and adjacent to historic districts, consider adding by name: Historic Preservation Commission and San Francisco Heritage, who often review infill projects at the request of Planning.

40 (CR-5)

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 5:40 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: Fwd: Pier 70 Project / Objection to their expansion !!!

Lisa M. Gibson
Acting Environmental Review Officer/
Director of Environmental Planning

Sent from my iPhone

Begin forwarded message:

> **From:** Jean Makanna <jeanmakanna@gmail.com>
> **Date:** February 21, 2017 at 3:34:37 PM PST
> **To:** lisa.gibson@sfgov.org
> **Subject: Pier 70 Project / Objection to their expansion !!!**
>
> Dear Lisa,
>
> I am a long time resident, (40 years), of Potrero Hill and of course have watched our once sleepy neighborhood change drastically. I voted for the changes to the Pier 70 Project in good faith that the buildings would only be ten stories tall and the density would not be overwhelming. I hear that there are many changes that the public did not sanction and I object to this. I do not want to look out at buildings instead of our bay. I know that views are not guaranteed but the voters gave Pier 70 a bit of leeway because we believed their pitch in good faith. I hope they are not taking advantage of us. 1 (ME-1)
>
> Sincerely,
>
> Jean Makanna

Hue, Melinda (CPC)

From: PIC, PLN (CPC)
Sent: Tuesday, February 21, 2017 9:56 AM
To: Hue, Melinda (CPC)
Cc: Callagy, Alana (CPC); Moore, Julie (CPC)
Subject: Fw: Development of Pier 70 Height Limit

Follow Up Flag: Follow up
Flag Status: Flagged

Here is another.

Property Information Map (PIM): http://propertymap.sfplanning.org
---
The information provided in this correspondence is based on a preliminary review of information provided by the requestor. It does not constitute a comprehensive review of the project or request. For a more extensive review it is strongly recommended to schedule a project review meeting. The information provided in this email does not constitute a Zoning Administrator letter of determination. To receive a letter of determination you must submit a formal request directly to the Zoning Administrator. For complaints, please contact the Code Enforcement Division.

From: Celeste McCarthy <cmcest2@yahoo.com>
Sent: Monday, February 20, 2017 10:47 PM
To: PIC, PLN (CPC)
Subject: Development of Pier 70 Height Limit

As a long time resident and a walker of Potrero Hill, I am extremely concerned about the proposed height of the Pier 70 development. 1 (ME-1)

San Francisco Bay belongs not only to San Franciscans, but also to the thousands that visit here every year. It is a natural wonder that should not be blocked by a ninety foot wall of buildings. Numerous times, while out walking, I have been asked by tourists to take their picture with the Bay as the background. Visual access to the Bay and its natural beauty is becoming rare in the development of the central waterfront, but a five or six floor limit would not be an impediment and should be kept in this area. Keep San Francisco beautiful.

Thank you for your consideration.

Celeste McCarthy
415 285 7170.

Hue, Melinda (CPC)

From: Yoram Meroz <ymeroz@fastmail.fm>
Sent: Monday, February 20, 2017 3:18 PM
To: Gibson, Lisa (CPC)
Cc: Hue, Melinda (CPC)
Subject: Comment on DEIR, Pier 70 Mixed-Use District Project (case 2014-001272ENV)

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Gibson,

I am writing against the approval of the Pier 70 Mixed-Use District Project DEIR. 1 (ME-1)

*** Transportation:
San Francisco has a serious transportation problem. With more and more residents and employers and more and more private vehicle commuters, it is already the third most congested in the nation in terms of time and fuel wasted per commuter (Texas A&M Urban Mobility Scorecard, 2015). This project proposes to alleviate congestion by nothing more than encouraging residents to use bicycles and MUNI for local commutes, and by the close location of Caltrain for commutes to the South Bay. Caltrain is at capacity already, and does not easily reach everywhere in the South Bay. Essentially, as long as private cars are more practical than public transportation, their use will increase, not diminish. 2 (TR-5)

The current plan calls for 3,370–3,496 new off-street residential parking spaces, in very close proximity to highway 280 access ramps. This very convenience actively advocates for the use of private vehicle commuting far more than the proximity to Caltrain discourages it. Commuters know this, and the developers who would build the proposed units will use these parking spots as a selling point. This marginal convenience to the residents of the Pier 70 project will come at a cost of delays, pollution, and carbon emissions for everyone.

Easy availability of cars will encourage local commuting as well, despite the proposed tweaks to MUNI. Traffic along the 16th St. corridor between the Mission and Mission Bay has been increasing, is causing congestion, and is spilling into 17th St. and Mariposa St. on Potrero Hill and the NE Mission. The proposed project will inevitably cause further congestion along these routes. These ill effects have not been and cannot be mitigated.

As the plan stands, it does the opposite of the sponsors' claimed objectives of "reducing vehicle usage, emissions, and vehicle miles traveled to reduce the carbon footprint impacts of new development, consistent with the Port's Climate Action Plan." San Francisco and the Port have committed to a shift away from private cars to public transportation. This will not happen while they explicitly invite thousands of new private cars to be used for work and other commuting. If public transportation is to have a future in San Francisco, the Pier 70 project must lead the way by eliminating private residential car parking.

*** Housing-work balance:
Under the Maximum Commercial Scenario in the plan, the proposed project would add 9,768 employees to the area, and house 3,735 residents (table 4.C.4) In other words, the current project would increase the housing deficit by 6,033 residents, which would have to be commute from elsewhere in the city or beyond. That negates the objectives, claimed by the project and by local governments, of alleviating housing demand and reducing the pressure on transportation resources. 3 (PH-4)

Under the Maximum Residential Scenario, the project would have 6,868 residents and 5,599 employees, a net increase in housing for 1,269 people, or 18% of the total residential capacity generated. It is therefore a five-fold inefficient use of

land resources toward alleviating housing pressure. A mostly residential project one-fifth the size of the one proposed would achieve the same increase in housing supply at a much smaller environmental cost. 3 (PH-4) cont'd

*** Alternative scenarios: 4 (AL-1)
The plan argues against the Environmentally Superior (Code-Compliant) alternative on the grounds that "This alternative would not construct a high-quality, public-private development project that could attract sources of public investment, equity, and debt financing to fund site and infrastructure costs, and ongoing maintenance, and produce a market rate return investment that allows the Port to further its Public Trust mandate and mission." The first part of the sentence is an unsupported falsehood. Any project on the proposed parcel would attract investors, as has any scrap of developable land in the city. The second part says, in effect, that above all else, the purpose of the project is to maximize the Port's profits.

The Code-Compliant alternative would produce less than half the vehicle trips of the proposed project, with a similar reduction in carbon emissions and pollution (The 2010 Pier 70 Master Plan Alternative would be similar in this regard.) If the Port intends to maximize its profits by increasing vehicle emissions, it should be explicit about its policy. Otherwise, a sensible starting point for a plan for the site would be the Code-Compliant Alternative, modified to exclude all off-street residential parking.

Yoram Meroz

Potrero Hill
San Francisco

I-Miller

Hue, Melinda (CPC)

From: SF Miller <ruth94107@gmail.com>
Sent: Tuesday, February 21, 2017 4:45 PM
To: Hue, Melinda (CPC); Gibson, Lisa (CPC)
Subject: 2014-001272ENV Pier 70 Mixed-Use District Project

I am a Potrero Hill residents and am writing in regards to the DEIR for the Pier 70 project. Like so many of my neighbors, I have been following the Pier 70 plans for years, and I am excited about the potential of this historically significant site and the plans for some adaptive reuse of the significant structures. However, this DEIR is a far rougher and disappointing "draft" than what I would have expected after all the discussions and years of work that have been committed to this development. 1 (GC-1)

In the interest of brevity, I will highlight just a few important deficiencies, and it is my hope that it will be apparent to city planners that this DEIR needs more work. The draft is vague in many areas, and I would hope that the city would demand more specificity in order to provide useful commentary. How can one provide meaningful input regarding environmental impacts when the uses in many areas of the project are as of yet undetermined? These insufficiencies need to be addressed, clearer illustrations need to be provided so that the community and city officials can better see the planned structures, and studies should be included that acknowledge the many developments underway or on the way in this area. Even with the examples and details provided, it is clear that the proposal grossly exceeds the infrastructure of this area, and this project, like so many already being developed or in the pipeline for our neighborhood, will deepen an already unacceptable divide between infrastructure and growth, particularly in relation to traffic / transit issues. 2 (GC-1)

As currently proposed, the development threatens the unique potential of its waterfront setting with its cluster of outsized structures. Residents and visitors deserve better, and city planners must be vigilant in protecting our public vistas and avoiding unnecessary shadowing. The unique topography of Potrero Hill and the city's many visible hills are not only enjoyed by those who live in the area, but such vistas are viewable from the water and across the bay. The development should take care to not obstruct public vistas or unnecessarily cast shadows on the bay and surrounding parcels, and much more open space should be protected in this large area. 3 (GC-1)

The developers have repeatedly promised to honor the history of the site, but this proposal makes a mockery of one of the most significant features of the area with its ridiculous fencing in of the "Irish Hill Playground" area by means of massive shadow-casting structures. It is very hard to believe that this is a serious proposal unless it is meant as an ironic embodiment of an actual "theater of the absurd." Who would "play" in this depressing, shadowy, steeply graded enclosure? A first-year architecture / design student would know better than to propose such a thing. This area would best be honored by creative landscape architecture and open space that would accentuate the historical site and preserve much needed open space. 4 (CR-6)

I respectfully ask that this DEIR be sent back to the drafting table. This site is far too important and impactful for such an inappropriate proposal. 5 (GC-1)

Sincerely,

Ruth Miller

1140 Mariposa Street
San Francisco, CA 94107

rmill94107@gmail.com

415-551-1851

From: Gibson, Lisa (CPC)
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: FW: Pier 70 draft EIR comments - Case No. 2015052024
Date: Tuesday, February 21, 2017 1:14:10 PM
Attachments: Pier70_draftEIRcomments.pdf

Lisa Gibson
Acting Environmental Review Officer/
Director of Environmental Planning

Planning Department|City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9032|Fax: 415-558-6409
Email: lisa.gibson@sfgov.org
Web: www.sfplanning.org

-----Original Message-----
From: Rodney Minott [mailto:rodneyminott@outlook.com]
Sent: Monday, February 20, 2017 9:27 AM
To: Gibson, Lisa (CPC)
Subject: Pier 70 draft EIR comments - Case No. 2015052024

Please see my attached comments regarding the Pier 70 draft EIR.

Regards,
Rod Minott
Potrero Hill

I-Minott

Lisa Gibson
Acting Environmental Review Officer
Lisa.gibson@sfgov.org
Case No.: 2015052024

Dear Ms. Gibson:

I'm writing to share comments on the draft Environmental Impact Report (EIR) prepared for the proposed Pier 70 project , Case No. 2015052024. 1 (TR-2)

The draft EIR as currently written remains inadequate, incomplete, and inaccurate for the following reasons:

- **Transportation and Transit**. The draft EIR does not adequately address and mitigate the significant impacts of more than 100,000 daily person trips (residential and commercial). Running shuttle buses as a mitigation will not adequately lessen the impacts of the project on the already existing high levels of vehicle traffic and inferior public transit. Moreover, the draft EIR fails to adequately disclose impacts on numerous surrounding traffic intersections under Level of Service (LOS). The draft EIR should go beyond Vehicle Miles Traveled (VMT) analysis and address LOS in the body of the main report. 1 (TR-2)

- **Historic and Cultural Resources**. The draft EIR does not adequately address and mitigate the impact of demolishing historic structures adjacent to Building number 12 that were integral to the City's once fabled shipbuilding industry. Also, the draft EIR does not adequately address impacts (including significant shadowing) of surrounding buildings on the treasured cultural and historic landscape of Irish Hill. 2 (CR-2)

- **Recreation and Open Space.** The draft EIR does not adequately analyze and address impacts of the Pier 70 project and population increase on surrounding recreation facilities and open space. Pier 70 will result in thousands of new people residing on the site. Yet the Pier 70 project does not propose to include recreational facilities which, consequently, will put additional strain on existing facilities in Potrero Hill – specifically Jackson Park and the Potrer Rec Center. 3 (RE-3)

For all of the above reasons, I respectfully urge City Planning to revise the Pier 70 EIR draft to address significant impacts and necessary mitigations.

Regards,

Rod Minott
Potrero Hill

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 6:10 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: Fwd: Pier 70 project is getting out of control!

Lisa M. Gibson
Acting Environmental Review Officer/
Director of Environmental Planning

Sent from my iPhone

Begin forwarded message:

> **From:** "Gary Schoofs" <gms6126@gmail.com>
> **Date:** February 21, 2017 at 5:47:19 PM PST
> **To:** <lisa.gibson@sfgov.org>
> **Subject: Pier 70 project is getting out of control!**
>
> Ms. Gibson,
>
> Pier 70 (on the waterfront between 20th and 22nd) is allowed a generous amount of building right now. The developers would like it doubled. In numbers, the project would, by one scenario, include offices employing 10,000 people, and house 3,700 people. In other words, SF will have 6,000 more people to house. It would add 3,400 private car parking spaces, which will be occupied by cars, which their owners will use for commuting. By the plan's own calculations, that will double delays, pollution and carbon dioxide over the already generous limits of the current area plans. 1 (ME-1)
>
> My wife and I went to the neighborhood meeting s that the developer hosted and all seemed well and good. Now they're getting greedy and abusing the trust that they had with the community. They've got to be controlled.
>
> Gary Schoofs
> 537 Connecticut St

I-Schuttish

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 1:18 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: FW: Pier 70 DEIR Case No. 2014-001272ENV.

Lisa Gibson
Acting Environmental Review Officer / Director of Environmental Planning

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9032 | Fax: 415-558-6409
Email: lisa.gibson@sfgov.org
Web: www.sfplanning.org

From: Thomas Schuttish [mailto:schuttishtr@sbcglobal.net]
Sent: Tuesday, February 21, 2017 10:30 AM
To: Gibson, Lisa (CPC)
Subject: Pier 70 DEIR Case No. 2014-001272ENV.

Dear Ms. Gibson:

Good morning. (*These comments are from me, **Georgia Schuttish**, not Thomas*)

Here are my comments for this DEIR.

On page 4.C.38 "Environmental Setting and Impacts, C. Population and Housing" it states:

"The demand for 3,205 to 5,592 housing units that would be generated by employment under the Maximum Residential Scenario and the Maximum Commercial Scenario, respectively, would be more than the total number of units provided by the Proposed Project. However, the housing demand could be met with units that could be developed under various Citywide and regional planning efforts and housing built as a result of the Jobs-Housing Linkage Fee….."

1 (PH-4)

My questions are:

What specifically will or could happen to existing nearby or adjacent San Francisco residential neighborhoods with this demand for units from the Pier
70 development that cannot be met by the development itself?

What is the difference in demand for housing units and demand for *existing* housing units? 2 (PH-4)

Many of these adjacent or nearby neighborhoods, such as the Mission, Bernal Heights, Noe Valley and Potrero Hill are already in high demand for high end luxury-type, multi-million dollar single family residences, either through new housing but primarily through alterations of existing housing stock. What is the impact on these adjacent or nearby neighborhoods due to increased demand generated by the Pier 70 development? What specific *"Citywide…planning efforts and housing…"* would meet this demand? Would the purchasing decisions for housing made due to this projected demand from the the Pier 70 project align or match-up with the housing demand that *"could be developed under various Citywide and regional planning efforts"*? Does this include alterations of existing housing? What is the impact on existing housing in these neighborhoods? 3 (PH-4)

Can you give some information as to what would be the impact on the demand for other neighborhoods, adjacent to the neighborhoods cited above, such as Glen Park, Diamond Heights, and those neighborhoods collectively known as the Outer Mission or similar neighborhoods in this SE Quadrant that are considered affordable or relatively affordable due to existing housing? 4 (PH-4)

Also is there an overlap between, the Central SOMA plan and the Eastern Neighborhoods Plan, and the demand for housing in all the neighborhoods cited in the paragraphs above, due to these previous plans combined with this Pier 70 plan? What is that overall combined demand for housing units from these three area plans? And what would that combined demand be for existing housing in the neighborhoods cited above? (Part of the SW and most of the SE Quadrants). 5 (PH-2)

With this demand for housing and existing housing in the Pier 70 DEIR what are the issues of Gentrification, Demolition and Evictions? What are the issues for Gentrification, Demolition and Eviction under all three plans (Central SOMA, Eastern Neighborhoods and Pier 70) combined? 6 (OC-1)

Thank you very much.
Sincerely,
GEORGIA Schuttish

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 4:22 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: FW: Pier 70 Draft EIR comment

Lisa Gibson
Acting Environmental Review Officer /
Director of Environmental Planning

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9032 | Fax: 415-558-6409
Email: lisa.gibson@sfgov.org
Web: www.sfplanning.org

From: Meghan Sheedy [mailto:meghan_sheedy@yahoo.com]
Sent: Tuesday, February 21, 2017 4:17 PM
To: Gibson, Lisa (CPC)
Subject: Pier 70 Draft EIR comment

I am a resident of Potrero Hill and member of Friends of Jackson Park.
After reviewing the Draft EIR for Pier 70, I am concerned that the impact of the development and its future 6,800 will have on nearby recreation facilities is understated.

Since Pier 70 will not have its own recreation facilities, we anticipate the new residents will utilize Jackson Park and the Potrero Recreation Center for these needs. These two facilities are already heavily used and in a state of disrepair. The additional impact is likely to accelerate the degradation of these SFRPD facilities.

Please revisit the analysis of the impact of Pier 70 will have on the Potrero Hill's recreation facilities.

1
(RE-3)

Sincerely,
Meghan Sheedy
Friends of Jackson Park

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 1:15 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: FW: EIR for Pier 70

Lisa Gibson
Acting Environmental Review Officer /
Director of Environmental Planning

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9032 | Fax: 415-558-6409
Email: lisa.gibson@sfgov.org
Web: www.sfplanning.org

From: Matt Shiraki [mailto:mattshiraki@gmail.com]
Sent: Monday, February 20, 2017 5:09 PM
To: Gibson, Lisa (CPC)
Subject: EIR for Pier 70

Dear Ms. Gibson:

As a resident of Potrero Hill, I am writing to express my concern about the proposed plans for Pier 70. Site maps in the E.I.R. show proposed buildings along Illinois, 22nd, and the new 21st Street, surrounding Irish Hill. The placement and heights of these buildings would make Irish Hill invisible from the main access to Pier 70, Illinois Street. Irish Hill is a landscape feature which tells several stories central to Pier 70's history. Although plans preserve the hill itself, the hill's relationship to the larger neighborhood would be lost. Hiding Irish Hill in a courtyard would make this fundamental history much less available to residents and visitors. 1 (CR-6)

I strongly urge you to hold off on moving forward until this concern is adequately addressed, and I ask you to reconsider so that Irish Hill remains clearly visible to the community.

Thank you,
Matt Shiraki
1491 De Haro Street
San Francisco, CA 94107

I-Shuang

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 1:17 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: FW: Please NO to 9-story building by 20th and 22nd

Lisa Gibson
Acting Environmental Review Officer /
Director of Environmental Planning

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9032 | Fax: 415-558-6409
Email: lisa.gibson@sfgov.org
Web: www.sfplanning.org

From: mshuang1@comcast.net [mailto:mshuang1@comcast.net]
Sent: Tuesday, February 21, 2017 8:21 AM
To: Gibson, Lisa (CPC)
Cc: Jane Guan; Margaret Yang; Corinne Chao; Chris Tachiki; David Trinh; Adam Lashinsky; Joe Raguso; Joanna and dimitri (neighbor); Austin Yang
Subject: Please NO to 9-story building by 20th and 22nd

Hi Lisa.

We say NO to construction that would allow a 9-story building between 20th and 22nd. This building would block views from our house at Missouri st and is completely out of character for the area. We understand the housing crisis but please find another and better way to extend affordable housing to all who need it. Thx

1
(ME-1)

I have CC'd my neighbors in case were not aware of this project which is being planned at the water front. Fellow neighbors - Lisa needs to hear our views by today that we're NOT ok with a 9-story monstrosity being built on the waterfront which among other could block views of the bay. Please let her know it's not ok to build this type of building.

Thx

Respectfully

Mike

Sent from XFINITY Connect Mobile App

I-Smith

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 4:40 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: FW: Pier 70 plan public comment

Lisa Gibson
Acting Environmental Review Officer /
Director of Environmental Planning

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9032 | Fax: 415-558-6409
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From: Shirlee Smith [mailto:shirleesmith@yahoo.com]
Sent: Tuesday, February 21, 2017 4:39 PM
To: Gibson, Lisa (CPC)
Subject: Pier 70 plan public comment

Dear Ms Gibson:

I'm writing to you to express my concern about the impact on traffic that the proposed Pier 70 plan will have. I'm a resident of the Mission District, and I commute to San Mateo via MUNI and Caltrain. The proposed plan adds parking, and thus, traffic. However, I see no proposed improvements to SFMTA service to the area. Additional traffic will delay the already fairly unreliable and quite limited crosstown MUNI service in the Dogpatch area. 1 (TR-2)

The projected office employment on the site (10,000) far exceeds the proposed housing (3,700). The whole Bay Area has a housing shortage. From the proposed shuttles to Caltrain and BART from the project, it appears that you expect many of the workers to come from outside the city limits. I urge you to put public transportation first in this plan to give people who live in other parts of San Francisco a practical way to get to work at this site, other than driving their cars. 2 (TR-4)

I urge you to ask the developers to address traffic impact before you proceed with any project.

Respectfully,
Shirlee Smith
728 Alabama Street
San Francisco

I-Spangler

Hue, Melinda (CPC)

From: William H. Spangler <whspangler@gmail.com>
Sent: Monday, January 30, 2017 6:42 PM
To: Huggins, Monica (CPC)
Cc: Hue, Melinda (CPC)
Subject: Pier 70 Mixed-Use District Project (2014-001272ENV) Draft EIR Comment

Hello,

I am writing with a public comment on the Draft EIR for the Pier 70 Mixed Use District Project. I would like to comment on impacts to biological resources, especially BI-4, compensation for fill of jurisdictional waters. If the project results in fill of jurisdictional habitats, then a mitigation ratio of 1:1 is unreasonably low. The vacant nature of many of the facilities over the past decade may have resulted in this particular jurisdictional habitat having outsize habitat value along this portion of the shoreline. If compensatory mitigation measures for fill are implemented as off-site shoreline improvements, then mitigation should consider the onsite loss of biological resources and also the temporal loss associated with the fill occurring prior to mitigation. Further, removing pilings sounds woefully inadequate to offset the impact of the loss of jurisdictional habitat by filling the waters of the San Francisco Bay. I would prefer to see more substantial shoreline improvements that would enhance biological resources such as revegetation with regionally-appropriate native species and high-tide refuge islands for shorebirds. I expect that the regulatory agencies (RWQCB, BCDC. the Corps, and CDFW) would agree with more substantial mitigation ratios and compensatory measures as well. 1 (BI-2)

I would also like to comment on the rare plant surveys conducted of serpentine soils at Irish Hill. It appears that these surveys were conducted on two occasions in March and May of 2016. I applaud the general timeline of these surveys, and the fact that a follow-up survey was conducted. Did the surveyor conclude that late-blooming special-status plants were unlikely to occur? Many special-status species that are known to occur on serpentine soils bloom late in the summer, and may have been missed during these surveys. 2 (BI-3)

I would also like to comment as to how the project intends to control feral cats, which are known to have a detrimental effect on nesting birds and bats. Will there be ongoing efforts to trap feral cats? 3 (BI-4)

Thank you,
Will

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 5:00 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: FW: Response to Pier 70's DEIR

Lisa Gibson
Acting Environmental Review Officer /
Director of Environmental Planning

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9032 | Fax: 415-558-6409
Email: lisa.gibson@sfgov.org
Web: www.sfplanning.org

From: Elain Sprague Stuebe [mailto:elainsprague@sbcglobal.net]
Sent: Tuesday, February 21, 2017 5:00 PM
To: richhillissf@yahoo.com; Richards, Dennis (CPC); planning@rodneyfong.com; Johnson, Christine (CPC); Koppel, Joel (CPC); Melgar, Myrna (CPC); Moore, Kathrin (CPC); Gibson, Lisa (CPC)
Subject: Response to Pier 70's DEIR

To Planning Commissioners:

I am a 26-year SF/15-year Potrero Hill resident raising two public school kids here in the city. We are active members of the Potrero Hill/Dogpatch community, part of Friends of Jackson Park, one of the first families of PKDW preschools, part of the pioneering families keeping Daniel Webster Elementary open and thriving, and our children have attended the Jackson Park Afterschool program for years. We had a business office on 16th and Kansas and then 8th and Townsend for years. We've seen a lot of exciting growth and change over the years and live with the impacts daily. 1 (ME-1)

After reading the DEIR I can't help but notice how the list or parks or recreation centers in the area doesn't quite convey the disconnectedness, level of current maintenance and inaccessibility of all of the very small, aside from one, parks. 2 (RE-1)

These rec areas are surrounded by major throughfares not friendly to bicycle commuting or walking to get from one or the other or from new residentail housing developments. They're surrounded by freeway 280, freeway overpasses, freeway on-ramps, train tracks.. The largest park mentioned, Potrero Rec, sits on TOP of a hill with only one side accessible by vehicle or pedestrians, and HALF of it is steep, unmaintained trail systems with fencing separating it from affordable housing projects. The current muni plan is to divert buses around the housing vs. going through making it even harder to access from anywhere, but the housing development. Potrero Rec is currently in the process of a second renovation to some of its dog run space. The smaller parks listed in your report have zero space allocated for sports like basketball, tennis, soccer, baseball, but do have much community time invested in gardens. In fact two of your parks listed are literally gardens to cover the drab ground cover of a freeway off ramp and on ramp, Pennsylvania St. and Tunnel Top.

Jackson Park however, the oldest playground in THE CITY, has been and always will be a major community hub. We take pride in the work we are doing to advocate for more community participation in helping to rejuvenate the heaviest used rec area in the south east sector. However, it is in serious disrepair currently and we are feeling it's worn use as families who frequent the park on a daily basis. We hope that new residents and developers will consider this park for its sunny openness, accessibility for vehicles, transit, bikes and walkers and its location with the neighborhood businesses - its place in history in the city and neighborhood - and contribute to the improvement of Jackson, facilitating recreation for new and old residents and **building community**.

2
(RE-1)
cont'd

Thank you!
Elain Sprague Stuebe

~ Elain Sprague Stuebe
www.beautycounter.com/elainsprague-stuebe
"Getting safer products into the hands of everyone."

I-Tobias

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 9:08 PM
To: Cooper, Rick (CPC); Hue, Melinda (CPC)
Subject: Fwd: Pier 70

Lisa M. Gibson
Acting Environmental Review Officer/
Director of Environmental Planning

Sent from my iPhone

Begin forwarded message:

> **From:** Marg T <marg@speakeasy.net>
> **Date:** February 21, 2017 at 8:46:50 PM PST
> **To:** <lisa.gibson@sfgov.org>
> **Subject: Pier 70**
>
> Hello,
>
> I would ask that any of the development at Pier 70 be good all stakeholders - including the people how live in the local neighborhood. I understand that the report includes a traffic study showing that this project will bring 30 area intersections to Level F and that will effectively result in total gridlock. It is already extremely difficult to get off the Hill during a giants balll game. With all the new housing in Dog Patch/Potrero Hill, UCSF, the Warrior's stadium and now Pier 70, the traffic is only getting worse. 1 (TR-2)
>
> I realize people will say that folks will take public transport, but again, during Giant ball games, there is so much traffic even though there is plenty of public transport available.
>
> We need SMART growth - not just "more" growth.
>
> Thank you.
> Marg Tobias
> Resident on Pennsylvania Ave

I-Walbridge

Hue, Melinda (CPC)

From: Gibson, Lisa (CPC)
Sent: Tuesday, February 21, 2017 1:15 PM
To: Hue, Melinda (CPC); Cooper, Rick (CPC)
Subject: FW: Objection pier 70

Lisa Gibson
Acting Environmental Review Officer/
Director of Environmental Planning

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9032 | Fax: 415-558-6409
Email: lisa.gibson@sfgov.org
Web: www.sfplanning.org

-----Original Message-----
From: Peter Walbridge [mailto:peter@bigthinkstudios.com]
Sent: Tuesday, February 21, 2017 6:36 AM
To: Gibson, Lisa (CPC)
Subject: Objection pier 70

I'm no nimby but what the developers are currently proposing is way out of line with the neighborhood. I firmly object and recommend they go back to the drawing board. Now. Thanks you for listening Lisa. 1 (ME-1)
Peter

Sent from my mobile
Peter Walbridge
415-845-8432