File No. 130019 Committee Item No. 2
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

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Committee: Land Use and Economic Development **Date** February 25, 2013

Board of Supervisors Meeting **Date** _____

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☒	☐	Board of Supervisors Motion No. 08-145
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☒	☐	Planning Commission Motion No. 17668
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Completed by: Alisa Miller **Date** February 22, 2013
Completed by: _____ **Date** _____

** Due to the large size of the document, a complete copy can be found in file.

[Planning Code, Zoning Map - Central Subway Tunnel Boring Machine Extraction Site Special Use District]

Ordinance amending the Planning Code, by adding Section 249.70, to create the Central Subway Tunnel Boring Machine Extraction Site Special Use District for the property located at Assessor's Block No. 0101, Lot No. 004, known as 1731-1741 Powell Street, to facilitate the removal of the tunnel boring machines used in the construction of the Central Subway Project and allow the construction of a previously approved mixed-use residential/retail building; amending Sectional Zoning Maps HT 01 and SU 01 to reflect the Central Subway Tunnel Boring Machine Extraction Site Special Use District; adopting findings, including environmental findings, and findings of consistency with the General Plan.

NOTE: Additions are *single-underline italics Times New Roman*; deletions are ~~*strike-through italics Times New Roman*~~. Board amendment additions are double-underlined; Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. General

(a) The San Francisco Municipal Transportation Agency (SFMTA) is constructing a continuation of the T-Third Light Rail Vehicle line from the Caltrain Station at Fourth and King Streets to an underground station in Chinatown (the "Project") to create a critical transportation improvement linking neighborhoods in the southeastern portion of the City and County of San Francisco (the "City") with the retail and employment centers in the City's downtown and Chinatown neighborhoods.

(b) The Project will provide direct rail service to regional destinations, including the City's Chinatown, Union Square, Moscone Convention Center, Yerba Buena, SoMa and AT&T Park neighborhoods; connect BART and Caltrain; serve a low-auto-ownership

population of transit customers; increase transit use and reduce travel time; reduce air and noise pollution and provide congestion relief.

(c) Construction of the subway portion of the extension, from underneath Interstate 80 to the Chinatown Station, requires the use of two tunnel boring machines. The Project originally included plans to remove the tunnel boring machines from a location in North Beach in the right-of-way of Columbus Avenue, between Powell Street and Union Street, approximately 2000 feet beyond the Chinatown Station. Retrieval of the machines from Columbus Avenue will require closing two lanes of Columbus Avenue for almost a year. After further consideration, and in order to avoid the traffic disruptions caused by the original retrieval location, the SFMTA proposes to change the location where the tunnel boring machines are retrieved to an off-street location at 1731-1741 Powell Street.

(d) The proposed new location for the removal of the machines is currently occupied by the former Pagoda Palace, or Pagoda Theater. The Pagoda Palace is a former movie and live performance theater built around 1908. The building is approximately 56 feet tall. The building height is consistent with other building heights in the same block where it is located, including the height of the building directly adjacent to the Pagoda Palace to the south; however, it exceeds the current height limit in the area, which is 40 feet. The building has been officially closed since 1994, is currently vacant.

(e) On January 8, 2009, in Motion number 17797, the San Francisco Planning Commission approved a conditional use authorization to allow the building to be converted from a movie theater use to a mixed-use residential, parking and ground floor retail project with basement parking. The Planning Commission approved an amended conditional use authorization on October 28, 2010, in Motion number 18204, which did not alter the project, but allowed the project sponsor to change the method by which the project sponsor complied with the City's affordable housing requirements.

(f) As approved by the Planning Commission in Motion numbers 17797 and 18204, the reuse of 1731-1741 Powell as a mixed-use residential and retail project would have consisted of a seismic/structural retrofit, and would not have constituted structural demolition. As an alteration of a non-complying structure, and not demolition, the approved project would comply with the applicable zoning regulations relative to building height, which allows altered non-conforming buildings to remain at their current height. However, use of the site by the Central Subway to remove the tunnel boring machines will require the demolition of the structure in order to provide the necessary construction access. This Ordinance will allow the Central Subway to demolish the non-complying structure while preserving the ability of the project sponsor to construct the previously approved mixed-use residential/retail use, which included a building consistent with the previously existing height. By adopting a special use district exclusively for the site, the 40 foot height limit remains applicable for other parcels in the area.

(g) In addition, since the time that the Planning Commission approved Motions 17797 and 18204, several Planning Code provisions have been added or amended which, if applicable to the project site, would trigger additional restrictions on the ability of the project sponsor to construct the previously approved project. These restrictions would not apply to the previously approved project. This Ordinance would allow the construction of the previously approved project without requiring compliance with these later enacted Planning Code provisions.

Section 2. Findings.

(a) On August 7, 2008, the City's Planning Commission certified that the Final Supplemental Environmental Impact Statement/Supplemental Environmental Impact Report ("Final Supplemental EIS/EIR") for the Central Subway/Third Street Light Rail Phase 2 ("Central Subway") was in compliance with the California Environmental Quality Act,

(California Public Resources Code section 21000, *et seq)* ("CEQA"), the CEQA Guidelines, and Administrative Code Chapter 31 in Planning Commission Motion No. 17668. The Final Supplemental EIS/EIR and Motion No. 17668 are on file with the Clerk of the Board of Supervisors in File No. 130019 and are incorporated by reference.

(b) On August 19, 2008, the SFMTA's Board of Directors, by Resolution No. 08-150, approved the Project, and adopted CEQA Findings, including a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program (MMRP) as required by CEQA. Resolution No. 08-150 is on file with the Clerk of the Board of Supervisors in File No. 130019 and is incorporated by reference.

(c) On September 16, 2008, the City's Board of Supervisors (this "Board") adopted Motion No. 08-145, in Board File No. 081138, affirming the City's Planning Department decision to certify the Final Supplemental EIS/EIR. Motion No. 08-145 is on file with the Clerk of the Board of Supervisors in File No. 130019 and is incorporated by reference.

(d) On February 7, 2013, the City's Planning Department found in an Addendum to the Final Supplemental EIS/EIR, that the proposed changes to the Project are not substantial and would not require major revisions to the Final Supplemental EIS/EIR or result in significant environmental impacts that were not evaluated in the Final Supplemental EIS/EIR; and no new information has become available that was not known and could not have been known at the time the Final Supplemental EIS/EIR was certified as complete and that would result in significant environmental impacts not evaluated in the Final Supplemental EIS/EIR.

(e) In accordance with the actions contemplated herein, this Board has reviewed the Final Supplemental EIS/EIR and the Addendum, and adopts and incorporates by reference as though fully set forth herein the findings, including the mitigation monitoring and reporting program, adopted by the Planning Commission on August 7, 2008 in

Motion No. 17668. The Board further finds that there is no need to prepare a subsequent environmental impact report under CEQA Guidelines Section 15162 for the actions contemplated herein.

(f) On February 14, 2013, the Planning Commission conducted a duly noticed public hearing on the proposed Zoning Map amendments and, by Resolution No. 18805 recommended them for approval. The Planning Commission found that the proposed Zoning Map amendments were, on balance, consistent with the City's General Plan, and with Planning Code Section 101.1(b). A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File No. 130019 and is incorporated herein by reference.

(g) The Board finds that these Zoning Map amendments are on balance consistent with the General Plan and with the Priority Policies of Planning Code Section 101.1 for the reasons set forth in Planning Commission Resolution No. 18805 and the Board hereby incorporates such reasons herein by reference.

(h) Pursuant to Planning Code Section 302, the Board finds that the proposed ordinance will serve the public necessity, convenience and welfare for the reasons set forth in Planning Commission Resolution No. 18805, which reasons are incorporated by reference as though fully set forth.

Section 3. The San Francisco Planning Code is hereby amended by adding Section 249.70 to read as follows:

Section 249.70 Central Subway Tunnel Boring Machine Extraction Site Special Use District

(a) Purposes. In order to facilitate the removal of the tunnel boring machines used to construct the Central Subway Project from an off-street location at 1731-1741 Powell Street while allowing the construction of a mixed-use residential and ground floor retail building in substantial

conformity to a mixed-use residential/retail project conditionally authorized in 2009 and 2010, there shall be a special use district known as the Central Subway Tunnel Boring Machine Extraction Site Special Use District, as designated on Sectional Map No. 1SU of the Zoning Map of the City and County of San Francisco.

(b) Controls: All otherwise applicable provisions of the Planning Code shall apply to this Special Use District, except as specifically provided in this Section 249.70:

(1) Restaurant Use: Section 780.3, prohibiting new restaurants in specified locations, shall not apply in this Special Use District.

(2) Use Size: In this District, the maximum use size in the North Beach Neighborhood Commercial District found in Section 121.2(b) shall be 5,000 square feet.

(3) Parking: Notwithstanding any other provision of this Code, no more than one parking space per dwelling unit, up to .5 accessory spaces per dwelling unit, and up to 3 accessory parking spaces for non-residential uses, up to a total maximum of 27 spaces, shall be allowed.

(4) Rear Yard. The provisions of Section 134 shall not apply in this District.

(5) Ground Floor Ceiling Heights. Notwithstanding the provisions of section 145.1, ground floor non-residential uses in this District shall have a minimum floor-to-floor height of 8.5 feet.

(6) Exposure. The requirements of Section 140 shall not apply. Any dwelling unit shall either face onto a public street or a lightwell measuring at least 25 feet.

(7) Demolition. Notwithstanding any other provision in this Code, in this District, an application authorizing demolition of a building may be granted prior to final approval of a building permit for construction of a replacement building, as long as the replacement building has been conditionally authorized.

(8) Height and Bulk. The height and bulk applicable to this Special Use District shall be 55-X, provided, however, that in no case shall the height of any new structure exceed the height of the existing Pagoda Palace structure. For purposes of measurement of height in this District, the height of

a projecting business sign shall be exempt, provided that such sign is the reconstruction or rehabilitation of an existing projecting movie theater blade sign as provided in Section 9 herein. Prior to demolition of the existing structure, the owner or owners authorized agent shall prepare and submit to the Planning Department a detailed survey, including elevations and sections, which accurately dimension the height of the existing theater building, including the heights of all rooftop features.

(9) Signage. The existing Pagoda Palace's projecting movie theater blade sign provided a prominent visual landmark within the North Beach Neighborhood Commercial District. In order to preserve this visual landmark, any new structure in the Special Use District shall include as an architectural element, a reconstructed projecting movie theater blade sign in general conformity with the overall design, scale and character of the existing movie theater sign.

(10) Streetscape and Pedestrian Improvements. The requirements of Section 138.1(c)(1) shall apply.

(c) Fees. The provisions of Section 352 shall apply to this District, provided however, that if the Planning Commission has approved a conditional use authorization for a substantially similar project within the previous 4 years of the effective date of this ordinance, such fees shall be waived.

(d) Sunset Provision. This Section 249.70 shall be repealed 5 years after its initial effective date unless the Board of Supervisors, on or before that date, extends or re-enacts it.

Section 4. The San Francisco Planning Code is hereby amended by amending Sectional Map HT01 of the Zoning Map of the City and County of San Francisco, as follows:

Description of Property	Height and Bulk Districts to be Superseded	Height and Bulk Districts Hereby Approved
Assessor's Block/Lot 0101/04	40-X	55-X

Section 5. The San Francisco Planning Code is hereby amended by amending Sectional Map SU01 of the Zoning Map of the City and County of San Francisco, as follows:

Description of Property	Special Use District Hereby Approved
Assessor's Block/Lot 0101/04	Central Subway Tunnel Boring Machine Extraction Site Special Use District

Section 6. This section is uncodified. Effective Date and Operative Date. This ordinance shall become effective 30 days from the date of passage. This Ordinance shall become operative only upon the later of 30 days from the date of passage or the date that a lease authorized by SFMTA Resolution 13-023 , regarding use of 1731 Powell for extraction of the tunnel boring machines for the Central Subway project, becomes effective. A copy of said Resolution is on file with the Board of Supervisors in Board File Number 130019 .

Section 7. This section is uncodified. In enacting this Ordinance, the Board intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation, charts, diagrams, or any other constituent part of the Planning Code that are explicitly shown in this legislation as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the legislation.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: Audrey Pearson
Audrey Pearson
Deputy City Attorney

FILE NO. 130019

REVISED LEGISLATIVE DIGEST

(1/29/2013, Substituted)

[Planning Code, Zoning Map - Central Subway Tunnel Boring Machine Extraction Site Special Use District]

Ordinance amending the Planning Code, by adding Section 249.70, to create the Central Subway Tunnel Boring Machine Extraction Site Special Use District for the property located at Assessor's Block No. 0101, Lot No. 004, known as 1731-1741 Powell Street, to facilitate the removal of the tunnel boring machines used in the construction of the Central Subway Project and allow the construction of a previously approved mixed-use residential/retail building; amending Sectional Zoning Maps HT 01 and SU 01 to reflect the Central Subway Tunnel Boring Machine Extraction Site Special Use District; adopting findings, including environmental findings, and findings of consistency with the General Plan.

Existing Law

The Planning Code contains several provisions which regulate the development of new buildings in the North Beach Neighborhood Commercial District and North Beach Special Use District. Section 780.3 allows new restaurants in limited locations in the North Beach Special Use District. Section 260 limits the height of new buildings to 40 feet. Section 722.94 regulates parking for new dwelling units. Section 134 sets forth requirements for open rear yard space. Section 145.1(c)(4)(C) requires that the ceilings of ground-floor non-residential uses have a minimum floor-to-ceiling height of 10 feet in 40-50 foot height districts. Section 140 requires all dwelling units to face a street, a code-complying rear yard, or another type of open area that meets certain dimensional requirements. Various sections regulate signage, demolition, and streetscape and pedestrian improvements. Finally, Section 352 requires project applicants submit a certain fee for conditional use applications.

Amendments to Current Law

This ordinance would amend the Planning Code to create the Central Subway Tunnel Boring Machine Extraction Site Special Use District for Assessor's Block No. 0101, Lot No. 004, also known as 1731-1741 Powell Street. The controls in the Special Use District would be those otherwise applicable in the Planning Code, with several exceptions: the height limit for the site would be increased to 55-X; the SUD would also allow exceptions to certain use size restrictions, restaurant use restrictions; parking requirements; rear yard requirements; ground floor ceiling requirements; exposure requirements; demolition restrictions; signage requirements; streetscape and pedestrian improvements; and would waive the conditional use application fee if a substantially similar project had been approved within the Special Use District within the last four years.

The Ordinance also makes conforming changes to the San Francisco Zoning Maps.

Background Information

The San Francisco Municipal Transportation Agency (SFMTA) is constructing a continuation of the T-Third Light Rail Vehicle line from the Caltrain Station at Fourth and King Streets to an underground station in Chinatown (the "Project"). The Central Subway will create a critical transportation improvement linking neighborhoods in the southeastern portion of the City and County of San Francisco (the "City") with the retail and employment centers in the City's downtown and Chinatown neighborhoods.

Construction of the subway portion of the extension, from underneath Interstate 80 to the Chinatown Station, requires the use of two tunnel boring machines. The Project originally included plans to remove the tunnel boring machines from a location in North Beach within the right-of-way of Columbus Avenue, between Powell and Union Streets, approximately 2000 feet beyond the Chinatown Station. Retrieval of the machines from Columbus Avenue will require closing two lanes of Columbus Avenue for almost a year. After further consideration, and in order to avoid the traffic disruptions caused by the original retrieval location, the SFMTA proposes to change the location where the tunnel boring machines are retrieved to an off-street location at 1731-1741 Powell Street.

The proposed new location for the removal of the machines is currently occupied by the former Pagoda Palace, or Pagoda Theater. The Pagoda Palace was a movie and live performance theater built around 1908, but is currently vacant. The building is approximately 55 feet tall, which is above the current 40-foot height limit in the area.

The Planning Commission approved a conditional use application for the Pagoda Theater site in January 2009 (amended in October 2010). The conditional use authorization allowed the Pagoda Theater to be converted from a movie theater use to a mixed-use residential and ground floor retail project, with basement parking. As a re-use of the building, and not a demolition, the mixed-use project was allowed under the Planning Code to remain at its current, non-complying height. In addition, the project was approved under the Planning Code as it was written in 2009.

This ordinance would enable the construction of the same mixed-use residential, parking and ground floor retail project as approved in Motion numbers 17797 and 18204, but without the need to reuse (and not demolish) the theater. Thus, the ordinance would allow the Central Subway to demolish the theater, and later allow the construction of the previously approved mixed-use residential/retail use at the previously existing height, and in accordance with previous Code provisions.

FILE NO. 081138 MOTION NO. M08-145

[Affirm certification of Central Subway Project Final Supplemental EIR]

Motion affirming the certification by the Planning Commission of the Final Supplemental Environmental Impact Report for the Central Subway Project.

WHEREAS, The San Francisco Municipal Transportation Agency (the "Project Sponsor") is proposing to construct a continuation of the T-Third Light Rail Vehicle line from the Caltrain Station at Fourth and King Street to an underground station in Chinatown (the "Project"); and

WHEREAS, The Project Sponsor applied for environmental review of the Project, which is Phase 2 of the Third Street Light Rail Project for which the City certified a joint Environmental Impact Statement/ Environmental Impact Report (EIS/EIR) in 1998 (Planning Department Case File No 1996.281E); and

WHEREAS, The Planning Department for the City and County of San Francisco (the "Department") determined that a Supplemental EIS/EIR was required for the Project and provided public notice of that determination by publication in a newspaper of general circulation on June 11, 2005; and

WHEREAS, On October 17, 2007, the Department published the Draft Supplemental EIS/EIR and provided public notice in a newspaper of general circulation of the availability of the document for public review and comment and of the date and time of the Planning Commission public hearing on the Draft Supplemental EIS/EIR and mailed this notice to the Department's list of persons requesting such notice; and

WHEREAS, Notice of availability of the Draft Supplemental EIS/EIR and the date and time of the public hearing were posted along the project site on October 17, 2007 and on

October 26, 2007, the Federal Transit Administration published a notice of availability of the Supplemental EIS in the Federal Register; and

WHEREAS, On October 17, 2007, copies of the Draft Supplemental EIS/EIR were mailed or otherwise delivered to a list of persons requesting it, those noted on the distribution list in the Draft Supplemental EIS/EIR, and government agencies and a notice of completion was filed with the State Clearinghouse on October 15, 2007; and

WHEREAS, On November 15, 2007, the Planning Commission held a duly noticed public hearing on the Draft Supplemental EIS/EIR, at which time opportunity for public comment was received on the Draft Supplemental EIS/EIR, and written comments were received through December 10, 2007; and

WHEREAS, The Department prepared responses to comments received at the public hearing on the Draft Supplemental EIS/EIR and submitted in writing to the Department, prepared revisions to the text of the Draft Supplemental EIS/EIR and published a Draft Summary of Comments and Responses on July 11, 2008; and

WHEREAS, A Final Supplemental Environmental Impact Report ("Final Supplemental EIR") for the Project was prepared by the Department, consisting of the Draft Supplemental EIS/EIR, any consultations and comments received during the review process, any additional information that became available and the Draft Summary of Comments and Responses, all as required by law; and

WHEREAS, On August 7, 2008, the Commission reviewed and considered the Final Supplemental EIR and, by Motion No. M-17668, found that the contents of said report and the procedures through which the Final Supplemental EIR was prepared, publicized and reviewed complied with the provisions of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code; and

WHEREAS, By Motion No. M-17668, the Commission found the Final Supplemental EIR to be adequate, accurate and objective, reflected the independent judgment and analysis of the Department and the Commission and that the Summary of Comments and Responses contained no significant revisions to the Draft Supplemental EIS/EIR, adopted findings relating to significant impacts associated with the Project and certified the completion of the Final Supplemental EIR in compliance with CEQA and the State CEQA Guidelines; and

WHEREAS, On August 19, 2008, by Resolution No. 08-150, the San Francisco Municipal Transportation Agency Board of Directors approved the Project; and

WHEREAS, On August 20, 2008, John Elberling, President/CEO of Tenants and Owners Development Corporation, filed an appeal of the Final Supplemental EIR with the Clerk of the Board of Supervisors; and

WHEREAS, On August 27, 2008, Gerald Cauthen and Howard Wong filed an appeal of the Final Supplemental EIR with the Clerk of the Board of Supervisors; and

WHEREAS, On August 27, 2008, James W. Andrew, of Ellman, Burke, Hoffman & Johnson, on behalf of the owners of 800 Market Street, filed an appeal of the Final Supplemental EIR with the Clerk of the Board of Supervisors; and

WHEREAS, The Board of Supervisors held a public hearing on September 16, 2008, to review the decision by the Planning Commission to certify the Final Supplemental EIR; and

WHEREAS, The Final Supplemental EIR files and all correspondence and other documents have been made available for review by the Board of Supervisors, the Planning Commission and the public; these files are available for public review by appointment at the Planning Department offices at 1650 Mission Street, and are part of the record before the Board of Supervisors; and

WHEREAS, This Board has reviewed and considered the Final Supplemental EIR and heard testimony and received public comment regarding the adequacy of the Final Supplemental EIR; now, therefore, be it

MOVED, That this Board of Supervisors hereby affirms the decision of the Planning Commission in its Motion No. M-17668 to certify the Final Supplemental EIR and finds the Final Supplemental EIR to be complete, adequate and objective and reflecting the independent judgment of the City and in compliance with CEQA and the State CEQA Guidelines.

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 081138 **Date Passed:** September 16, 2008

Motion affirming the certification by the Planning Commission of the Final Supplemental Environmental Impact Report for the Central Subway Project.

September 16, 2008 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

File No. 081138

I hereby certify that the foregoing Motion was APPROVED on September 16, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

SAN FRANCISCO
PLANNING DEPARTMENT

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

ADDENDUM TO SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT/SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT

Date:	January 31, 2013
Case No.:	1996.0281E
Project Title:	Central Subway
Zoning:	North Beach NCD (North Beach Neighborhood Commercial District) Zoning District 40-X Height and Bulk District
Block/Lot:	0101/004
Lot Size:	15,320 square feet (1731 Powell St)
Project Sponsor:	San Francisco Municipal Transportation Agency (SFMTA) John Funghi – (415) 701-4299
Lead Agency:	San Francisco Planning Department
Staff Contact:	Sarah Jones – (415) 575-9034 Sarah.b.jones@sfgov.org

INTRODUCTION AND PROJECT DESCRIPTION

This Addendum addresses the Central Subway project, as described in the 2008 Phase 2 Central Subway Supplemental Environmental Impact Statement/Supplemental Environmental Impact Report (2008 SEIS/SEIR) certified by the Planning Commission on August 7, 2008[1].

California Environmental Quality Act (CEQA) allows for preparation of an addendum to a certified EIR when a change to a project is proposed that would not result in new or substantially more severe significant impacts. SFMTA has proposed a modification to the Central Subway project that would 1) change the location at which the tunnel boring machines (TBM) being used to excavate the subway tunnel are removed from the ground and 2) allow for redevelopment of the proposed new TBM retrieval shaft site, after the retrieval process is concluded.

As described in the 2008 SEIS/SEIR, as currently approved, the construction tunnel for the underground portion of the Central Subway would continue north from the Chinatown Station

[1] Federal Transit Administration and San Francisco Planning Department, *Final Central Subway Supplemental Environmental Impact Statement/Supplemental Environmental Impact Report*, August 7, 2008. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 1996.281E.

(at Jackson and Stockton Streets) and extend under Columbus Avenue to a site north of Union Street, where the TBM would be extracted via a retrieval shaft located in the public right-of-way. The proposal analyzed in this Addendum would relocate this retrieval site to a privately-owned parcel at 1731 Powell Street (Assessor's Block 101, Lot 004), approximately 100 feet northwest of the original TBM extraction location. ("modified project"). The modified project would also involve redevelopment of the 1731 Powell Street site, currently occupied by a vacant, approximately 55-foot-tall structure formerly used as a theater ("Pagoda Theater").

The Pagoda Theater property is the site of an approved project (Planning Department Case File No. 2007.1117) (the "Pagoda Theater project") which would modify and convert the existing theater to a mixed-use building with 18 residential units and approximately 4,700 square feet (sf) of ground floor restaurant and retail use. Five stories (40,875 sf) of developed space over basement parking would be accommodated within the existing 56-foot high structure. The Planning Department issued a Certificate of Determination for a Class 32 Categorical Exemption for the Pagoda Theater project on January 6, 2009, and the Planning Commission adopted a conditional use authorization for the project in Motion 17797 on January 8, 2009. On October 28, 2010, the Planning Commission amended the Conditional Use Authorization, in Motion Number 18204, to allow the project sponsor to change the method by which the project sponsor complied with the City's affordable housing requirements.

Relocation of the TBM retrieval shaft site to 1731 Powell Street (hereinafter referred to as the "project site") as proposed in the modified project would require demolition of the Pagoda Theater building. In addition to TBM extraction at the project site, the modified project also would include the construction of a development substantially similar to the Pagoda Theater project. The new construction would include a building with substantially the same building envelope and development specifications as the Pagoda Theater project, with the exception of a different configuration of the ground floor commercial space as one 4,700 sf restaurant use.

PROJECT BACKGROUND

SFMTA is constructing the Central Subway, a light-rail line that will operate independently from the Muni Market Street Metro as a new 1.7-mile cross town connector. The Central Subway is an extension of the existing 5.1-mile Phase 1 of the Third Street Light Rail Transit Program, which began service in April 2007.

The Central Subway will extend from the existing station at Fourth and King Streets as a surface line, transitioning to subway operation under the Interstate 80 Freeway, between Bryant and

Harrison Streets. The alignment will pass underneath the existing BART/Muni Market Street tube, and continue north under Stockton Street to the system terminus in Chinatown at Stockton and Jackson Streets. A double track, 200-foot tail track for storage will continue beyond the Chinatown station platform. Four stations will be located along the 1.7-mile alignment:

- A surface station on Fourth Street between Brannan and Bryant Streets;
- The Yerba Buena/Moscone (subway) Station at 4th and Folsom streets;
- Union Square/Market Street Station on Stockton Street at Union Square (subway) with a direct path linking to the Market Street Muni Metro and BART trains; and
- Chinatown Station at Stockton and Washington streets (subway).

North of the Chinatown Station, the project scope includes continuation of the twin tunnel excavation to the retrieval shaft site in North Beach. As described in this Addendum, SFMTA is currently proposing relocation of the approved TBM retrieval shaft site from Columbus Avenue to the property at 1731 Powell Street, affecting only the northernmost terminus of the Phase 2 alignment.

Central Subway EIS/EIR Timeline

Milestones in the environmental review of the Central Subway project are summarized below:

1998: The *Third Street Light Rail Project Final Environmental Impact Study and Final Environmental Impact Report* (1998 FEIS/FEIR) is certified by the Planning Commission.

1999: The Federal Transit Administration (FTA) issues a Record of Decision (ROD) for Third Street Light Rail Project. The San Francisco Public Transportation Commission (predecessor to SFMTA) approves Third Street Light Rail Project.

Spring 2007: Third Street Light Rail opens for service.

October 17 2007-December 10, 2007: The *Central Subway Draft Supplemental Environmental Impact Statement/Supplemental Environmental Impact Report*, addressing Phase 2, is circulated for a 55-day public review as part of the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) processes.

February 19, 2008: SFMTA Board of Directors selects Central Subway Project Alternative 3B with the North Beach Construction Variant as the Locally Preferred Alternative.

August 2008: Planning Commission certifies the Final Supplemental EIS/EIR (2008 SEIS/SEIR). The SFMTA Board of Directors approves the 2008 SEIS/SEIR and (SFMTA Board Resolution 08-150) and adopts the Project CEQA Findings, the Mitigation Monitoring and Reporting Program (MMRP) and the Statement of Overriding Considerations.

September 16, 2008: On appeal, Board of Supervisors upholds Planning Commission's certification of 2008 SEIS/SEIR.

November 2008: The FTA issues an ROD, granting full environmental clearance to the project and directing implementation of the MMRP.

March 2012: Construction begins along alignment from Interstate 80 to Union Square to prepare for tunnel boring.

December 4, 2012: SFMTA Board of Directors instructs the Director of SFMTA to take actions necessary for implementation of TBM retrieval at 1731 Powell Street.

SETTING

The project site is located on an irregularly-shaped block bounded by Powell Street on the east, Columbus Avenue on the northeast, Filbert Street on the north, Mason Street to the west, and Union Street to the south. The project site is located on the eastern portion of the block where Columbus Avenue and Powell Street intersect. Land uses adjacent to the project site include: a one-story restaurant ("Pellegrini") and surface parking on Lot 045 north of the site; a brick parking garage with second-story offices fronting on Filbert Street and abutting the rear of the project site (Lot 031); and 2-3 story residential over commercial buildings fronting on Powell Street south of the site. All other properties on the project block are developed with 2-4 story residential uses, including Lot 007 which abuts the western edge of the project site. Buildings of three or more stories are similar in height to the existing Pagoda Theater building, despite the differences in the number of stories, due to the prevailing construction practices at the time they were built. Other blocks in the vicinity have a similar development pattern, with mixed commercial and residential uses along Columbus Avenue and small scale multifamily residential uses elsewhere. Washington Square, an approximately 2.15-acre park, is located across Powell Street and Columbus Avenue from the project site.

The project site, and other properties along Columbus Avenue, are zoned North Beach Neighborhood Commercial District (NCD) and are in a 40-X height and bulk district. The project site is also within the North Beach Special Use District (SUD) and North Beach Limited Financial SUD. The residential portions of the project block and other nearby blocks are in the RM-2 (Residential Mixed etc.) zoning district. The project site is also within the North Beach historic resource survey area and the Washington Square Historic District.

PROJECT SUMMARY

See Figures 1-12 for representations of the project site, proposed TBM retrieval shaft site, and proposed 1731 Powell Street Mixed Use Building.

The modified project would include the following components:

- Relocation of the TBM retrieval shaft site 100 feet northwest of the approved location, from the Columbus Avenue right-of-way between Powell and Union Street to the project site;
- Demolition of the existing Pagoda Theater building on the project site; and
- Construction of a 56-foot tall mixed-use residential/retail building with 18 residential units, up to 4,700 square feet of restaurant use, and 27 basement parking spaces.

The project components are described in further detail below.

CITY AND COUNTY OF SAN FRANCISCO
PLANNING DEPARTMENT

1741 Powell St. Project Location Map

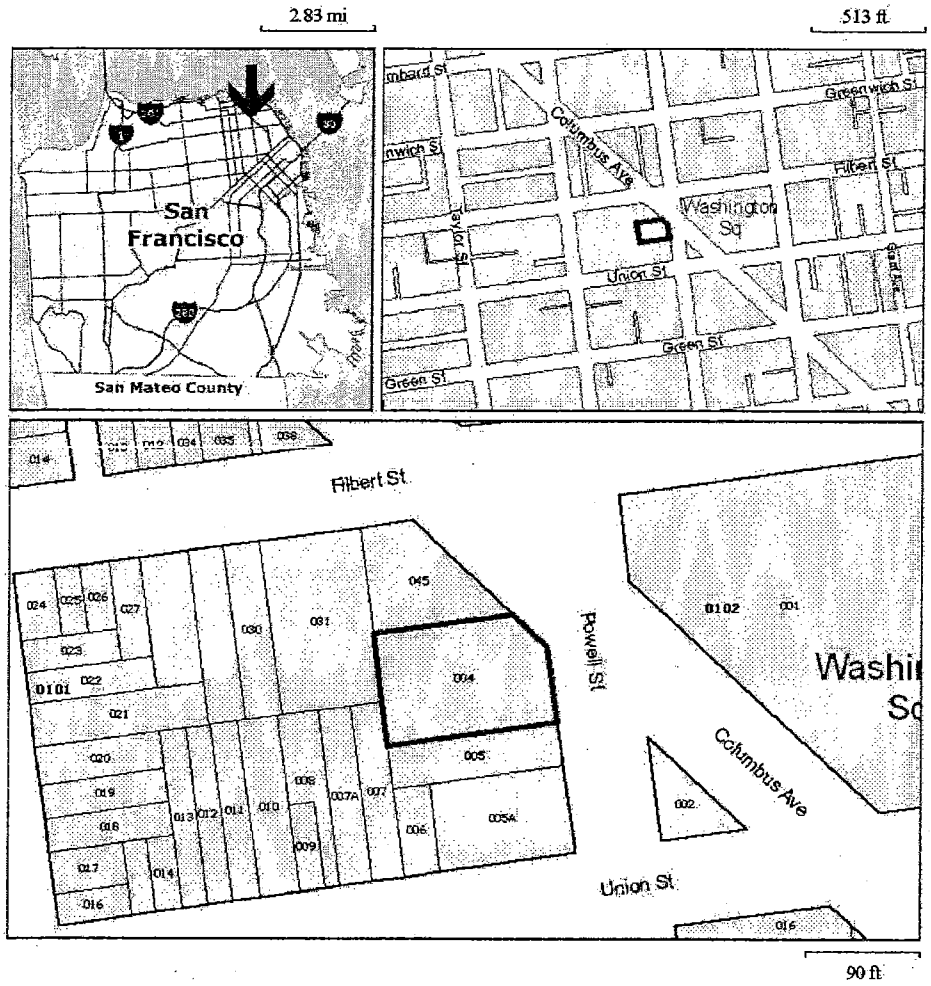


FIGURE 1: PROJECT LOCATION
Source: San Francisco Planning Department, January 2013
Not to Scale

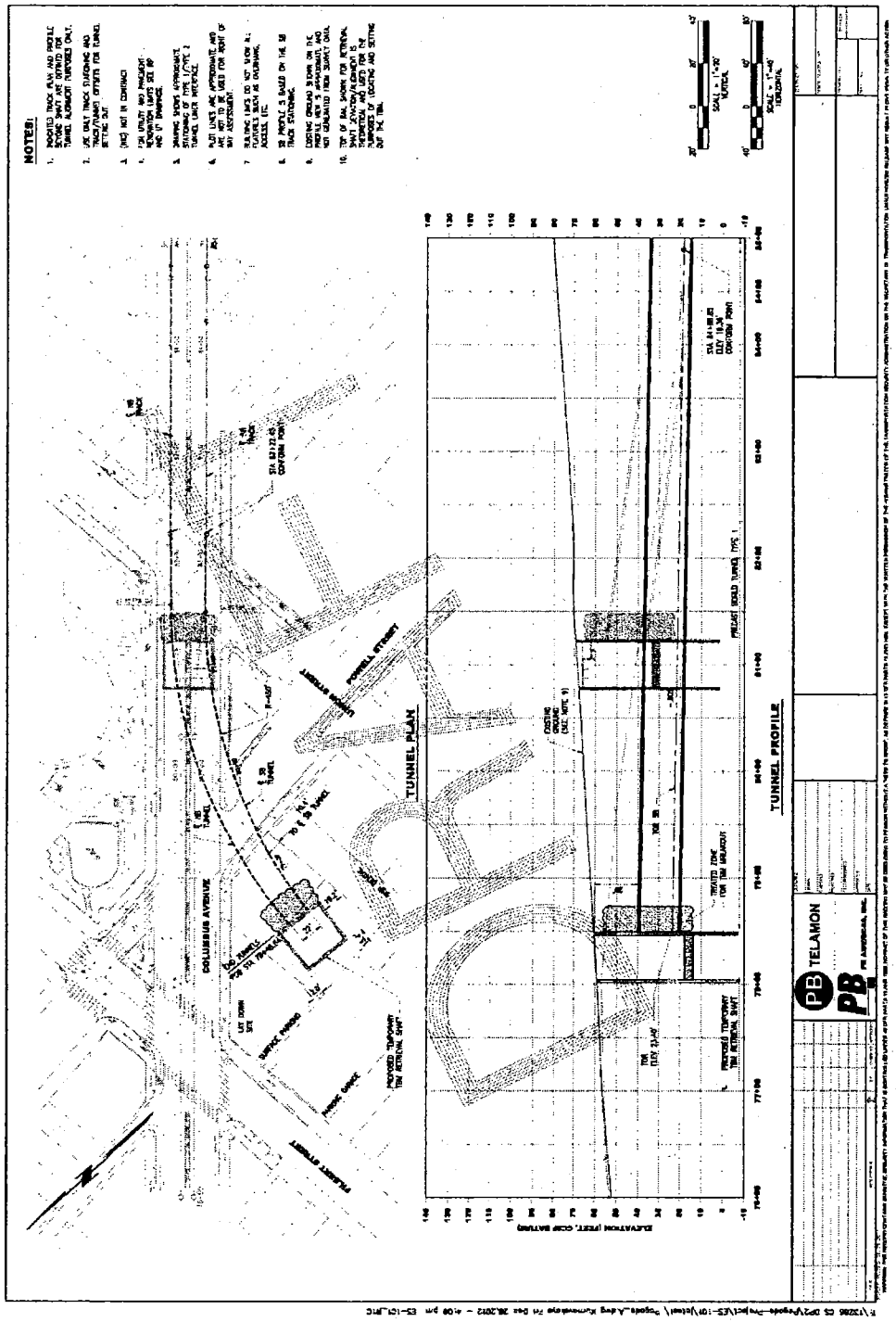


FIGURE 2: PROPOSED TBM RETREIVAL SHAFT SITE
Source: SFMTA, January 2013

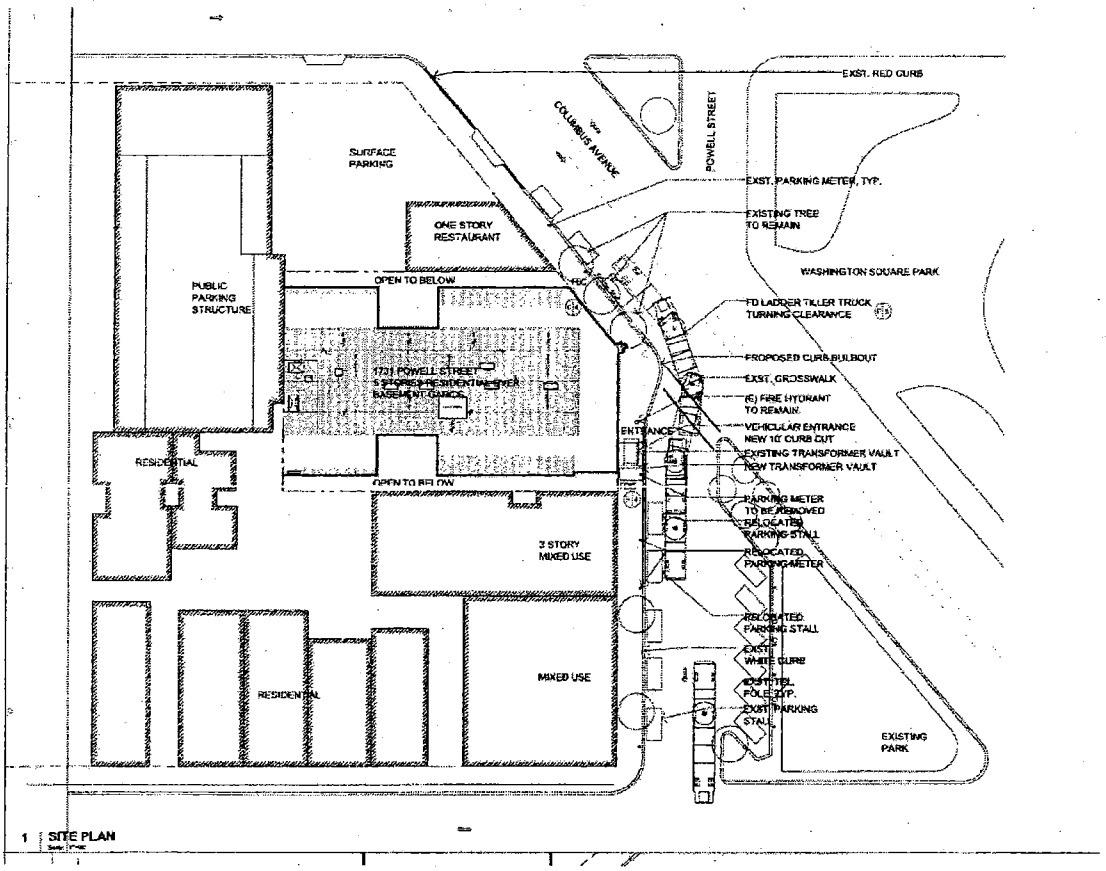


FIGURE 3: PROPOSED 1731 POWELL ST SITE PLAN
Source: SWS 1/7/13

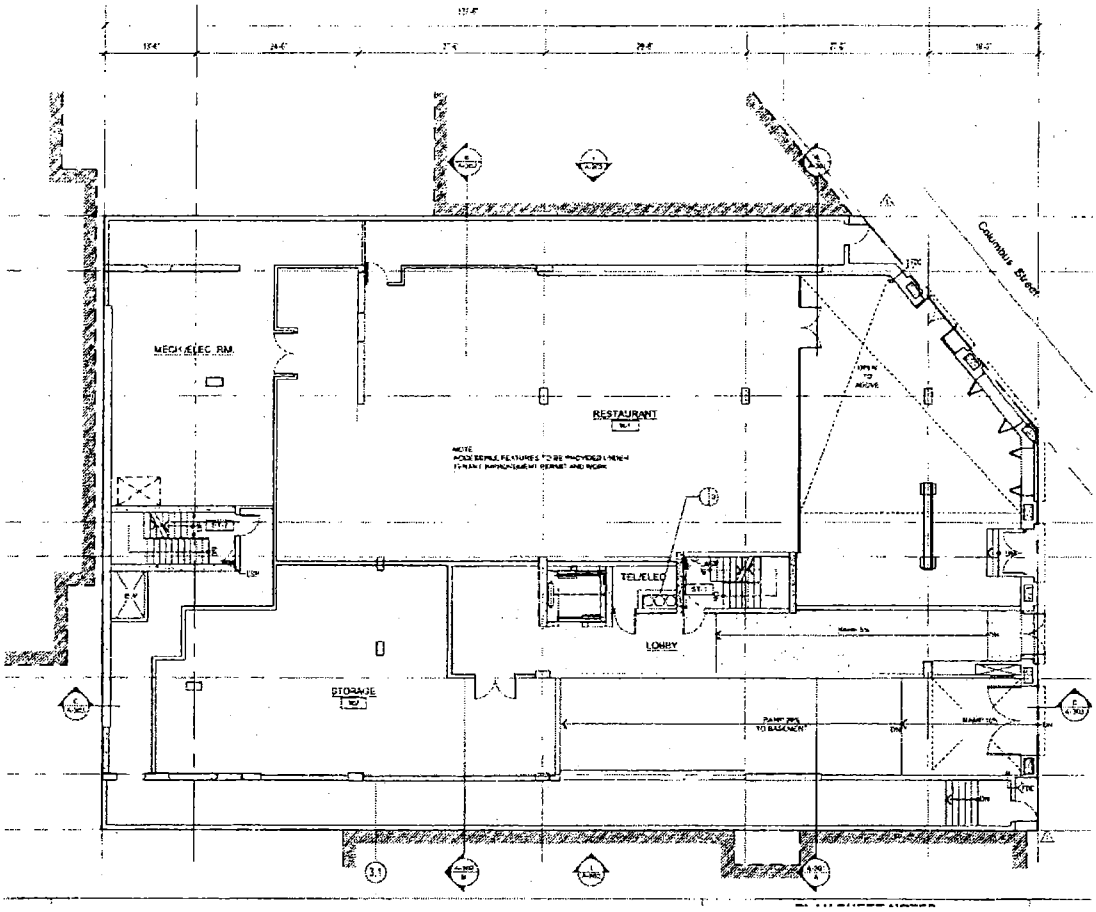


FIGURE 4: PROPOSED 1731 POWELL ST GROUND FLOOR PLAN
Source: SWS 1/7/13

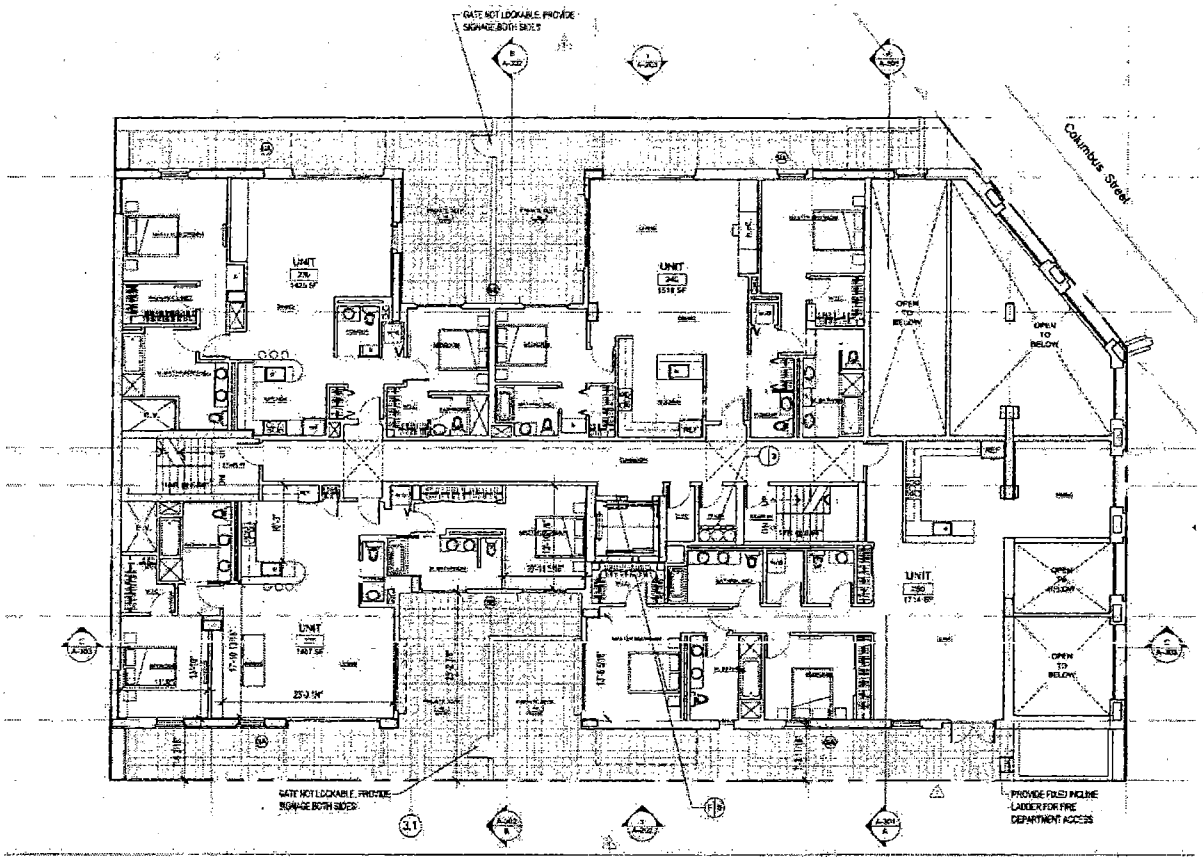


FIGURE 5: PROPOSED 1731 POWELL ST SECOND LEVEL PLAN
Source: SWS 1/7/13

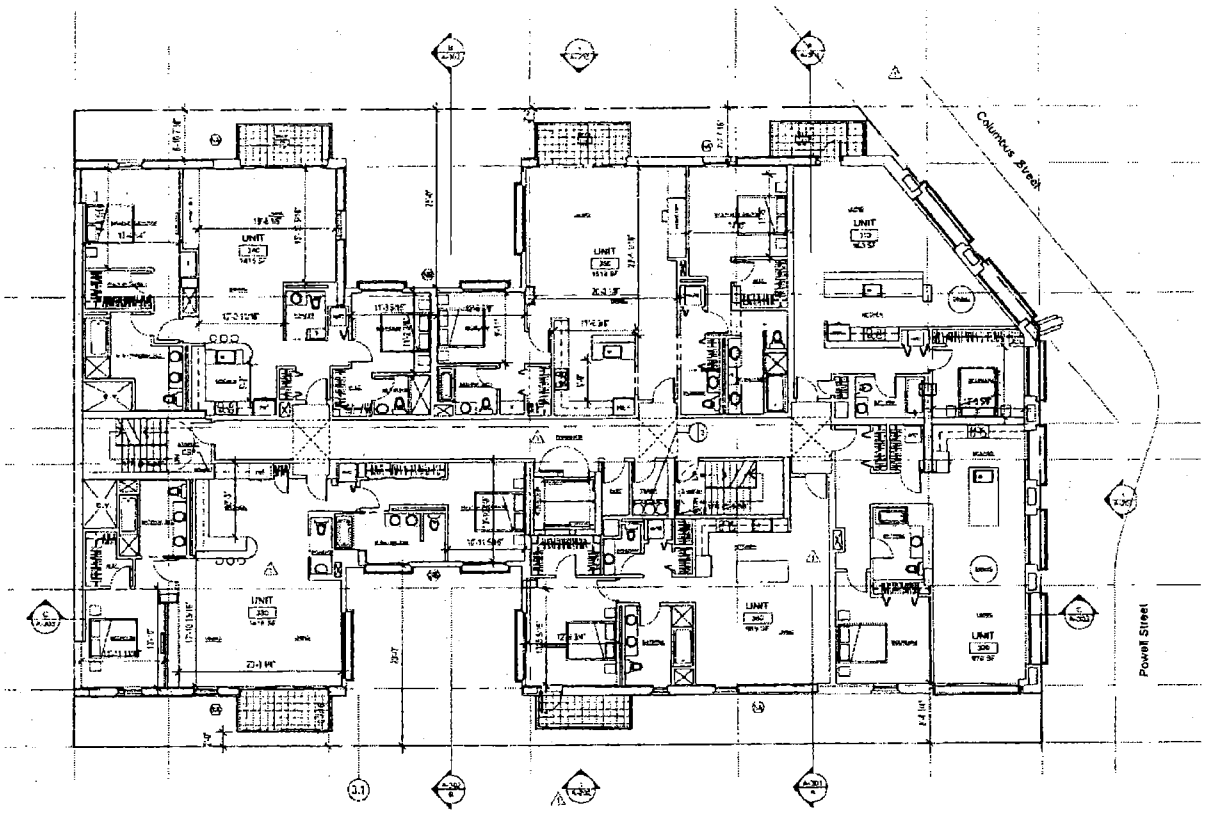


FIGURE 6: PROPOSED 1731 POWELL ST THIRD LEVEL PLAN
Source: SWS 1/7/13

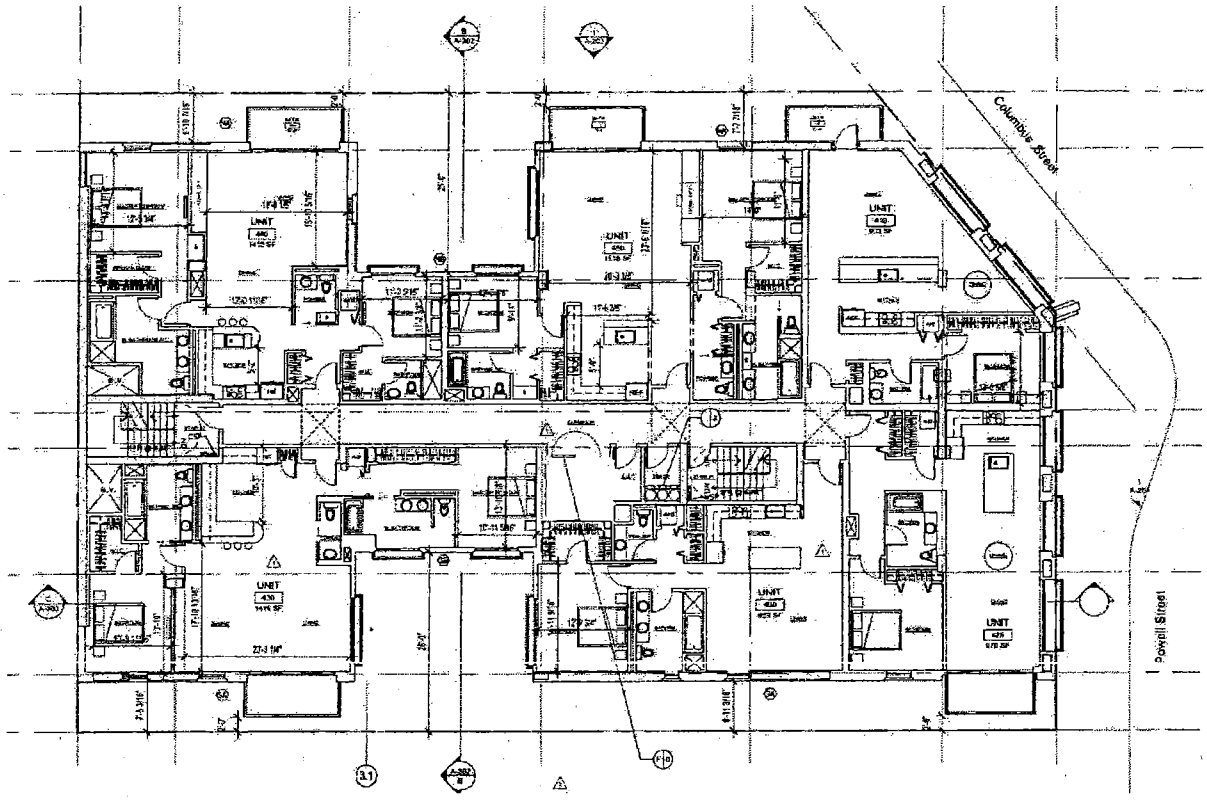


FIGURE 7: PROPOSED 1731 POWELL ST FOURTH LEVEL PLAN
Source: SWS 1/7/13

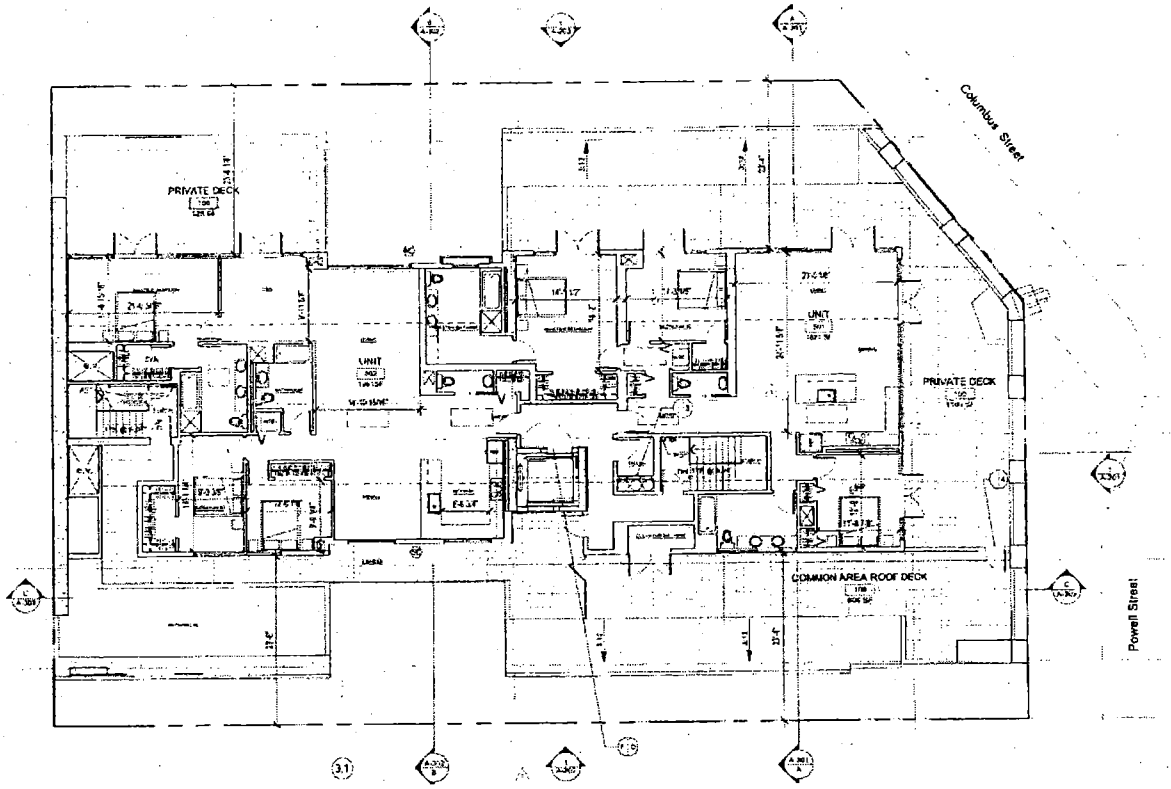


FIGURE 8: PROPOSED 1731 POWELL ST FIFTH LEVEL PLAN
Source: SWS 1/7/13

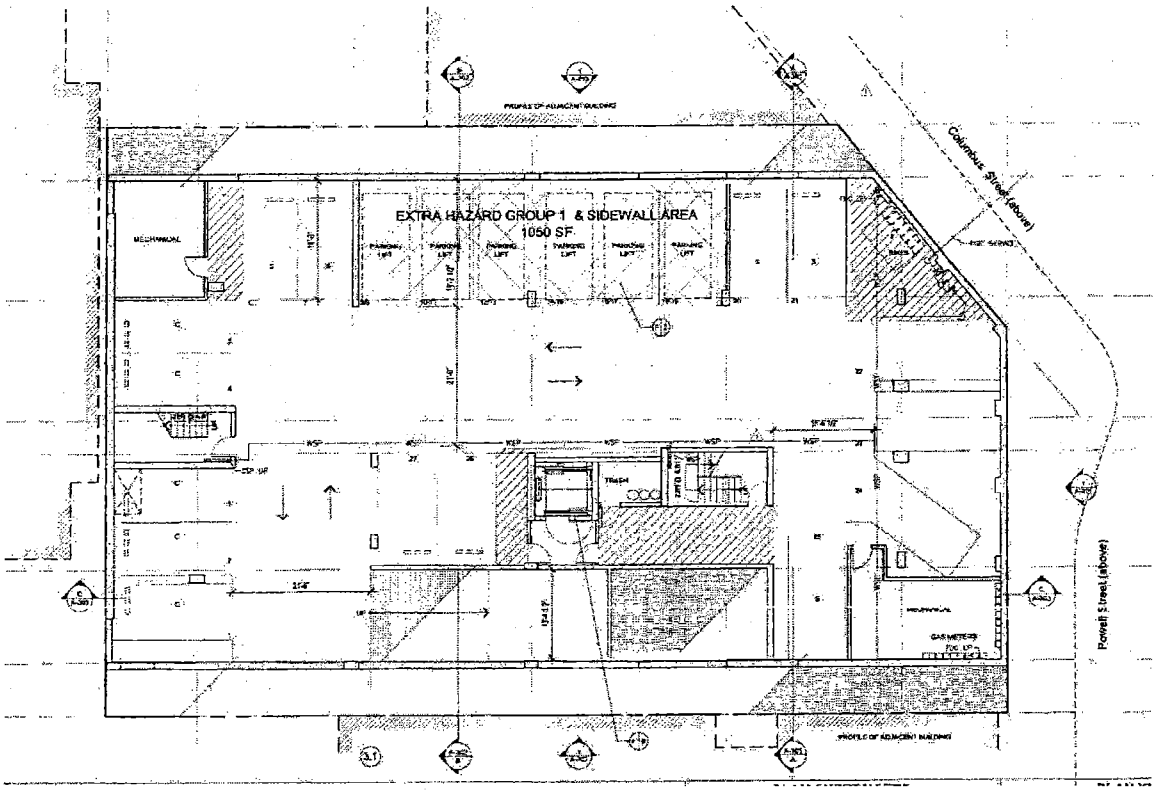


FIGURE 9: PROPOSED 1731 POWELL ST BASEMENT LEVEL PLAN
Source: SWS 1/7/13

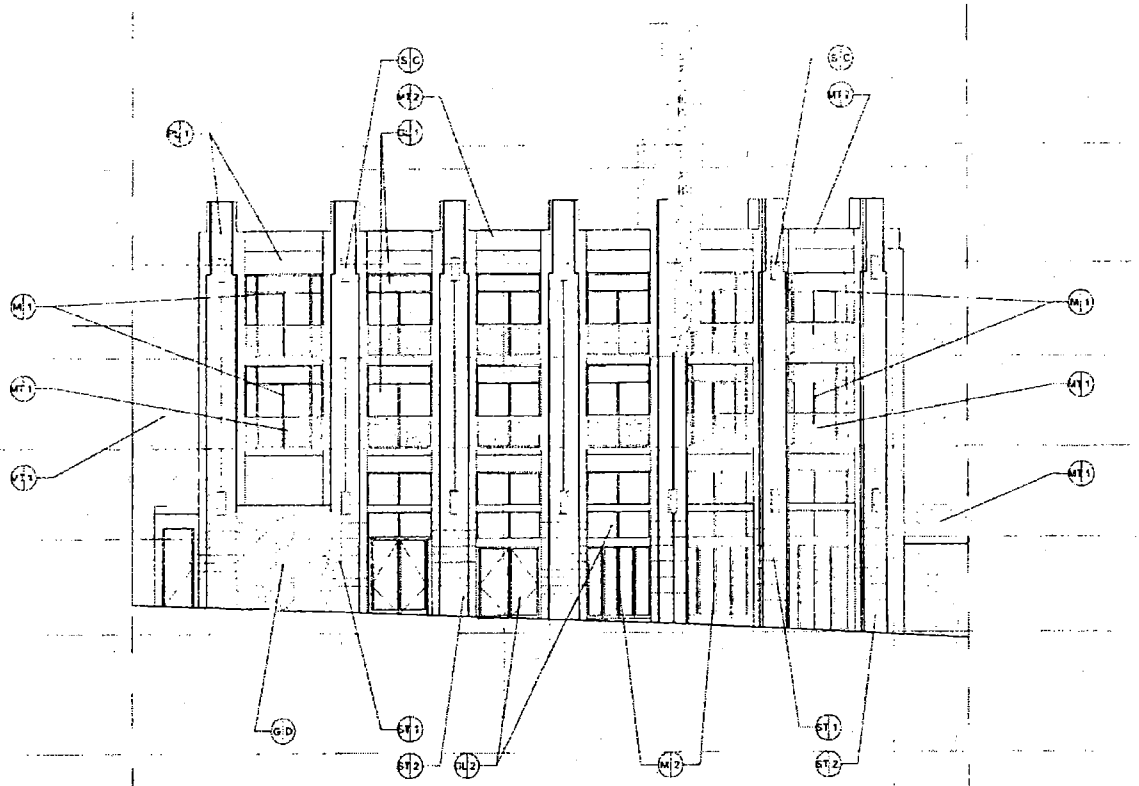


FIGURE 10: PROPOSED 1731 POWELL ST EAST (COLUMBUS AVENUE) ELEVATION
Source: SWS 1/7/13

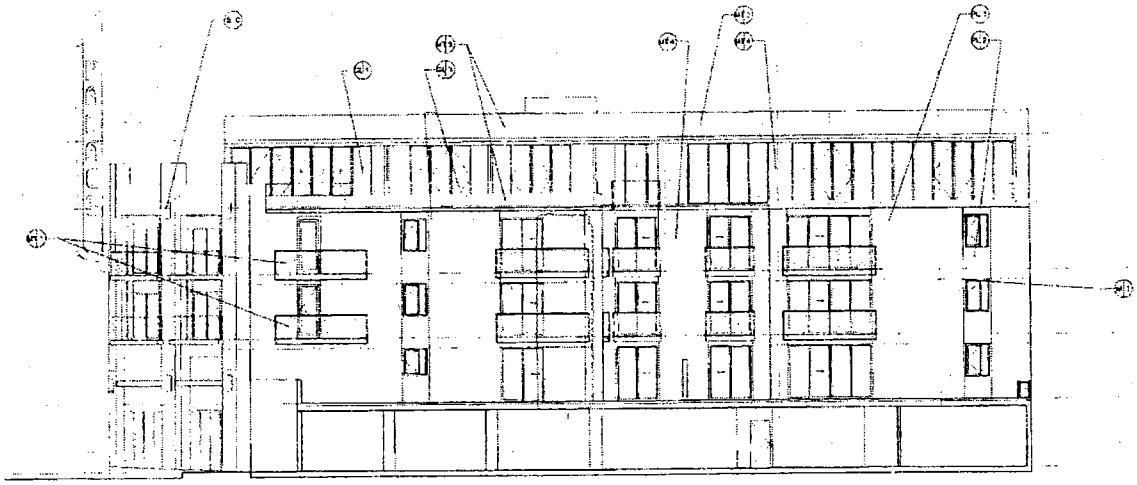


FIGURE 11: PROPOSED 1731 POWELL ST NORTH (FILBERT STREET) ELEVATION
Source: SWS 1/7/13

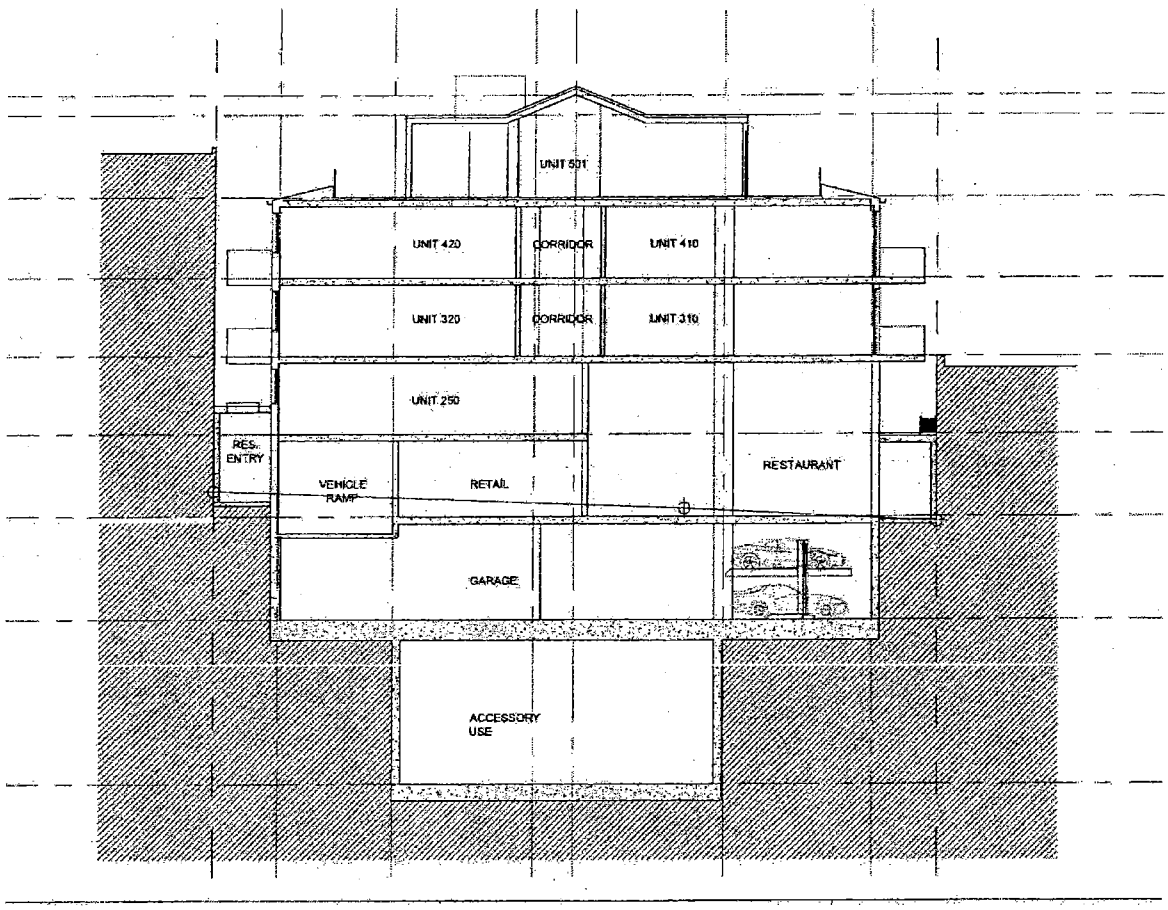


FIGURE 12: PROPOSED 1731 POWELL ST NORTH-SOUTH SECTION
Source: SWS 1/7/13

TBM Retrieval Shaft Relocation

Currently, and as described in the 2008 SEIS/SEIR, the Central Subway Project includes TBM retrieval within the Columbus Avenue right-of-way, between Union and Powell Streets. The grade level at the current TBM extraction site on Columbus Avenue is at an elevation of approximately 70 feet SF Datum. As currently planned, the bored tunnel will rise gradually underground from 20 feet SF Datum to 30 feet SF Datum, with the depth change occurring over a distance of approximately 130 feet. A concrete shaft with a 1,600 sf footprint (40 feet by 40 feet) would be constructed and TBM retrieval would occur 40 feet below grade level (30 feet SF Datum). The retrieval shaft would essentially be a large concrete box, and would allow for access to the TBM and removal of the TBM via a crane. A treated zone, measuring 20 feet by 40 feet and 40 feet in depth, would be located immediately adjacent to the retrieval shaft at the point where the TBM would enter, and would consist of injected grouted columns within the soil that create a stable ground water barrier at the interface of the tunnel with the retrieval shaft. At the end of the TBM extraction process, the retrieval shaft would be covered with a hatch roof and the Columbus Avenue street surface would be restored.

Under the modified project, the TBM extraction would occur at the project site, rather than the Columbus Avenue right-of-way. This change, involving an additional 100 feet of tunneling, would entail excavation of 530 additional cubic yards of soil.

In the modified project, there would be no grade change for the tunnel work. The bottom of the tunnel alignment would remain at an elevation of approximately 20 feet SF Datum over the length of the proposed extension. There is an existing downward-sloping grade over the length of the proposed extended tunnel alignment, so at the point of retrieval the bottom of the tunnel would be approximately 40 feet below the grade level of 60 feet SF Datum; in addition, the retrieval shaft structure would extend approximately 25 feet further below ground, to -10 feet SF Datum, 70 feet below grade level. A treated zone equivalent in size to the one currently planned would be located adjacent to the retrieval shaft at the point where the TBM would enter the shaft.

Construction and TBM retrieval equipment would be positioned on the project site, and may also require use of an existing surface parking lot abutting the project site to the west. TBM extraction activity would occur over a period of 15 months, including 4 months of building demolition, 6 months of shaft construction, and 5 months of TBM removal and shaft closing.

1731 Powell Street Mixed-Use Project

A building permit (BPA 200908124636) for modifications to the existing building at the Pagoda Theater project site was approved by the Planning Department on November 2, 2012. The Pagoda Theater project as approved would convert the 56-foot high vacant structure to a mixed-use building with 18 residential units, two retail commercial spaces – including an approximately 3,875 square foot restaurant and a 1,000 square foot retail space – and 27 independently accessible parking spaces in a below-grade garage.

The proposed TBM retrieval would require demolition of the Pagoda Theater building, eliminating the possibility of alteration of the existing building as approved. After the retrieval work is completed, the property owner would construct a mixed-use building substantially similar to the approved project. In addition to the tunnel extension and TBM retrieval, this Addendum considers the demolition and construction of a new mixed-use building with up to 18 residential units, a 4,700 square foot restaurant, and 27 independently accessible parking spaces in a below-grade garage on the project site, following completion of the TBM retrieval. Total developed, usable space would be 40,875 sf. The TBM retrieval shaft would be converted to storage for residential use. The height of the new building would be approximately 55 feet, consistent with the height of the existing building. The roof line of the new building would be consistent with the roof line of the existing building. The existing building has a blade sign on its western façade; a blade sign with generally the same position and dimensions as the existing blade sign would be included in the new building design (see Figures 10 and 11).

The existing height limit on the project site is 40 feet. Built prior to the implementation of the 40-X height district, the current building, at approximately 55 feet, is a non-complying structure. Because the Pagoda Theater project involved modification of an existing, non-complying structure, the existing building height could be retained. However, because the project as proposed now involves demolition of the existing building and construction of a new building, a Special Use District (SUD) is proposed as part of the modified project to allow construction to a height of approximately 55 feet as measured under the Planning Code, maintaining the same roof line at the same height as the existing building. In addition, since the time of the approval of the Pagoda Palace project, the Planning Code has been amended several times in ways which would otherwise impede the construction of the Pagoda Palace project, if the project were to move forward under current code. The SUD would allow modifications to these otherwise applicable Planning Code provisions related to off-street parking, rear yard, ground floor ceiling heights, dwelling unit exposure, signage, establishment of a restaurant use, and maximum non-residential use size.

Approvals Required

The modified project would require the following approvals:

- Conditional Use authorization (Planning Commission);
- Special Use District approval (Board of Supervisors);
- Height Reclassification from the 40-X Height and Bulk District to the 55-X Height and Bulk District (Board of Supervisors);
- Authorization of lease of 1731 Powell Street and authorization of Central Subway tunnel contract modification (SFMTA Board of Directors); and
- Approval of a building permit for 1731 Powell Street building (Department of Building Inspection).

CEQA REVIEW OF THE PROPOSED PROJECT

Based on the application submitted to the Planning Department by SFMTA (for the proposed project), the Department must determine what level of environmental review is required to comply with CEQA. An Addendum may be prepared if (1) the proposed project is not substantially revised so as to result in new significant impacts or a worsening of significant impacts identified in the previously certified EIR; (2) the background conditions under which the proposed project would be constructed have not changed substantively from those conditions described in the previously certified EIR; and (3) new information of substantial importance has not surfaced (see California Public Resources Code Section 21081 and Section 15162 of the *CEQA Guidelines* for a detailed description of the conditions that trigger preparation of a subsequent EIR). The proposed project would not result in any new significant impacts compared to those identified in the 2008 SEIS/SEIR for the Third Street Light Rail/Central Subway project. Therefore, under Section 21081 and Section 15162 of the *CEQA Guidelines*, a subsequent EIR does not need to be prepared. This Addendum conforms to the requirements of CEQA Guidelines Section 15164 and discloses potential changes in physical effects relating to project modifications.

As described above, when compared to the approved Central Subway project, the currently proposed project would alter the location of the TBM retrieval shaft site by approximately 100

feet to the northwest, from the Columbus Avenue right-of-way to the privately-owned parcel at 1731 Powell Street. The project would also alter the existing approvals for the conversion of the Pagoda Theater building from a theater to a mixed-use residential and commercial building, instead providing for demolition of the existing building and construction of a new mixed-use project.

The project site and its surroundings have remained largely the same as when they were analyzed within the 2008 SEIS/SEIR. New significant effects or increases in the severity of previously identified significant effects are not expected to result from the proposed project, and a subsequent or supplemental EIR is, therefore, not necessary. Accordingly, an Addendum provides an appropriate level of CEQA analysis for the modified project.

ENVIRONMENTAL ANALYSIS

LAND USE, PLANS, AND ZONING

The existing building on the 15,320 square foot project site was used as a film and live performance theater from its construction in 1908 until 1985. The project site is located on the southwest corner of Powell Street and Columbus Avenue across Columbus Avenue from Washington Square. The surrounding North Beach neighborhood is characterized by a mix of small commercial uses and single and small-scale multifamily residential uses, and has experienced relatively little new development. Aside from the approved Pagoda Theater conversion, the North Beach Library project one block northwest of the project site on Columbus Avenue is the only major new development pending in the area. Predominant building heights are 2-4 stories.

The modified project introduces a new component of the Central Subway project, redevelopment of the project site with residential and commercial uses. The environmental impacts of the uses proposed on the site were analyzed in a Class 32 Categorical Exemption for the Pagoda Theater conversion project, issued on January 6, 2009. In that determination, the Planning Department concluded that the addition of 18 units and 3,875 sf of restaurant use would not create any significant impacts, including significant land use impacts, because the proposed project would be consistent with the type of uses in the area and would not disrupt or divide the existing community. At the time that the Pagoda Theater project was considered for approvals, it was consistent with then-applicable Planning Code requirements.

The proposed project includes the adoption of a special use district. With the adoption of the SUD, the modified project would be consistent with the San Francisco Planning Code. There have been no major changes in the vicinity since that determination that would alter this conclusion with regard to land use, and the proposed residential and restaurant uses, residential density, and building height continue to be consistent with buildings and activities in the surrounding neighborhood. Although commercial uses would exceed those analyzed in the categorical exemption by approximately 800 sf, the proposed building on the project site would contain substantially the same uses as the previously approved Pagoda Theater project.

Relocation of the TBM retrieval shaft site from Columbus Avenue to the project site would reduce disruption of vehicular and pedestrian traffic on Columbus Avenue, potentially reducing the less-than-significant effects on neighboring commercial and residential uses. Although no significant land use impact associated with this activity was identified in the 2008 SEIS/SEIR, the modified project would reduce any such impact on the viability of Columbus Avenue commercial uses.

The modified project would have less-than-significant land use impacts.

Compatibility with Existing Zoning and Plans

Planning Code

At approximately 55 feet in height, the existing Pagoda Theater building is a nonconforming structure within the 40-X Height and Bulk district. The building was constructed in 1908, prior to the creation of the height and bulk district. Numerous buildings on the project block and in the surrounding area similarly exceed the 40-foot height limit.

The approved Pagoda Theater project involved modification of the extant structure, allowing for retention of the existing building height. The modified project involves demolition of the building to enable excavation and operation of the TBM retrieval shaft, and construction of a new approximately 55-foot-high building. This new building is not consistent with the 40-X Height and Bulk District. The modified project includes a proposed Central Subway Tunnel Boring Machine Extraction Site Special Use District (SUD), applying the provisions of the 55-X Height and Bulk District to the site.

The SUD also exempts the proposed new building from recently amended Planning Code provisions that otherwise would preclude the construction of the existing entitled building program. In contrast with the existing zoning on the site, the SUD as proposed would allow:

- Use of the ground floor commercial space as a restaurant;
- Nonresidential use exceeding 4,000 sf in size;
- Provision of a maximum of 27 vehicle parking spaces;
- Minimum ceiling height of 8.5 feet for ground floor nonresidential uses;
- Modification of the rear yard requirements
- Modification of the dwelling unit exposure requirement; and
- Exemption the proposed blade sign from height limitation.

Other provisions of the SUD address administrative and permitting requirements and would not affect the physical environment.

The SUD as proposed would allow construction of a building with the same overall specifications as the approved Pagoda Theater project. Potential physical environmental impacts of the demolition, excavation, and new construction that would be permitted under the SUD are addressed in this Addendum.

General Plan

The City's *General Plan*, which provides general policies and objectives to guide land use decisions, contains some policies that relate to physical environmental issues. *General Plan* policies pertaining to other issues but not affecting the physical environment are not discussed in this document, but will be considered by decision makers as part of their decision whether to approve or disapprove the proposed project. No substantial conflict with any environmental objective or policy within the *General Plan* was identified in the 2008 SEIS/SEIR for the project. Similarly, the proposed project would not result in substantial conflict with any environmental *General Plan* objective or policy. The issue of *General Plan* conformity will be reconsidered by the Planning Commission during their deliberations over the proposed project. Any potential conflicts with the *General Plan* identified as part of that process would not alter the physical and environmental effects of the proposed project. Further, the conclusions reached in the 2008 SEIS/SEIR that the original project would not conflict with relevant plans would remain

applicable to the proposed project. Thus, the modified project would have similar less-than-significant land use impacts, as was identified in the 2008 SEIS/SEIR.

VISUAL QUALITY

Equipment used for construction and operation of the TBM retrieval shaft will be visible from the surrounding area, including Washington Square. Relocation of the TBM extraction site by 100 feet will not substantially change this impact. Moreover, the impact is temporary and was not considered significant in the 2008 SEIS/SEIR; an improvement measure requiring screening of construction areas was included in the 2008 SEIS/SEIR (See Mitigation Measures p. 57).

The modified project would involve redevelopment of the Pagoda Theater site with a new structure equal in size to the existing vacant building. Because the new structure would not exceed the existing structure in size, any change resulting from the modified project in views from publicly-accessible vantage points would be minimal. The project site is not considered a scenic resource, and construction of a new building on the site would not have a substantial, demonstrable negative effect on the visual character of the project site or its surroundings. The project would be subject to restrictions on the use of reflective or mirrored glass, and night lighting would be at a level consistent with the proposed uses and other lighting in the area.

The above analysis indicates that the modified project would not degrade the visual character of this urbanized portion of San Francisco; would not have a demonstrable adverse aesthetic effect; and would not result in substantial light or glare. Therefore, the proposed modification to the Central Subway project would not have significant aesthetic impacts.

CULTURAL RESOURCES

Archeological Resources

The Planning Department reviewed the Pagoda Theater project for impacts to CEQA-significant archeological resources.[2] The existing basement slabs extend to a depth of 7 to 15 feet below grade, and the Pagoda Theater project involved a further 7 feet of excavation.

[2] Archeological Response for 1735-1741 Powell Street, Memorandum from Don Lewis, Major Environmental Analysis, January 5, 2009. This document is on file and available for public review at the Planning Department, 1650 Mission Street, 4th Floor, as part of Case File No. 1996.281E and Case File No 2007.1117E.

By the mid-1860s, the project site was occupied by San Francisco's only Eastern Orthodox church, which was destroyed in the 1906 earthquake and fire. The site contains deposits indicating significant fill episodes dating from prior to the construction of the Orthodox church, and again from the time period between 1906 and the construction of the theater in 1908. The Department concluded that any historical remains were likely removed at the time that the basement of the Pagoda Theater was constructed, and the Pagoda Theater project would not affect CEQA-significant archeological resources.

According to the geotechnical report prepared for the site, the project site soils may contain alluvial deposits, which have a moderate sensitivity for prehistory remains. The Colma Formation may also be present under the site, the upper 3-5 feet of which is considered sensitive for prehistoric deposits of the Middle and Late Holocene era.[3]

While it is not expected that the redevelopment of the project site with the 1731 Powell Street mixed-use building would result in any greater impact to CEQA-significant archeological resources than the Pagoda Theater project, the modified project would increase the depth of excavation on the project site at the tunnel and TBM retrieval shaft locations. If archeological resources are present at greater depths than previously considered for the Pagoda Theater proposal, they could be affected by construction of the tunnel, treated zone, and/or TBM retrieval shaft.

Potential archeological resource impacts of the Central Subway project are described in Section 4.4, 6.7, and 7.3.3 of the 2008 SEIS/SEIR. The analysis identified two known prehistoric and five known historic archeological sites within the Area of Potential Effect (APE) for the Central Subway alignment alternatives. Columbus Avenue and the TBM retrieval shaft site were identified as potential historic archeological resource sites because the roadway cut through multiple city lots that were already developed at the time of roadway construction in the 1870s, and because of the early use of Washington Square as a public space. As a project subject to Section 106 of the National Historic Preservation Act of 1966, the project was subject to a Programmatic Agreement (PA) and further mitigation as part of the 2008 SEIS/SEIR process. Extension of the excavation to 1731 Powell Street as proposed would require further consultation with SHPO to make modifications to the APE and develop an Archeological Monitoring Plan for the newly affected area.

[3] Memorandum from Randall Dean, San Francisco Planning Department to Sarah Jones, San Francisco Planning Department, January 18, 2013. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 1996.281E.

An archeological mitigation measure was applied to the Central Subway project, requiring limited testing along the selected alignment, monitoring during construction in sections of the alignment determined to have moderate to high sensitivity for significant archeological resources, completion of a technical report following assessment, and requirements associated with discovery of any unexpected resources during construction (see Mitigation Measures, p. 57). This mitigation measure would continue to be implemented for the project as modified.

The modified project would not result in any new significant impacts or require mitigation beyond that identified in the 2008 SEIS/SEIR.

Historical Architectural Resources

TBM Retrieval Shaft Relocation

The 1731 Powell Street site is located within the Washington Square Historic District. The TBM retrieval shaft would not result in any permanent physical change; therefore, with regard to the TBM retrieval shaft compatibility with the surrounding district, impacts would be similar to the approved project, would not affect the use or historic character of Washington Square, and would be temporary and less than significant.

The 2008 SEIS/SEIR analyzed the impacts of project construction on historic buildings and concluded that vibration from tunnel and station construction, and ground settlement near cut-and-cover construction locations, could result in minor architectural or structural damage. Accordingly, construction mitigation measures were identified to reduce impacts to a less than significant level, including vibration monitoring and adjustments in construction methods if warranted to ensure that vibration remains below 0.12 inches/second peak particle vibration (PPV).[4] The mitigation measures were included in the mitigation monitoring and reporting program (MMRP) adopted for the project (see Mitigation Measures, p. 57).

The TBM retrieval shaft relocation would increase the potential for construction activities to affect the building at 721 Filbert Street, which abuts the project site to the west. 721 Filbert Street is a two-story masonry garage building constructed in 1907. It is included in the UMB (Unreinforced Masonry Building) Survey and was rated "1" (on a scale of -2 to 5, with 5 being the most important) in the 1976 Architectural Survey. It is considered a potential historic resource by the Planning Department and is a historic resource for the purposes of CEQA. The

[4] 2008 SEIS/SEIR pp. 6-72-6-82.

proposed retrieval shaft site is also adjacent to a potential historic resource at 1717-1719 Powell Street to the south of the project site, a three-story frame building constructed in 1914 with a survey rating of "2" on the North Beach Survey and a National Register historic status code of "6L."

Mitigation measures adopted for the Central Subway project to reduce construction vibration impacts on historic buildings to less-than-significant levels would be applied to the extension of the tunnel and construction of the TBM retrieval shaft. As with the approved project, impacts associated with historical architectural resources from the proposed TBM retrieval shaft relocation would be less than significant with mitigation.

1731 Powell Redevelopment

Because the Pagoda Theater project proposed substantial alteration to the Pagoda Theater Building, the Planning Department required preparation of a Supplemental Information Form for Historical Resource Evaluation[5] and completed a Historic Resource Evaluation Response (HRER).[6] The HRER concluded that the building is located in the Washington Square Historic District, but due to removal of the marquee and all interior partitions and finishes, and creation of new openings on the primary building elevation, the building lacks the necessary integrity to be considered eligible individually or as a contributor to the district for the California Register of Historic Resources (CRHR). Therefore, no resource is present on the site. The determination that the proposed alterations would not have an adverse effect on the Washington Square Historic District was based on the Pagoda Theater project's maintenance of the overall size, massing, and architectural features such as the blade sign.

The modified project would result in demolition of the Pagoda Theater building. This would not result in a significant impact as the existing building is not a historical resource. The Planning Department considered the effect of the proposed new mixed-use development on the Washington Square Historic District, and concluded that the modified project would be a

[5] Page & Turnbull, Inc, *Supplemental Information Form, Pagoda Theatre, 1731-1741 Powell Street, San Francisco CA*, 14 June 2007. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2007.1117E and Case File No. 1996.281E.

[6] Historic Resource Evaluation Response prepared by Tim Frye, San Francisco Planning Department, December 24, 2008. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2007.1117E and Case File No. 1996.281E.

compatible infill development due to the replication of similar size, scale, and detailing, with inclusion of the blade sign.[7]

Summary

The adopted mitigation measures for Central Subway construction impacts on cultural resources would effectively reduce impacts from the modified project to less that significant. The modified project would not result in significant impacts on cultural resources beyond those addressed in the 2008 SEIS/SEIR.

TRANSPORTATION

TBM Retrieval Site Relocation

The 2008 SEIS/SEIR acknowledged that there would be temporary, less than significant traffic and transit impacts on Columbus Avenue during construction and operation of the TBM retrieval shaft. Columbus Avenue is a four-lane, two-way major arterial with multiple transit lines and sidewalks and on-street parking on both sides of the street. The modified project would avoid these less than significant impacts.

As currently proposed under the modified project, the project site (and potentially the neighboring surface parking lot) would accommodate most work areas for TBM retrieval shaft construction and operation. However, periodic lane and street closure of Powell Street between Columbus Avenue and Union Street may be required. The tunnel contractor and SFMTA would maintain all current and approved practices for traffic control and loading zone relocation, and no new significant impacts would occur. It is expected that the transportation impacts of TBM retrieval shaft relocation would be less substantial than those of the approved project, as Powell Street in this location accommodates less traffic than Columbus Avenue, and no relocation of overhead bus lines for the 30-Stockton bus would be required.

[7] Historic Resource Evaluation Response (revised Part II) prepared by Rich Sucre, San Francisco Planning Department, January 18, 2013. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 1996.281E.

1731 Powell Street

This section provides an updated assessment of the trip generation associated with the proposed 1731 Powell Street redevelopment.[8]

Trip generation was conducted to estimate the total trips from the 1731 Powell Street project and assess the impact of the net new trips on the surrounding roadway network. Trip generation calculations and assumptions were based on the 2002 San Francisco Transportation Impact Analysis Guidelines for Environmental Review (*SF Guidelines*) and assumed a daily trip rate of 10 trips for every residential unit, and 150 trips per 1,000 gross square feet of retail space. Trip generation calculations also assumed that 17.3 percent of the daily residential trips, and 9 percent of the retail trips, would occur during the PM peak hour. Average vehicle occupancy factors obtained from the *SF Guidelines* were applied to the auto mode split to obtain the vehicle trips due to the proposed project. Resultant vehicle trips are shown in Table 3 along with the person trips for other modes of travel. Mode split and vehicle occupancy information for the proposed project land uses was based on the *SF Guidelines*.[9] Residential mode split data were obtained from the 2000 Census for Census Tract 107. Table 1, below, summarizes expected trips.

As shown in Table 1, the modified project would result in 17 peak hour vehicle trips and 21 peak hour transit trips attributable to the redevelopment of 1731 Powell Street. Seventeen vehicle trips distributed to local intersections would not have the potential to contribute substantially to traffic levels, and the modified project would not create new significant traffic impacts.

The project site is served by eight MUNI lines with stops within two blocks of the site. The projected 21 peak hour transit trips would be distributed over those lines, and the project would not have the potential to increase transit ridership beyond capacity levels.

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[8] San Francisco Planning Department, Transportation Calculations for 1741 Powell Street, January 15, 2013. These calculations are on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 1996.281E.

[9] San Francisco Planning Department, *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002. This document is also known as *SF Guidelines*.

TABLE 1

TRIP GENERATION AND PARKING DEMAND – 1731 POWELL STREET

	Residential Component		Commercial Component		Total	
	Daily	Peak Hour	Daily	Peak Hour	Daily	Peak Hour
Auto						
Person Trips	47	8	253	23	300	31
Vehicle trips	41	7	107	10	148	17
Transit	59	10	119	11	178	21
Pedestrian	67	12	246	22	313	34
Other	7	1	87	8	94	9
Parking Space Demand	27		9 short term/3 long term		39	
Loading trips	.06 average/.07 peak		.05 average/.06 peak		.11 average/.13 peak	

The proposed building would be accessed via a single driveway entrance/egress on Powell Street, near the intersection with Columbus Avenue to the north. There is adequate space for queuing of vehicles within the garage and vehicles entering the site would not be expected to result in traffic flow impacts on Powell Street or Columbus Avenue.

The proposed project is expected to generate 34 peak-hour pedestrian trips. This increase in pedestrian trips would not be substantial, and the project would not result in pedestrian impacts. Bicycle Route #11, a Class III Bicycle route, runs along Columbus Avenue but, because the project's driveway would be located off the bicycle route on Powell Street, conflicts between vehicle and bicycle traffic would not be expected to occur.

Parking

The proposed project includes 27 parking spaces. This proposal is consistent with the amount of parking approved for the site in 2009. One off-street loading space would be provided in the underground garage; no off-street loading is required under Planning Code Section 155 for a project of this size.

Based on *SF Guidelines* estimates, the proposed project would generate demand for 39 parking spaces, resulting in a demand-based parking deficit of 12 spaces. San Francisco does not consider parking supply as part of the permanent physical environment. Parking conditions are not static, as parking supply and demand varies over time. Hence, the availability of parking space is not a permanent physical condition, but changes over time as people change their modes and patterns of travel.

Parking deficits are considered to be social effects, rather than impacts on the physical environment as defined by CEQA. Under CEQA, a project's social impacts need not be treated as significant impacts on the environment. Environmental documents should, however, address the secondary physical impacts that could be triggered by a social impact. (CEQA Guidelines § 15131(a).) The social inconvenience of parking deficits, such as having to hunt for scarce parking spaces, is not an environmental impact, but there may be secondary physical environmental impacts, such as increased traffic congestion at intersections, air quality impacts, safety impacts, or noise impacts caused by congestion. In the experience of San Francisco transportation planners, however, the absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service in particular, would be in keeping with the City's "Transit First" policy.

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. Moreover, the secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area. Hence, any secondary environmental impacts which may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise and pedestrian safety analyses, reasonably addresses potential secondary effects.

The modified project would not result in any temporary or permanent new significant transportation impacts not identified in the 2008 SEIS/SEIR.

NOISE AND VIBRATION

TBM Retrieval Shaft Site Relocation

The 2008 SEIS/SEIR identified mitigation measures for the impacts of construction vibration on historic buildings, and improvement measures to further reduce the less-than-significant impacts of construction noise. With TBM retrieval shaft relocation, noise from shaft construction and operation would occur at closer proximity to sensitive receptors (residences) surrounding the project site. Although residents surrounding the project site would experience greater noise levels than under the approved project, the impacts would be similar to those analyzed in the 2008 SEIS/SEIR for other residences proximate to the TBM retrieval shaft location on Columbus Avenue or other aboveground construction areas for the Central Subway project. TBM retrieval would use similar equipment to construction activities, and the operation of the shaft would likewise have similar noise impacts as construction. The adopted construction vibration mitigation measures and noise improvement measures would be applied to the modified project (see Mitigation Measures p. 57 and Improvement Measures p. 59), and noise and vibration impacts from TBM retrieval shaft relocation would remain less than significant.

1731 Powell Street Mixed-Use Building

Noise levels on Columbus Avenue exceed 75 Ldn (level day-night weighted decibels) and are in the range of 65-70 Ldn on Powell Street, Union Street, and Filbert Street[10]. The addition of 18 units and 4,700 sf of restaurant use from redevelopment of the 1741 Powell Street site would not create a sufficient increase in vehicle trips to result in substantial increases to existing noise levels in the vicinity of the project site. Other operational noise, such as restaurant ventilation systems, would be at levels typically present in an urban area. Operational and building construction noise would be regulated under the City's Noise Ordinance (Article 29 of the Police Code).

The modified project would add sensitive receptors to the project site due to the residential component of the project. The project site frontages on Columbus Avenue and Powell Street are subject to noise levels in excess of the recommended noise levels for residential use identified in the General Plan's Land Use Compatibility Guidelines for Community Noise[11]; a small portion

[10] San Francisco Planning Department Geographic Information System, accessed January 22, 2013.
[11] San Francisco General Plan, Environmental Protection Element, Policy 11.1.

of the project site closest to Columbus Avenue is subject to noise levels exceeding 75 Ldn, the level at which noise analysis prior to building permit issuance is required per the mitigation measures adopted for the 2009 Housing Element. The building would be subject to detailed noise analysis as part of the building permit process, and would be required to meet the California Noise Insulation Standards in Title 24 of the California Code of Regulations, and no significant impacts would occur from this component of the modified project.

AIR QUALITY

In accordance with the state and federal Clean Air Acts, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO2), sulfur dioxide (SO2) and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. The Bay Area Air Quality Management District (BAAQMD) has established thresholds of significance to determine if projects would violate an air quality standard, contribute substantially to an air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants within the San Francisco Bay Area Air Basin. To assist lead agencies, the BAAQMD, in their CEQA Air Quality Guidelines (May 2011), has developed screening criteria. If a proposed project meets the screening criteria, then the project would result in less-than-significant criteria air pollutant impacts. A project that exceeds the screening criteria may require a detailed air quality assessment to determine whether criteria air pollutant emissions would exceed significance thresholds. The proposed project would not exceed criteria air pollutant screening levels for operation or construction.

In addition to criteria air pollutants, individual projects may emit toxic air contaminants (TACs). TACs collectively refer to a diverse group of air pollutants that are capable of causing chronic (i.e., of long-duration) and acute (i.e., severe but of short-term) adverse effects to human health, including carcinogenic effects. In an effort to identify areas of San Francisco most adversely affected by sources of TACs, San Francisco partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed "air pollution hot spots," were identified based on two health-protective criteria: (1) excess cancer risk from the contribution of emissions from all modeled sources greater than 100 per one million population, and/or (2) cumulative PM2.5 concentrations greater than 10 micrograms per cubic meter. Land use

projects within these air pollution hot spots require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations.

The 1731 Powell Street project site is not within an air pollution hot spot. Therefore, the proposed project would result in a less than significant impact with respect to exposing sensitive receptors to substantial levels of air pollution.

Prior to the finalization of the current BAAQMD screening criteria, the 2008 SEIS/SEIR analyzed construction and operational emissions associated with the Central Subway project and concluded that dust and emission control measures would be incorporated into the project in compliance with BAAQMD requirements, and construction impacts would be less than significant. As noted on page 6-113 of the SEIS/SEIR, the TBM retrieval shaft in proximity to Washington Square would not result in substantial adverse impacts because "the exposed area is relatively small and control measures are being included in the Project to reduce dust emissions." The proposed new location for the TBM retrieval shaft would be in closer proximity to the residences on the project block than the original location, but the project would continue to be subject to required dust and emission control measures and no new significant impacts would occur.

Construction of both the TBM retrieval shaft construction and the proposed 1731 Powell Street building would be subject to the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The Construction Dust Control Ordinance was adopted with the intent of reducing the quantity of dust generated during site preparation, demolition and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI).

The San Francisco Building Code Section 106A.3.2.6.3 requires a "no visible dust" requirement with the intent of reducing the quantity of dust generated during site preparation, demolition and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI).

The Building Code requires that all site preparation work, demolition, or other construction activities within San Francisco that have the potential to create dust or to expose or disturb more than 10 cubic yards or 500 square feet of soil comply with specified dust control measures whether or not the activity requires a permit from DBI.

Below are the following regulations and procedures set forth in Section 106A.3.2.6.3 of the San Francisco Building Code's General Dust Control Requirements:

- Water all active construction areas sufficiently to prevent dust from becoming airborne. Increased watering frequency may be necessary whenever wind speeds exceed 15 mile per hour. Reclaimed water must be used if required by Article 21, Section 1100 et seq. of the San Francisco Public Works Code. If not required, reclaimed water should be used whenever possible;
- Provide as much water as necessary to control dust (without creating run-off) in an area of land clearing, earth movement, excavation, drillings, and other dust-generating activity;
- During excavation and dirt-moving activities, wet sweep or vacuum the streets, sidewalks, paths, and intersections where work is in progress at the end of the workday;
- Cover any inactive (no disturbance for more than seven days) stockpiles greater than ten cubic yards or 500 square feet of excavated materials, backfill material, import material, gravel, sand, road base, and soil with a 10 mil (0.01 inch) polyethylene plastic or equivalent tarp and brace it down or use other equivalent soil stabilization techniques; and
- Use dust enclosures, curtains, and dust collectors as necessary to control dust in the excavation area.

Compliance with the San Francisco Building Code's General Dust Control Requirements would ensure that the project's fugitive dust impacts would be less than significant.

Article 38 was added to the San Francisco Health Code to require that all newly constructed buildings containing ten or more units within the Potential Roadway Exposure Zone perform an Air Quality Assessment to determine whether the PM 2.512 concentration at the project site is greater than 0.2 micrograms per cubic meter (0.2 ug/m3).[13] Sponsors of projects on sites where the PM 2.5 concentration exceeds the 0.2 ug/m3 action level are required to install ventilation systems or otherwise redesign the project to reduce PM 2.5 concentrations for habitable areas of dwelling units by a performance standard of 80 percent. The Class 32 categorical exemption prepared for the Pagoda Theater project indicates that the project site is not with the Potential

[12] PM 2.5 is a measure of smaller particles in the air that are 2.5 microns or less in diameter. PM 10 (10 microns or greater in diameter) has been the pollutant particulate level standard against which EPA has been measuring Clean Air Act compliance. On the basis of newer scientific findings, the Agency is considering regulations that will make PM 2.5 the new "standard".

[13] See Board of Supervisors Ordinance No. 281-08, effective January 5, 2009.

Roadway Expose Zone, and therefore the project would not expose new project residents to substantial concentrations of air pollutants.[14]

The 1731 Powell Street project would result in further construction activities subsequent to the closure of the TBM retrieval shaft. However, construction emissions would be temporary and variable in nature and, because the project site is not within a hot spot, would not be expected to expose sensitive receptors to substantial air pollutants. Furthermore, the proposed project would be subject to, and comply with, California regulations limiting idling to no more than five minutes, which would further reduce nearby sensitive receptors exposure to temporary and variable TAC emissions; in addition, the project would be subject to applicable building permit requirements at the time of building permit issuance and as stipulated by the Department of Building Inspection. Therefore, construction period TAC emissions would result in a less than significant impact with respect to exposing sensitive receptors to substantial levels of air pollution.

The modified project would not result in new significant impacts related to air quality.

GREENHOUSE GASES

Current requirements related to greenhouse gas (GHG) analysis were established in 2010, subsequent to the certification of the 2008 SEIS/SEIR. Therefore, GHGs are discussed below consistent with current procedures and requirements.

Gases that trap heat in the atmosphere are referred to as GHGs because they capture heat radiated from the sun as it is reflected back into the atmosphere, much like a greenhouse does. The accumulation of GHG's has been implicated as the driving force for global climate change. The primary GHGs are carbon dioxide, methane, nitrous oxide, ozone, and water vapor.

While the presence of the primary GHGs in the atmosphere are naturally occurring, carbon dioxide (CO2), methane (CH4), and nitrous oxide (N2O) are largely emitted from human activities, accelerating the rate at which these compounds occur within earth's atmosphere. Emissions of carbon dioxide are largely by-products of fossil fuel combustion, whereas methane results from off-gassing associated with agricultural practices and landfills. Other GHGs

[14] San Francisco Planning Department Certificate of Determination, Exemption from Environmental Review, 1735-1741 Powell Street, January 6, 2009. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2007, 1117E and Case File No. 1996.281E.

include hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, and are generated in certain industrial processes. Greenhouse gases are typically reported in "carbon dioxide-equivalent" measures (CO2E).[15]

There is international scientific consensus that human-caused increases in GHGs have and will continue to contribute to global warming. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years. Secondary effects are likely to include a global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity.[16]

The Air Resources Board (ARB) estimated that in 2006 California produced about 484 million gross metric tons of CO2E (MMTCO2E), or about 535 million U.S. tons.[17] The ARB found that transportation is the source of 38 percent of the State's GHG emissions, followed by electricity generation (both in-state and out-of-state) at 22 percent and industrial sources at 20 percent. Commercial and residential fuel use (primarily for heating) accounted for 9 percent of GHG emissions.[18] In the Bay Area, fossil fuel consumption in the transportation sector (on-road motor vehicles, off-highway mobile sources, and aircraft) and the industrial and commercial sectors are the two largest sources of GHG emissions, each accounting for approximately 36% of the Bay Area's 95.8 MMTCO2E emitted in 2007.[19] Electricity generation accounts for approximately 16% of the Bay Area's GHG emissions followed by residential fuel usage at 7%, off-road equipment at 3% and agriculture at 1%.[20]

In 2006, the California legislature passed Assembly Bill No. 32 (California Health and Safety Code Division 25.5, Sections 38500, et seq., or AB 32), also known as the Global Warming Solutions Act. AB 32 requires ARB to design and implement emission limits, regulations, and

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[15] Because of the differential heat absorption potential of various GHGs, GHG emissions are frequently measured in "carbon dioxide-equivalents," which present a weighted average based on each gas's heat absorption (or "global warming") potential.

[16] California Climate Change Portal. Frequently Asked Questions About Global Climate Change. Available online at: http://www.climatechange.ca.gov/publications/faqs.html.http://www.climatechange.ca.gov/publications/faqs.html. Accessed November 8, 2010.

[17] California Air Resources Board (ARB), "California Greenhouse Gas Inventory for 2000-2006— by Category as Defined in the Scoping Plan." http://www.arb.ca.gov/cc/inventory/data/tables/ghg_inventory_scopingplan_2009-03-13.pdf.http://www.arb.ca.gov/cc/inventory/data/tables/ghg_inventory_scopingplan_2009-03-13.pdf. Accessed March 2, 2010.

[18] Ibid.

[19] Bay Area Air Quality Management District, Source Inventory of Bay Area Greenhouse Gas Emissions: Base Year 2007, Updated: February 2010. Available online at: http://www.baaqmd.gov/~/media/Files/Planning%20and%20Research/Emission%20Inventory/regionalinventory2007_2_10.ashx. http://www.baaqmd.gov/~/media/Files/Planning%20and%20Research/Emission%20Inventory/regionalinventory2007_2_10.ashx. Accessed March 2, 2010.

[20] Ibid.

other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020 (representing a 25 percent reduction in emissions).

Pursuant to AB 32, ARB adopted a Scoping Plan in December 2008, outlining measures to meet the 2020 GHG reduction limits. In order to meet these goals, California must reduce its GHG emissions by 30 percent below projected 2020 business as usual emissions levels, or about 15 percent from today's levels.[21] The Scoping Plan estimates a reduction of 174 million metric tons of CO2E (MMTCO2E) (about 191 million U.S. tons) from the transportation, energy, agriculture, forestry, and high global warming potential sectors, see Table 5, below. ARB has identified an implementation timeline for the GHG reduction strategies in the Scoping Plan.[22] Some measures may require new legislation to implement, some will require subsidies, some have already been developed, and some will require additional effort to evaluate and quantify. Additionally, some emissions reductions strategies may require their own environmental review under CEQA or the National Environmental Policy Act (NEPA).

AB 32 also anticipates that local government actions will result in reduced GHG emissions. ARB has identified a GHG reduction target of 15 percent from current levels for local governments themselves and notes that successful implementation of the plan relies on local governments' land use planning and urban growth decisions because local governments have primary authority to plan, zone, approve, and permit land development to accommodate population growth and the changing needs of their jurisdictions.

The Scoping Plan relies on the requirements of Senate Bill 375 (SB 375) to implement the carbon emission reductions anticipated from land use decisions. SB 375 was enacted to align local land use and transportation planning to further achieve the State's GHG reduction goals. SB 375 requires regional transportation plans, developed by Metropolitan Planning Organizations (MPOs), to incorporate a "sustainable communities strategy" in their regional transportation plans (RTPs) that would achieve GHG emission reduction targets set by ARB. SB 375 also includes provisions for streamlined CEQA review for some infill projects such as transit-oriented development. SB 375 would be implemented over the next several years and the Metropolitan Transportation Commission's 2013 RTP would be its first plan subject to SB 375.

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[21] California Air Resources Board, California's Climate Plan: Fact Sheet. Available online at: http://www.arb.ca.gov/cc/facts/scoping_plan_fs.pdf.http://www.arb.ca.gov/cc/facts/scoping_plan_fs.pdf. Accessed March 4, 2010.

[22] California Air Resources Board. AB 32 Scoping Plan. Available Online at: http://www.arb.ca.gov/cc/scopingplan/sp_measures_implementation_timeline.pdf.http://www.arb.ca.gov/cc/scopingplan/sp_measures_implementation_timeline.pdf. Accessed March 2, 2010.

Table 2. GHG Reductions from the AB 32 Scoping Plan Sectors[23]

GHG Reduction Measures By Sector	GHG Reductions (MMT CO_2E)
Transportation Sector	62.3
Electricity and Natural Gas	49.7
Industry	1.4
Landfill Methane Control Measure (Discrete Early Action)	1
Forestry	5
High Global Warming Potential GHGs	20.2
Additional Reductions Needed to Achieve the GHG Cap	34.4
Total	**174**
Other Recommended Measures	
Government Operations	1-2
Agriculture- Methane Capture at Large Dairies	1
Methane Capture at Large Dairies	1
Additional GHG Reduction Measures	
Water	4.8
Green Buildings	26
High Recycling/ Zero Waste • Commercial Recycling • Composting • Anaerobic Digestion • Extended Producer Responsibility • Environmentally Preferable Purchasing	9
Total	**42.8-43.8**

Senate Bill 97 (SB 97) required the Office of Planning and Research (OPR) to amend the state CEQA guidelines to address the feasible mitigation of GHG emissions or the effects of GHGs. In response, OPR amended the CEQA guidelines to provide guidance for analyzing GHG emissions. Among other changes to the CEQA Guidelines, the amendments add a new section to the CEQA Checklist (CEQA Guidelines Appendix G) to address questions regarding the project's potential to emit GHGs.

BAAQMD is the primary agency responsible for air quality regulation in the nine county San Francisco Bay Area Air Basin (SFBAAB). As part of their role in air quality regulation, BAAQMD has prepared the CEQA air quality guidelines to assist lead agencies in evaluating air quality impacts of projects and plans proposed in the SFBAAB. The guidelines provide procedures for evaluating potential air quality impacts during the environmental review process consistent with CEQA requirements. On June 2, 2010, the BAAQMD adopted new and revised CEQA air quality thresholds of significance and issued revised guidelines that supersede the 1999 air quality guidelines. The 2010 CEQA Air Quality Guidelines provide for the first time CEQA thresholds of significance for greenhouse gas emissions. OPR's

[23] Ibid.

amendments to the CEQA Guidelines as well as BAAQMD's 2010 CEQA Air Quality Guidelines and thresholds of significance have been incorporated into this analysis accordingly.

The most common GHGs resulting from human activity are CO2, CH4, and N2O.[24] State law defines GHGs to also include hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. These latter GHG compounds are usually emitted in industrial processes, and therefore not applicable to the proposed project. Individual projects contribute to the cumulative effects of climate change by directly or indirectly emitting GHGs during construction and operational phases. Direct operational emissions include GHG emissions from new vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with landfill operations.

The proposed project would increase the activity onsite through 1) construction and operation of the TBM retrieval shaft, and 2) demolition of the Pagoda Theater building and redevelopment of the site with a mixed use building containing 18 units and 4,700 sf of restaurant use. The TBM retrieval and new development could result in an incremental increase in overall energy and also water usage which generates indirect emissions from the energy required to pump, treat and convey water. The demolition and construction could also result in an increase in discarded landfill materials. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and operations associated with energy use, water use and wastewater treatment, and solid waste disposal.

As discussed above, the BAAQMD has adopted CEQA thresholds of significance for projects that emit GHGs, one of which is a determination of whether the proposed project is consistent with a Qualified Greenhouse Gas Reduction Strategy, as defined in the 2010 CEQA Air Quality Guidelines. On August 12, 2010, the San Francisco Planning Department submitted a draft of the City and County of San Francisco's Strategies to Address Greenhouse Gas Emissions to the BAAQMD.[25] This document presents a comprehensive assessment of policies, programs and ordinances that collectively represent San Francisco's Qualified Greenhouse Gas Reduction

[24] Governor's Office of Planning and Research. *Technical Advisory- CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review.* June 19, 2008. Available at the Office of Planning and Research's website at: http://www.opr.ca.gov/ceqa/pdfs/june08-ceqa.pdf. http://www.opr.ca.gov/ceqa/pdfs/june08-ceqa.pdf. Accessed March 3, 2010.

[25] San Francisco Planning Department. *Strategies to Address Greenhouse Gas Emissions in San Francisco.* 2010. The final document is available online at: http://www.sfplanning.org/index.aspx?page=1570.

Strategy in compliance with the BAAQMD's 2010 CEQA Air Quality Guidelines and thresholds of significance.

San Francisco's GHG reduction strategy identifies a number of mandatory requirements and incentives that have measurably reduced greenhouse gas emissions including, but not limited to, increasing the energy efficiency of new and existing buildings, installation of solar panels on building roofs, implementation of a green building strategy, adoption of a zero waste strategy, a construction and demolition debris recovery ordinance, a solar energy generation subsidy, incorporation of alternative fuel vehicles in the City's transportation fleet (including buses and taxis), and a mandatory composting ordinance. The strategy also identifies 42 specific regulations for new development that would reduce a project's GHG emissions.

San Francisco's climate change goals as are identified in the 2008 Greenhouse Gas Reduction Ordinance as follows:

- By 2008, determine the City's 1990 GHG emissions, the baseline level with reference to which target reductions are set;
- Reduce GHG emissions by 25 percent below 1990 levels by 2017;
- Reduce GHG emissions by 40 percent below 1990 levels by 2025; and
- Reduce GHG emissions by 80 percent below 1990 levels by 2050.

The City's 2017 and 2025 GHG reduction goals are more aggressive than the State's GHG reduction goals as outlined in AB 32, and consistent with the State's long-term (2050) GHG reduction goals. San Francisco's Strategies to Address Greenhouse Gas Emissions identifies the City's actions to pursue cleaner energy, energy conservation, alternative transportation and solid waste policies, and concludes that San Francisco's policies have resulted in a reduction in greenhouse gas emissions below 1990 levels, meeting statewide AB 32 GHG reduction goals. As reported, San Francisco's 1990 GHG emissions were approximately 8.26 million metric tons (MMT) CO2E and 2005 GHG emissions are estimated at 7.82 MMTCO2E, representing an approximately 5.3 percent reduction in GHG emissions below 1990 levels.

The BAAQMD reviewed San Francisco's Strategies to Address Greenhouse Gas Emissions and concluded that the strategy meets the criteria for a Qualified GHG Reduction Strategy as outlined in BAAQMD's CEQA Guidelines (2010) and stated that San Francisco's "aggressive

GHG reduction targets and comprehensive strategies help the Bay Area move toward reaching the State's AB 32 goals, and also serve as a model from which other communities can learn."[26]

Based on the BAAQMD's 2010 CEQA Air Quality Guidelines, projects that are consistent with San Francisco's Strategies to Address Greenhouse Gas Emissions would result in a less than significant impact with respect to GHG emissions. Furthermore, because San Francisco's strategy is consistent with AB 32 goals, projects that are consistent with San Francisco's strategy would also not conflict with the State's plan for reducing GHG emissions. As discussed in San Francisco's Strategies to Address Greenhouse Gas Emissions, new development and renovations/alterations for private projects and municipal projects are required to comply with San Francisco's ordinances that reduce greenhouse gas emissions. Applicable requirements are shown below in Table 3 (TBM retrieval) and Table 4 (1731 Powell Street mixed use building.)

TABLE 3.

GHG REGULATIONS APPLICABLE TO MODIFIED PROJECT – TBM RETRIEVAL

Regulation	Requirement	Project Compliance	Discussion
Transportation sector			
Clean Construction Ordinance (San Francisco Administrative Code, Section 6.25)	Effective March 2009, all contracts for large (20+ day) City projects are required to: •Fuel diesel vehicles with B20 biodiesel, and •Use construction equipment that meet USEPA Tier 2 standards or best available control technologies for equipment over 25 hp.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	Tunnel Contract Section 01 57 19 Part 1.06 requires compliance with Admin. Code Section 6.25: Contractors shall adopt clean construction practices including biodiesel fuel and 5 emissions controls.
Waste Reduction Sector			
Resource Efficiency and Green Building Ordinance (San Francisco Environment Code, Chapter 7)	The ordinance requires all demolition (and new construction) projects to prepare a Construction and Demolition Debris Management Plan designed to recycle construction and demolition materials to the maximum extent feasible, with a goal of 75%	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	Tunnel Contract Section 01 35 36 Conformed June 8, 2011 edition. See sub section 1.07.

[26] Letter from Jean Roggenkamp, BAAQMD, to Bill Wycko, San Francisco Planning Department. October 28, 2010. This letter is available online at: http://www.sfplanning.org/index.aspx?page=1570.http://www.sfplanning.org/index.aspx?page=1570. Accessed November 12, 2010.

Regulation	Requirement	Project Compliance	Discussion
	diversion. The ordinance specifies requires for all city buildings to provide adequate recycling space		
Resource Conservation Ordinance (San Francisco Environment Code, Chapter 5)	This ordinance establishes a goal for each City department to (i) maximize purchases of recycled products and (ii) divert from disposal as much solid waste as possible so that the City can meet the state-mandated 50% division requirement. Each City department shall prepare a Waste Assessment. The ordinance also requires the Department of the Environment to prepare a Resource Conservation Plan that facilitates waste reduction and recycling. The ordinance requires janitorial contracts to consolidate recyclable materials for pick up. Lastly, the ordinance specifies purchasing requirements for paper products.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	Tunnel Contract Section 01 35 36 Conformed June 8, 2011 edition.
Mandatory Recycling and Composting Ordinance (San Francisco Environment Code, Chapter 19)	The mandatory recycling and composting ordinance requires all persons in San Francisco to separate their refuse into recyclables, compostables and trash, and place each type of refuse in a separate container designated for disposal of that type of refuse.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	Tunnel Contract Section 01 35 36 Conformed June 8, 2011 edition. See subsection 1.01 E
Construction Recycled Content Ordinance (San Francisco Administrative Code, Section 6.4)	Ordinance requires the use of recycled content material in public works projects to the maximum extent feasible and gives preference to local manufacturers and industry.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	Tunnel Contract Section 01 35 36 Conformed June 8, 2011 edition. See subsection 1.08.
Environment/Conservation Sector			

Regulation	Requirement	Project Compliance	Discussion
Tropical Hardwood and Virgin Redwood Ban (San Francisco Environment Code, Chapter 8)	The ordinance prohibits City departments from procuring, or engaging in contracts that would use the ordinance-listed tropical hardwoods and virgin redwood.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	Tunnel Contract General Provisions GP 15.09 Section 802 with references to City Ordinance.
Regulation of Diesel Backup Generators (San Francisco Health Code, Article 30)	Requires: All diesel generators to be registered with the Department of Public Health All new diesel generators must be equipped with the best available air emissions control technology.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	CCR Article 4.8 Section 2449 General Requirements for In-Use of Road Diesel fueled fleets, ARB AB 1085. (http://www.arb.ca.gov/msprog/ordiesel/knowcenter.htm)

TABLE 4.

GHG REGULATIONS APPLICABLE TO MODIFIED PROJECT – 1731 POWELL REDEVELOPMENT

Regulation	Requirements	Project Compliance	Discussion
Transportation Sector			
Car Sharing Requirements (San Francisco Planning Code, Section 166)	New residential projects or renovation of buildings being converted to residential uses within most of the City's mixed-use and transit-oriented residential districts are required to provide car share parking spaces.	x Project Complies ☐ Not Applicable ☐ Project Does Not Comply	Project will have one car share parking space.
Energy Efficiency Sector			
San Francisco Green Building Requirements for Energy Efficiency (San Francisco	Under the Green Point Rated system and in compliance with the Green Building Ordinance, all new residential buildings will be required to be at a minimum 15% more	X Project Complies ☐ Not Applicable	

Regulation	Requirements	Project Compliance	Discussion
Building Code, Chapter 13C)	energy efficient than Title 24 energy efficiency requirements.	☐ Project Does Not Comply	
San Francisco Green Building Requirements for Stormwater Management (San Francisco Building Code, Chapter 13C) Or San Francisco Stormwater Management Ordinance (Public Works Code Article 4.2)	Requires all new development or redevelopment disturbing more than 5,000 square feet of ground surface to manage stormwater on-site using low impact design. Projects subject to the Green Building Ordinance Requirements must comply with either LEED® Sustainable Sites Credits 6.1 and 6.2, or with the City's Stormwater Management Ordinance and stormwater design guidelines.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	Project site is greater than 5000 sf, and shall comply.
Indoor Water Efficiency (San Francisco Building Code, Chapter 13C sections 13C.5.103.1.2, 13C.4.103.2.2,13C .303.2.)	**If meeting a GreenPoint Rated Standard:** Reduce overall use of potable water within the building by 20% for showerheads, lavatories, kitchen faucets, wash fountains, water closets and urinals.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	
Residential Water Conservation Ordinance (San Francisco Building Code, Housing Code, Chapter 12A)	Requires all residential properties (existing and new), prior to sale, to upgrade to the following minimum standards: 1. All showerheads have a maximum flow of 2.5 gallons per minute (gpm) 2. All showers have no more than one showerhead per valve 3. All faucets and faucet aerators have a maximum flow rate of 2.2	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	

Regulation	Requirements	Project Compliance	Discussion
	gpm 4. All Water Closets (toilets) have a maximum rated water consumption of 1.6 gallons per flush (gpf) 5. All urinals have a maximum flow rate of 1.0 gpf 6. All water leaks have been repaired. Although these requirements apply to existing buildings, compliance must be completed through the Department of Building Inspection, for which a discretionary permit (subject to CEQA) would be issued.		
Residential Energy Conservation Ordinance (San Francisco Building Code, San Francisco Housing Code, Chapter 12)	Requires all residential properties to provide, prior to sale of property, certain energy and water conservation measures for their buildings: attic insulation; weather-stripping all doors leading from heated to unheated areas; insulating hot water heaters and insulating hot water pipes; installing low-flow showerheads; caulking and sealing any openings or cracks in the building's exterior; insulating accessible heating and cooling ducts; installing low-flow water-tap aerators; and installing or retrofitting toilets to make them low-flush. Apartment buildings and hotels are also required to insulate steam and hot water pipes and tanks, clean and tune their boilers, repair boiler leaks, and install a time-clock on the burner. Although these requirements apply to existing buildings, compliance must be completed through the Department of Building Inspection,	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	

Regulation	Requirements	Project Compliance	Discussion
	for which a discretionary permit (subject to CEQA) would be issued.		
Waste Reduction Sector			
Mandatory Recycling and Composting Ordinance (San Francisco Environment Code, Chapter 19) and San Francisco Green Building Requirements for solid waste (San Francisco Building Code, Chapter 13C)	All persons in San Francisco are required to separate their refuse into recyclables, compostables and trash, and place each type of refuse in a separate container designated for disposal of that type of refuse. Pursuant to Section 1304C.0.4 of the Green Building Ordinance, all new construction, renovation and alterations subject to the ordinance are required to provide recycling, composting and trash storage, collection, and loading that is convenient for all users of the building.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	Project will have waste chutes for each separate waste stream, leading to a trash collection area with containers dedicated to each chute.
San Francisco Green Building Requirements for construction and demolition debris recycling (San Francisco Building Code, Chapter 13C)	Projects proposing demolition are required to divert at least 75% of the project's construction and demolition debris to recycling.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	
San Francisco Construction and Demolition Debris Recovery Ordinance (San Francisco Environment Code, Chapter 14)	Requires that a person conducting full demolition of an existing structure to submit a waste diversion plan to the Director of the Environment which provides for a minimum of 65% diversion from landfill of construction and demolition debris, including materials source separated for	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	

Regulation	Requirements	Project Compliance	Discussion
	reuse or recycling.		
Environment/Conservation Sector			
Street Tree Planting Requirements for New Construction (San Francisco Planning Code Section 138.1)	Planning Code Section 138.1 requires new construction, significant alterations or relocation of buildings within many of San Francisco's zoning districts to plant on 24-inch box tree for every 20 feet along the property street frontage.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	
Light Pollution Reduction (San Francisco Building Code, Chapter 13C5.106.8)	For nonresidential projects, comply with lighting power requirements in CA Energy Code, CCR Part 6. Requires that lighting be contained within each source. No more than .01 horizontal lumen footcandles 15 feet beyond site, or meet LEED credit SSc8.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	
Construction Site Runoff Pollution Prevention for New Construction (San Francisco Building Code, Chapter 13C)	Construction Site Runoff Pollution Prevention requirements depend upon project size, occupancy, and the location in areas served by combined or separate sewer systems. Projects meeting a LEED® standard must prepare an erosion and sediment control plan (LEED® prerequisite SSP1). Other local requirements may apply regardless of whether or not LEED® is applied such as a stormwater soil loss prevention plan or a Stormwater Pollution Prevention Plan (SWPPP). See the SFPUC Web site for more information:	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	Project is not subject to LEED but will have construction site runoff pollution plan.

Regulation	Requirements	Project Compliance	Discussion
	www.sfwater.org/CleanWater		
Low-emitting Adhesives, Sealants, and Caulks (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2, 13C.504.2.1)	**If meeting a GreenPoint Rated Standard:** Adhesives and sealants (VOCs) must meet SCAQMD Rule 1168.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	Project will meet Green Point rating standards.
Low-emitting materials (San Francisco Building Code, Chapters 13C.4. 103.2.2,	For Small and Medium-sized Residential Buildings - Effective January 1, 2011 meet GreenPoint Rated designation with a minimum of 75 points. For New High-Rise Residential Buildings - Effective January 1, 2011 meet LEED Silver Rating or GreenPoint Rated designation with a minimum of 75 points. For Alterations to residential buildings submit documentation regarding the use of low-emitting materials. **If meeting a GreenPoint Rated Standard:** Meet the GreenPoint Rated Multifamily New Home Measures for low-emitting adhesives and sealants, paints and coatings, and carpet systems,	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	Project will meet Green Point rating standards.
Low-emitting Paints and Coatings (San Francisco Building	**If meeting a GreenPoint Rated Standard:** Interior wall and ceiling paints must	X Project Complies ☐ Not	Project will meet Green Point rating standards.

Regulation	Requirements	Project Compliance	Discussion
Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2 13C.504.2.2 through 2.4)	meet <50 grams per liter VOCs regardless of sheen. VOC Coatings must meet SCAQMD Rule 1113.	Applicable ☐ Project Does Not Comply	
Low-emitting Flooring, including carpet (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2, 13C.504.3 and 13C.4.504.4)	**If meeting a GreenPoint Rated Standard:** All carpet systems, carpet cushions, carpet adhesives, and at least 50% of resilient flooring must be low-emitting.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	Project will meet Green Point rating standards.
Low-emitting Composite Wood (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2 and 13C.4.504.5)	**If meeting a GreenPoint Rated Standard:** Must meet applicable CARB Air Toxics Control Measure formaldehyde limits for composite wood.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	Project will meet Green Point rating standards.
Wood Burning Fireplace Ordinance (San Francisco Building Code, Chapter 31, Section 3102.8)	Bans the installation of wood burning fire places except for the following: • Pellet-fueled wood heater • EPA approved wood heater • Wood heater approved by the Northern Sonoma Air Pollution Control District	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	There are no wood burning fire places in the project.

Depending on a proposed project's size, use, and location, a variety of controls are in place to ensure that a proposed project would not impair the State's ability to meet statewide GHG reduction targets outlined in AB 32, nor impact the City's ability to meet San Francisco's local GHG reduction targets. Given that: (1) San Francisco has implemented regulations to reduce greenhouse gas emissions specific to new construction and renovations of private developments and municipal projects; (2) San Francisco's sustainable policies have resulted in the measured success of reduced greenhouse gas emissions levels; (3) San Francisco has met and exceeded AB 32 greenhouse gas reduction goals for the year 2020; (4) current and probable future state and local greenhouse gas reduction measures will continue to reduce a project's contribution to climate change; and (5) San Francisco's Strategies to Address Greenhouse Gas Emissions meet BAAQMD's requirements for a Qualified GHG Reduction Strategy, projects that are consistent with San Francisco's regulations would not contribute significantly to global climate change. The proposed project would be required to comply with these requirements, and was determined to be consistent with San Francisco's Strategies to Address Greenhouse Gas Emissions.[27] As such, the modified project would result in a less than significant impact with respect to GHG emissions.

SHADOW

No significant shadow impacts were identified in the 2008 SEIS/SEIR. Relocation of the TBM retrieval shaft site would not create any new shadow impacts compared to the approved Central Subway project.

The existing Pagoda Theater building is located directly west of Washington Square across Columbus Avenue. The modified project proposes an SUD on the project site increasing the height limit from 40-X to 55-X, and Conditional Use approval for construction of a building up to approximately 55 feet in height as measured by the Planning Code, with a roof line consistent with the roof line of the existing building, and with a blade sign extending beyond the roof of the building. Section 295 of the Planning Code describing height restrictions on structures shadowing property under the jurisdiction of the Recreation and Park Commission would normally be applicable to the construction of any building exceeding 40 feet in height. However, as specified the Conditional Use application, neither the roof nor the blade sign of the

[27] Greenhouse Gas Analysis: Compliance Checklist. April, 2012. This document is on file in Case File No. 2011.1043E and available for public review at the Planning Department, 1650 Mission Street, Suite 400.

new building would exceed the height of the corresponding component of the existing building. Section 295(a)(4) specifies that structures of the same height and in the same location as structures in place on June 6, 1984 are not subject to the provisions of Section 295. Moreover, CEQA requires analysis of the environmental impacts resulting from physical changes to the existing setting. The modified project would not increase shadow on Washington Square compared to current conditions, and therefore there would be no impacts from shadow from approval of the modified project.

GEOLOGY AND SOILS

TBM Retrieval Site Relocation

A geotechnical investigation for the Pagoda Theater project was prepared on December 1, 2008.[28] The report found that the project site is underlain by fill consisting of medium dense sand and stiff clay to a depth of up to 15 feet, below which is medium-very stiff sandy clay and dense-very dense silty sand. It is expected that weathered sandstone of the Franciscan formation may be found to a depth of 40-50 feet below ground surface (bgs), where the tunnel would be constructed. Shallow groundwater at a depth of eight feet bgs was encountered.

The 2008 SEIS/SEIR recognized the potential for settlement of geologic materials during construction of the Central Subway. Design-level geotechnical analysis conducted as part of the project considers the potential for settlement and identifies construction methods to minimize it as appropriate given the soil conditions in applicable locations along the alignment. The 2008 SEIS/SEIR includes mitigation to minimize settlement through monitoring of movement and sequential support for excavation as necessary (through use of ground improvement techniques such as jet grouting or underpinning) (see Mitigation Measures, p. 57). This mitigation measure would be applicable to the proposed extension of the tunnel and construction of the retrieval shaft, and no new significant impact would occur.

1731 Powell Street Mixed-Use Building

The geotechnical report for the Pagoda Theater project recommended that the following features be incorporated into the project design: use of a foundation that can withstand

[28] Treadwell & Rollo, *Draft Geotechnical Investigation, 1731-1741 Powell Street, La Corneta Palace*, 1 December 2008. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2007.1117E and Case File No. 1996.281E.

hydrostatic uplift; waterproofing of below-grade walls and slabs; use of tiedown anchors; underpinning, shoring, waterproofing, dewatering, and monitoring during construction. The 2008 SEIS/SEIR addresses dewatering in the topic of Hazardous Materials; accordingly, dewatering is addressed in the Hazards and Hazardous Materials discussion below. Geotechnical issues are addressed through the Department of Building Inspection's building permit review process, and necessary measures are taken to ensure that the project meets all applicable codes and requirements. The proposed 1731 Powell Street project would be required to undergo this review as part of the building permit process. Therefore, no significant impacts would occur from this aspect of the project and no mitigation is required.

HAZARDS AND HAZARDOUS MATERIALS

Article 20 of the San Francisco Municipal Code (also known as the Maher Ordinance) requires oversight by the Department of Public Health (DPH) for excavation on properties located bayward of the 1851 high tide line (the "Maher Zone"). The 2008 SEIS/SEIR imposed requirements similar to the Article 20 provisions as mitigation for hazardous materials for those sites affected by the Central Subway project that are not within the Maher Zone. The mitigation requires establishment of a groundwater monitoring protocol to avoid exposure to groundwater containing hazardous materials (p. 6-107). The project site is outside the Maher Zone, and therefore the mitigation established through the 2008 SEIS/SEIR, including the requirements associated with dewatering, would be applicable to the tunnel extension and TBM retrieval shaft construction (see Mitigation Measures, p. 57). No further mitigation is required.

The 1731 Powell Street project site is not included on any database of hazardous materials sites. The site contained a leaking underground storage tank (LUST) containing fuel oil, which was cleaned up and closed through the DPH Cleanup Program.[29]

No new significant impacts with respect to hazardous materials would occur as a result of the modified project.

[29] San Francisco Planning Department Geographic Information System, accessed on January 22, 2013.

OTHER ENVIRONMENTAL EFFECTS

This section addresses the remaining topic areas for environmental review included in San Francisco's Initial Study checklist. Modified project impacts would be minimal, as described below.

Population and Housing

Relocation of the TBM retrieval shaft would not result in any change in impacts associated with population and housing.

Redevelopment of the 1731 Powell Street site as proposed would result in construction of 18 new residential units, resulting in a population increase of approximately 42 persons based on San Francisco's average household size of 2.30 persons per household. No existing housing would be removed, and the addition of 4,700 sf of commercial space (with an estimated 13 employees) would not create a substantial demand for new housing. Development of 18 units at this site first received Planning Department authorization in 2009, indicating that the incremental increase in population in the vicinity is consistent with projected growth. The modified project would not result in new significant impacts related to population and housing.

Recreation

The project site is located directly west of Washington Square, across Columbus Avenue, and is less than two blocks (approximately 500 feet) south of Joe DiMaggio Playground. Other nearby parks include Ina Coolbrith Park (1,600 feet to the southwest) and Woh Hei Yuen Park (1,800 feet to the south). Addition of 18 units on the project site would have a less-than-significant impact on recreation, because it would not substantially increase demand for or use of neighborhood parks or citywide facilities, such as Golden Gate Park, in a manner that would cause substantial physical deterioration of these facilities. Relocation of the TBM retrieval shaft site would have similar less than significant impacts on Washington Square as the approved project.

Wind

Relocation of the TBM extraction site 100 feet to the northwest would not change the wind impacts of the project, which were determined to be less than significant in the 2008 SEIR/SEIS.

At 56 feet, the existing building on the project site is similar in size to many neighboring structures. Redevelopment at 1731 Powell Street as proposed in the modified project would result in a building with substantially the same height and massing as the existing structure on the project site.

Substantial increases in pedestrian-level winds can result from the construction of new building of substantial height (generally exceeding 85-100 feet) protruding above surrounding buildings. No such height increase would occur under the modified project, and therefore the modified project does not have the potential to create new significant impacts relative to wind not addressed in the 2008 SEIR/SEIS.

Utilities and Public Services

The 2008 SEIS/SEIR states that the TBM construction method would not require relocation of utilities above TBM tunnels (p. 6-86). Diversion of utilities would occur for construction of the TBM retrieval shaft at the approved site on Columbus Avenue. The modified project would not result in any more utility diversion than the approved project, and may require less diversion as the TBM shaft would be located on private property rather than in the public right-of-way.

The addition of 18 units and 4,700 sf of restaurant use would be incremental infill development in a location well served by existing urban utilities and public services (e.g. police, fire, libraries, schools). This development has been foreseeable at this site since 2007 and was granted authorization in 2009, and is within projected growth in the area.

The modified project would not create any new significant impacts associated with utilities or public services.

Biological Resources

According to the Tree Disclosure Form submitted by the 1741 Powell Street property owner, there are three existing street trees on the project site frontage and one additional street tree would be required to meet current standards. Street trees may be used by nesting birds, which are fully protected under Fish and Game Code Sections 3503 and 3503.5 and the federal Migratory Bird Treaty Act (MBTA). As mitigation for any tree removal or damage associated with the Central Subway project, the 2008 SEIS/SEIR requires that any street trees affected by the project be replaced at a 1:1 ratio, and a certified arborist be present during TBM retrieval shaft construction to avoid any tree roots (p. 6-99) (see Mitigation Measures, p. 57). There are no adopted habitat conservation plans applicable to the project site, nor does the site include any riparian habitat or other significant biological resources.

In September 2011, the Board of Supervisors approved *Planning Code* Section 139, Standards for Bird-Safe Buildings. The standards apply to buildings located within 300 feet of, and having a direct line of sight to, an urban bird refuge. As an open space larger than 2 acres dominated by vegetation, Washington Square is considered an urban bird refuge and the proposed 1731 Powell Street building would be subject to the requirements of *Planning Code* Section 139. Bird-safe elements would be required to be incorporated into the building design, and no significant impact would occur.

Hydrology and Water Quality

The Central Subway project is subject to San Francisco Public Utilities Commission (SFPUC) requirements, which mandate preparation of a Storm Water Pollution Prevention Plan (SWPPP) specifying construction storm water management controls, and erosion and sediment control (p. 6-96-97). Construction of the TBM retrieval site in the proposed location would be subject to the SWPPP. No significant impacts would occur, and no mitigation is required. The 1741 Powell Street building would not have the potential to result in significant impacts associated with hydrology and water quality; issues associated with dewatering have been addressed above in the discussions of geology and hazardous materials.

Mineral and Energy Resources

Relocation of the TBM retrieval shaft would have no effect on energy use during project construction or operation. There are no mineral resources within the area that would be affected by extension of the TBM tunnel to the project site.

The proposed 1741 Powell Street project would meet current State and local codes concerning energy consumption, including Title 24 of the California Code of Regulations, enforced by the Department of Building Inspection. Impacts to mineral and energy resources from the modified project would be less than significant.

Agricultural Resources

The modified project would have no impacts associated with agricultural resources. No such resources are located on or in proximity to the project site.

GROWTH INDUCEMENT

Growth inducement under CEQA considers the ways in which proposed projects could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Projects that are traditionally or most commonly

considered growth inducing are those that would remove obstacles to population growth (for example, a major expansion of a wastewater treatment plant may allow more construction in its service area, or a new freeway may allow growth at freeway exits).

Growth-inducing impacts of the Central Subway project were discussed in the 2008 SEIS/SEIR at 7-51, and found to be less than significant. The modified project would extend the Central Subway tunnel an additional 100 feet beyond the approved terminus, and locate the TBM retrieval shaft on private property rather than in the Columbus Avenue right-of-way. SFMTA is seeking a limited-term lease from the 1731 Powell Street property owner to use the site for TBM retrieval, after which SFMTA would vacate the property and it would be available for redevelopment. Like the approved project, the modified project would not be expected to have significant growth-inducing impacts.

As a separate project, SFMTA could consider extension of the Central Subway further north and/or construction of a subway station in North Beach. Neither the Columbus Avenue retrieval shaft site nor the proposed 1731 Powell Street site would preclude either of these additions to the system. Any such proposal is not part of the current effort and would be subject to additional environmental review.

The proposed height reclassification and granting of approvals to allow construction of 18 units and 4,700 square feet of restaurant use would not enable substantial additional growth beyond the amount of development already approved on the project site.

The modified project would not result in significant growth-inducing impacts.

MITIGATION AND IMPROVEMENT MEASURES

This section presents those mitigation measures that address significant environmental impacts identified in the 2008 SEIS/SEIR that are relevant to the portion of the Central Subway project currently proposed for modification. It also includes relevant improvement measures, which are not necessary to avoid significant environmental impacts but were included in the 2008 SEIS/SEIR to further reduce impacts that were less than significant. As noted throughout this document, the modified project would not result in any new significant impacts, compared to those identified in the 2008 SEIS/SEIR.

MITIGATION MEASURES

Cultural Resources

M CNPRE-1a: Consistent with the SHPO MOA with the City, FTA, and SFMTA shall work with a qualified archaeologist to ensure that all state and federal regulations regarding cultural resources and Native American concerns are enforced.

MM CNPRE-1b: Limited subsurface testing in identified archaeologically sensitive areas shall be conducted once an alignment has been selected.

MM CNPRE-1c: During construction, archaeological monitoring shall be conducted in those sections of the alignment identified in the completed HCASR and through pre-construction testing as moderately to highly sensitive for prehistoric and historic-era archaeological deposits.

MM CNPRE-1d: Upon completion of archaeological field investigations, a comprehensive technical report shall be prepared for approval by the San Francisco Environmental Review Officer that describes the archaeological findings and interpretations in accordance with state and federal guidelines.

MM CNPRE-1e: If unanticipated cultural deposits are found during subsurface construction, soil disturbing activities in the vicinity of the find shall be halted until a qualified archaeologist can assess the discovery and make recommendations for evaluation and appropriate treatment to the ERO for approval in keeping with adopted regulations and policies.

MM CNHARC-2A: Pre-drilling for pile installation in areas that would employ secant piles with ground-supporting walls in the cut-and-cover areas would reduce the potential effects of vibration.

MM CNHARC-2b: Vibration monitoring of historic structures adjacent to tunnels and portals will be specified in the construction documents to ensure that historic properties do not sustain damage during construction. Vibration impacts would be mitigated to a less-than-significant level. If a mitigation monitoring plan provides the following:

- The contractor will be responsible for the protection of vibration-sensitive historic building structures that are within 200 feet of any construction activity.
- The maximum peak particle vibration (PPV) velocity level, in any direction, at any of these historic structures should not exceed 0.12 inches/second for any length of time.

- The Contractor will be required to perform periodic vibration monitoring at the closest structure to ground disturbing construction activities, such as tunneling and station excavation, using approved seismographs.

- If at any time the construction activity exceeds this level, that activity will immediately be halted until such time as an alternative construction method can be identified that would result in lower vibration levels.

Geology and Soils

MM CNSET-1a: Provisions such as concrete diaphragm walls to support the excavation and instrumentation to monitor settlement and deformation would be used to ensure that structures adjacent to tunnel alignments are not affected by excavations.

MM CNSET-1b: Tunnel construction methods that minimize ground movement, such as pressure-faced TBMs, Sequential Excavation Method, and ground improvement techniques such as compensation grouting, jet grouting or underpinning will be used.

MM CNSET-1c: Rigorous geomechanical instrumentation would be used to monitor underground excavation and grouting or underpinning will be employed to avoid displacement of structures.

Hazardous Materials

MM CNHAZ-1a: Implementation of mitigation measures similar to those required for properties under the jurisdiction of Article 20: preparation of a Site History Report; Soil Quality Investigation, including a Soils Analysis Report and a Site Mitigation Report (SMR); description of Environmental Conditions; Health and Safety Plan (HSP); Guidelines for the Management and Disposal of Excavated Soils; and a Certification Statement that confirms that no mitigation is required or the SMR would mitigate the risks to the environment of human health and safety. This measure would ensure that the project impacts are mitigated to a less-than-significant level.

Noise and Vibration

MM CNNV-1a: The Contractor shall be required to perform periodic vibration monitoring using approved seismographs at the historic structure closest to the construction activity. If the construction activity exceeds a 0.12 inches/second level, the construction activity shall be

immediately halted until an alternative construction method that would result in lower vibration levels can be identified.

MM CNNV-1b: During construction, an acoustical consultant will be retained by the contractor to prepare a more detailed construction noise and vibration analysis to address construction staging areas, tunnel portals, cut-and-cover construction, and underground mining and excavation operations.

IMPROVEMENT MEASURES

Visual Resources

IM CNVAES-1a: Construction staging areas and excavation sites in these areas may be screened from view during construction to minimize potential visual impacts.

Biological Resources

IM CNBIO-1a: Any street trees removed or damaged as part of construction would be replaced along the street at a 1:1 ratio.

IM CNBIO-2a: A certified arborist would be present as needed during excavation of the Columbus Avenue TBM retrieval shaft to monitor protection of tree roots.

Noise and Vibration

IM CNNV-2a: The incorporation of noise control measures would minimize noise impacts during construction: noise control devices such as equipment mufflers, enclosures, and barriers; stage construction as far away from sensitive receptors as possible; maintain sound reducing devices and restrictions throughout construction period; replace noisy with quieter equipment; schedule the noisiest construction activities to avoid sensitive times of the day.

The contractor will hire an acoustical consultant to oversee the implementation of the Noise Control and Monitoring Plans; prepare a Noise Control Plan; and comply with the nighttime noise variance provisions.

The consultant will conduct and report on periodic noise measurements to ensure compliance with the Noise Monitoring Plan using up to date equipment certified to meet specified lower noise level limits during nighttime hours.

CEQA CONCLUSION

Based on the analysis and discussion presented in this document, no supplemental or subsequent environmental analysis is needed pursuant to the *CEQA Guidelines*, Sections 15162, 15163, and 15164. It is concluded that the analyses conducted and the conclusions reached in the SEIS/SEIR, certified August 7, 2008 remain valid. The modified proposed project would not cause new significant impacts not identified in the 2008 SEIS/SEIR or result in a substantial increase in the severity of previously identified significant impacts, and no new mitigation measures would be necessary to reduce significant impacts. No changes have occurred with respect to circumstances surrounding the project that would cause significant environmental impacts to which the modified project would contribute considerably, and no new information has become available that shows that the approved or modified project would cause significant environmental impacts. Therefore, no supplemental environmental review is required beyond this Addendum.

January 31, 2013

Date of Determination

I do hereby certify that the above determination has been made pursuant to State and Local requirements.

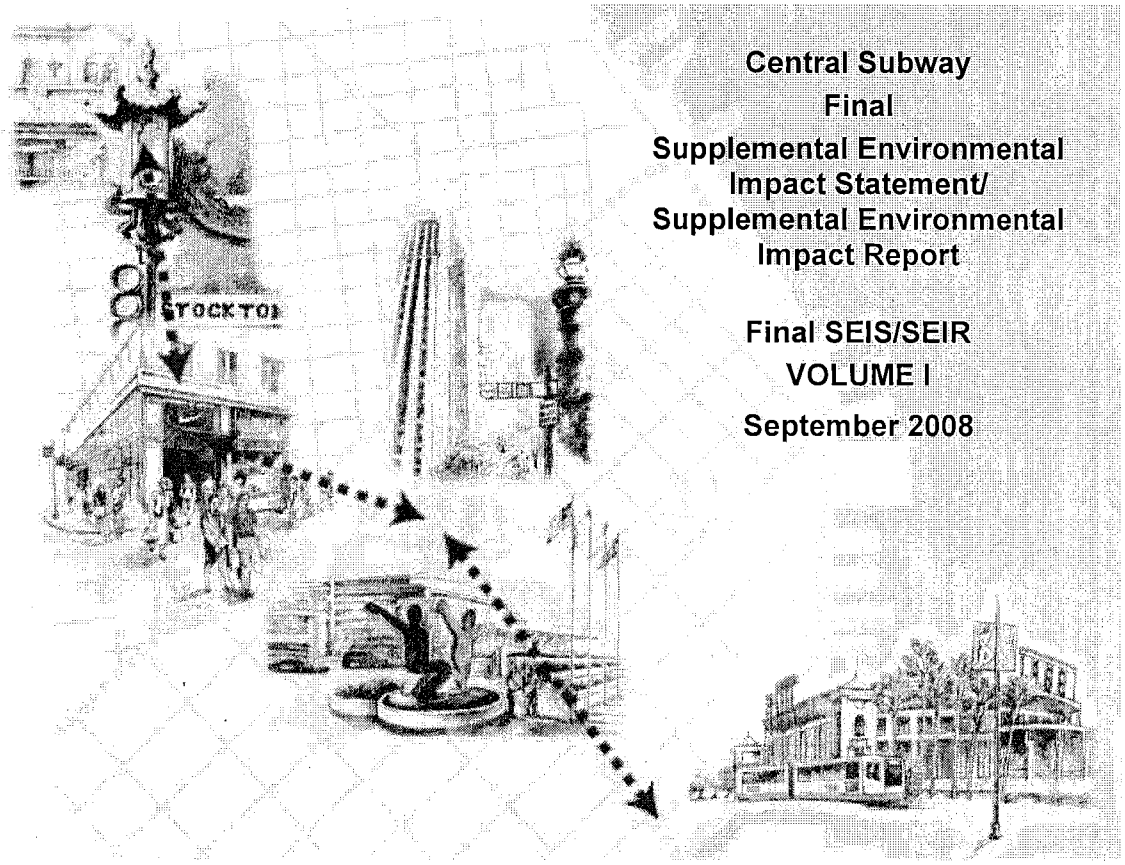
Bill Wycko

Environmental Review Officer

Cc: Project Sponsor; Supervisor Chiu, District 3; Distribution List; Bulletin Board

central T subway

Connecting people. Connecting communities.



Central Subway Final Supplemental Environmental Impact Statement/ Supplemental Environmental Impact Report

Final SEIS/SEIR

VOLUME I

September 2008

FEDERAL TRANSIT ADMINISTRATION
U.S. DEPARTMENT OF TRANSPORTATION

Case No. 96.281E
State Clearinghouse No. #96102097

CITY AND COUNTY OF SAN FRANCISCO
PLANNING DEPARTMENT

** Electronic copy can be found on CD in File No. 130019
** Complete hard-copy can be found in File No. 121097

August 7, 2008
File No. 1996.281E
Assessor's Block 3733, Lot 093;
Assessor's Block 0308, Lot 001(portion);
Assessor's Block 0211, Lot 001 and
various easements.

SAN FRANCISCO

CITY PLANNING COMMISSION

MOTION NO. M-17668

ADOPTING FINDINGS RELATED TO THE CERTIFICATION OF A FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED CENTRAL SUBWAY PROJECT, LOCATED ALONG AND UNDER FOURTH STREET AND UNDER STOCKTON STREET IN THE DOWNTOWN, CHINATOWN AND NORTH BEACH AREAS WITH A SURFACE STATION AT FOURTH/BRANNAN AND UNDERGROUND STATIONS AT MOSCONE, UNION SQUARE/MARKET STREET AND CHINATOWN AND CONSTRUCTION TUNNEL UNDER COLUMBUS AVENUE TO WASHINGTON SQUARE.

MOVED, That the San Francisco Planning Commission (hereinafter "Commission") hereby CERTIFIES the Final Environmental Impact Report identified as case file No. 96.281E – Central Subway (Phase 2 of the Third Street Light Rail) Project (hereinafter "Project") based upon the following findings:

1) The City and County of San Francisco, acting through the Planning Department (hereinafter "Department") fulfilled all procedural requirements of the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., hereinafter "CEQA"), the State CEQA Guidelines (Cal. Admin. Code Title 14, Section 15000 et. seq., (hereinafter "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code (hereinafter "Chapter 31").

a. The Department determined that a Supplemental Environmental Impact Report (hereinafter "EIR") was required for Phase 2 of the Central Subway and provided public notice of that determination by publication in a newspaper of general circulation on June 11, 2005. As the original environmental document for the Third Street Light Rail Project (certified 1998) was a joint federal and state document, the supplemental is also a joint document, a Supplemental Environmental Impact Statement/Supplemental Environmental Impact Report.

b. On October 17, 2007, the Department published the Draft Supplemental Environmental Impact Statement/Supplemental Environmental Impact Report (hereinafter "DSEIS/SEIR") and provided public notice in a newspaper of general circulation of the availability of the document for public review and comment and of the date and time of the Planning Commission public hearing on the DEIR; this notice was mailed to the Department's list of persons requesting such notice.

c. Notices of availability of the DSEIS/SEIR and of the date and time of the public hearing were posted along the project site by staff on October 17, 2007. The Federal Transit Administration published a Notice of Availability of a Supplemental Environmental Impact Statement in the Federal Register on October 26, 2007.

d. On October 17, 2007, copies of the DSEIS/SEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, to adjacent property owners, and to government agencies, the latter both directly and through the State Clearinghouse.

e. The Notice of Completion for the DSEIR was filed with the State Secretary of Resources via the State Clearinghouse on October 15, 2007.

2) The Commission held a duly advertised public hearing on said Draft Supplemental Environmental Impact Report on November 15, 2007 at which time opportunity for public comment was given, and public comment was received on the DSEIS/SEIR. The period for acceptance of written comments ended on December 10, 2007.

3) The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 55-day public review period for the DEIR, prepared revisions to the text of the DSEIS/SEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DSEIS/SEIR. This material was presented in a "Draft Comments and Responses" document, published on July 11, 2008 was distributed to the Commission and to all parties who commented on the DEIR, to persons who had requested the document and was available to others upon request at Department offices.

4) A Final Environmental Impact Statement/Environmental Impact Report has been prepared by the Department, consisting of the Draft Environmental Impact Report, any consultations and comments received during the review process, any additional information that became available, and the Summary of Comments and Responses all as required by law.

5) On February 19, 2008, the San Francisco Municipal Transportation Agency (SFMTA) adopted as its preferred alternative the Locally Preferred Alternative (LPA) as described in the Final Supplemental Environmental Impact Statement/Supplemental Environmental Impact Report as Alternative 3 Option B. The LPA would extend 1.7 miles north from the T-Third line terminus at Fourth and King Streets via Fourth and Stockton Streets to the Central Subway Terminus in Chinatown. Beginning at the existing T-Third station at Fourth and King Streets, the alignment would continue north on the surface of Fourth Street and go underground under the I-80 freeway to proceed in subway north under Fourth and Stockton Streets to Jackson Street in Chinatown. A construction option would continue the tunnels north of the Chinatown station under Stockton Street and Columbus Avenue to north of Union Street to allow for the removal of the tunnel boring machines. There would be one surface station on Fourth Street, north of Brannan Street and three subway stations at Moscone, Union Square/Market Street and Chinatown between Washington and Jackson Streets.

6) Project environmental files have been made available for review by the Commission and the public. These files are available for public review at the Department offices at 1650 Mission Street, and are part of the record before the Commission.

7) On August 7, 2008, the Commission reviewed and considered the Final Supplemental Environmental Impact Report and hereby does find that the contents of said report and the procedures through which the Final Supplemental Environmental Impact Statement/Supplemental Environmental Impact Report was prepared, publicized and reviewed comply with the provisions of CEQA, the CEQA Guidelines and Chapter 31of the San Francisco Administrative Code.

8) The Planning Commission hereby does find that the Final Supplemental Environmental Impact Report concerning File No. 1996.281E – the Central Subway Project (Phase 2 of the Third Street Light Rail Project) reflects the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate and objective, and that the Comments and Responses document contains no significant new information to the DSEIS/SEIR that would require recirculation under CEQA Guideline Section 15088.5, and hereby does CERTIFY THE COMPLETION of said Final Supplemental Environmental Impact Report in compliance with CEQA, the CEQA Guidelines and Chapter 31.

9) The Commission, in certifying the completion of said Final Supplemental Environmental Impact Report, hereby does find that the project described in the Final Supplemental Environmental Impact Statement/Supplemental Environmental Impact Report and as adopted as the LPA by the San Francisco Municipal Transportation Agency, described as Alternative 3B in the Final Supplemental Environmental Impact Report would have the following significant unavoidable environmental impacts, which could not be mitigated to a level of non-significance:

a. A significant effect on the environment in traffic impacts to the following intersections (1) project-specific impacts at Third/King in the am peak hour; and (2) cumulatively considerable impacts at Third/King in the am and pm peaks; and Fourth and King in the pm peak.

b. A significant effect on the environment in housing and employment in that the project would displace 8 businesses and 17 residential units with the demolition at 933-949 Stockton Street.

c. A significant effect on the environment in cultural resources in that the project may affect archaeological deposits and would cause demolition of a contributing historic resource to the Chinatown historic district at 933-949 Stockton Street.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting of August 7, 2008.

Linda Avery
Commission Secretary

AYES: Antonini, Borden, Lee, Sugaya,
NOES: Olague, Miguel, Moore
ACTION: Certification of EIR

SAN FRANCISCO
PLANNING DEPARTMENT

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

February 15, 2013

Ms. Angela Calvillo, Clerk
Honorable Supervisor Chiu
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: **Transmittal of Planning Department Case Number 2013.0050TZ:**
1731 Powell Street
T Case: Planning Code Text Amendment – Adoption of "Central Subway Tunnel Boring Machine Extraction Site Special Use District"
Z Case: Rezoning (Height Reclassification)
Planning Commission Recommendation: ***Approval with Modifications***

Dear Ms. Calvillo and Supervisor Chiu:

On February 14, 2013, the Planning Commission conducted a duly noticed public hearing to consider proposed amendments to the Zoning Map and the Planning Code, in association with a proposed development located at 1731 Powell Street to demolish the existing vacant movie theater (formerly known "Palace" or "Pagoda" Theater), and construct a new five-story over basement mixed-use building containing up to 18 dwelling units, a restaurant measuring approximately 4,700 square feet, and up to 27 off-street parking spaces. Following demolition of the existing building, and prior to the construction of the new mixed-use building, the site would be utilized for extraction of a tunnel boring machine associated with the Central Subway project.

The proposed Ordinance would do the following:

1. Zoning Map Amendment: Proposal would amend Zoning Map HT01 to reclassify the subject property from the 40-X Height and Bulk District to the 55-X Height and Bulk District, and would amend Zoning Map SU01 to establish the "Central Subway Central Subway Tunnel Boring Machine Extraction Site Special Use District" on the subject property.

2. Planning Code Text Amendment: Proposal would add the "Central Subway Central Subway Tunnel Boring Machine Extraction Site Special Use District" to the Planning Code, which would modify specific Planning Code regulations including off-street parking, rear yard, ground-floor ceiling heights, dwelling unit exposure, signage, height, allowing a restaurant use at the property, and maximum non-residential use size.

At the February 14, 2013 Planning Commission hearing, the Commission voted to recommend approval of the proposed Ordinance.

Please find attached documents relating to the action of the Commission. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

John Rahaim
Director of Planning

cc:
Supervisor David Chiu
Jon Givner, City Attorney
Audrey Pearson, City Attorney
Jason Elliot, Mayor's Director of Legislative & Government Affairs
Alicia Jean-Baptiste, SFMTA

Attachments (two hard copies of the following):
Planning Commission Resolution
Draft Ordinance
Planning Department Executive Summary

SAN FRANCISCO
PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- ☑ Affordable Housing (Sec. 415)
- ☐ Jobs Housing Linkage Program (Sec. 413)
- ☐ Downtown Park Fee (Sec. 412)
- ☑ First Source Hiring (Admin. Code)
- ☐ Child Care Requirement (Sec. 414)
- ☑ Other

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Planning Commission Resolution 18805
Zoning Map Amendment
Zoning Text Amendment

HEARING DATE: FEBRUARY 14, 2013

Date:	January 31, 2012
Case No.:	**2013.0050CTZ**
Project Address:	**1731 Powell Street**
Zoning:	North Beach Neighborhood Commercial District North Beach Special Use District North Beach Financial Service, Limited Financial Service, and Business or Professional Service Subdistrict 40-X Height and Bulk District
Block/Lot:	0101/004
Project Sponsor:	Brett Gladstone 177 Post Street, Penthouse San Francisco, CA 94108
Staff Contact:	Kevin Guy – (415) 558-6163 kevin.guy@sfgov.org

RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THAT THE BOARD OF SUPERVISORS AMEND ZONING MAP SHEET HT01 TO RECLASSIFY THE PROPERTY AT 1731 POWELL STREET, BLOCK 0101, LOT 004, FROM THE 40-X HEIGHT AND BULK DISTRICT TO THE 55-X HEIGHT AND BULK DISTRICT, AND RECOMMENDING THAT THE BOARD OF SUPERVIOSRS AMEND ZONING MAP SHEET SU01 AND THE TEXT OF THE PLANING CODE TO ADOPT THE "CENTRAL SUBWAY TUNNEL BORING MACHINE EXTRACTION SITE SPECIAL USE DISTRICT", AND ADOPTING FINDINGS THAT THE PROPOSED AMENDMENT TO THE PLANNING CODE IS CONSISTENT WITH THE OBJECTIVES AND POLICIES OF THE GENERAL PLAN AND THE EIGHT PRIORITY POLICIES OF SECTION 101.1(b) OF THE PLANNING CODE.

RECITALS

1. **WHEREAS,** the San Francisco Municipal Transportation Agency ("SFMTA") is constructing a continuation of the T-Third Light Rail Vehicle line from the Caltrain Station at Fourth and King Street to an underground station in Chinatown to create a critical transportation improvement linking neighborhoods in the southeastern portion of San Francisco with the retail and employment centers in the City's Downtown and Chinatown neighborhoods.

2. **WHEREAS,** Construction of the subway portion of the extension, from underneath Interstate 80 to the Chinatown Station, requires the use of two tunnel boring machines. The Project originally included plans to remove the tunnel boring machines from a location in North Beach in the right-of-way of Columbus Avenue, between Powell Street and Union Street, approximately 2000 feet beyond the Chinatown Station. Retrieval of the machines from Columbus Avenue will require closing two lanes of Columbus Avenue for almost a year. After further consideration, and in order to avoid the traffic disruptions caused by the original retrieval location, the SFMTA proposes to change the location where the tunnel boring machines are retrieved to an off-street location at 1731 Powell Street.

3. **WHEREAS,** The proposed new location for the removal of the machines is currently occupied by the former Pagoda Palace, or Pagoda Theater. The Pagoda Palace is a former movie and live performance theater built around 1908. The building is approximately 55 feet tall. The building height is consistent with other building heights in the same block where it is located, including the height of the building directly adjacent to the Pagoda Palace to the south; however, it exceeds the current height limit in the area, which is 40 feet. The building has been officially closed since 1994, is currently vacant.

4. **WHEREAS,** On January 8, 2009, the San Francisco Planning Commission ("Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2007.1117C, which proposed to rehabilitate the existing vacant movie theater and convert the building to up to 18 dwelling units, a restaurant measuring approximately 4,000 square feet, an additional ground-floor commercial space measuring approximately 1,000 square feet, and 27 off-street parking spaces located at 1731 Powell Street (Motion No. 17797). On October 28, 2010, the Commission approved an amendment to Conditional Use Application No 2007.1117C, allowing the project to satisfy the Inclusionary Affordable Housing requirements of Planning Code Section ("Section") 415 through the payment of an in-lieu fee rather than through the construction of off-site affordable dwelling units (Motion No. 18204). The project was determined to be categorically exempt under the California Environmental Quality Act (CEQA) (collectively, "Rehabilitation Project").

5. **WHEREAS,** In order to accommodate the proposed modification to the Central Subway Project tunnel boring machine extraction site, Brett Gladstone ("Project Sponsor") acting on behalf of Joel Campos ("Property Owner") proposes a development project on a site at 1731 Powell Street (Lot 004 of Assessor's Block 0101) to demolish the existing Pagoda Palace, and construct a substantially similar project to the Rehabilitation Project – to wit a new five-story over basement mixed-use building containing up to 18 dwelling units, a restaurant measuring approximately 4,700 square feet, and up to 27 off-street parking spaces. Following demolition of the existing building, and prior to the construction of the new mixed-use building, the site would be utilized for extraction of the tunnel boring machines associated with the Central Subway project (Case No. 2013.0050C, collectively "Project").

6. **WHEREAS,** In order for the Project to proceed, a reclassification of the height district of the Project Site would be required, as shown on Sheet HT01 of the Zoning Map of the City and County of San Francisco ("Zoning Map"), from the existing 40-X Height and Bulk District to a height limit of 55 feet. In addition, a Special Use District ("SUD") would need to be adopted to enable the construction of

the proposed Project in a manner similar to the configuration and program of uses envisioned by the previously-approved Rehabilitation Project, after the existing building is demolished to allow the extraction of the boring machines utilized for the Central Subway project. Specifically, the previously-approved Rehabilitation Project would have consisted of a seismic/structural retrofit, and would not have constituted structural demolition. As an alteration of a non-complying structure, and not demolition, the approved project would comply with the applicable zoning regulations relative to building height, which allows altered non-conforming buildings to remain at their current height. However, use of the site by the Central Subway to remove the tunnel boring machines will require the demolition of the structure in order to provide the necessary construction access.

7. **WHEREAS**, Since the time that the Planning Commission approved the Rehabilitation Project, several Planning Code provisions have been added or amended which, if applicable to the project site, would trigger additional restrictions on the ability of the project sponsor to construct the Rehabilitation Project.. These restrictions would not apply to the previously approved Rehabilitation Project.

8. **WHEREAS**, On January 8, 2013, the San Francisco Board of Supervisors ("Board") introduced legislation to amend Zoning Map HT01 to reclassify the subject property from the 40-X Height and Bulk District to the 50-X Height and Bulk District, and to amend Zoning Map SU01 and the text of the Planning Code to establish the "Central Subway Tunnel Boring Machine Extraction Site" SUD on the property. The proposed SUD would modify specific Planning Code regulations related to off-street parking, rear yard, ground-floor ceiling heights, dwelling unit exposure, signage, allowing a restaurant use at the property, and other provisions of the Planning Code. On January 29, 2013, the Board of Supervisors introduced substitute legislation which would reclassify the Height and Bulk District to the 55-X Height and Bulk District, and in addition to the Planning Code modifications found in the January 8 legislation, would also modify a Planning Code regulation regarding non-residential use size.

9. **WHEREAS**, Adoption of the SUD and approval of the Height Reclassification would enable the construction of the proposed Project in a manner similar to the configuration and program of uses envisioned by the previously-approved Rehabilitation Project, after the existing building is demolished to allow the extraction of the boring machines utilized for the Central Subway project.

10. **WHEREAS**, The proposed Project will promote the public necessity, convenience, and general welfare in that it will facilitate the Central Subway project by providing a boring machine extraction site located outside of the public right-of-way, avoiding substantial disruptions for pedestrian and vehicular movement. In addition, the Project would create housing opportunities within a walkable, urban context in an area well-served by transit, and would establish a restaurant that provides new dining options and activates the adjacent sidewalk.

11. **WHEREAS**, On August 7, 2008, in Motion 17668, the Planning Commission reviewed and considered the Central Subway/Third Street Light Rail Phase 2 Final Supplemental Environmental Impact Statement/Final Supplemental Environmental Impact Report ("Final SEIS/SEIR") and found that the contents of said report and the procedures through which the SEIS/SEIR was prepared, publicized,

and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"). The Commission found the SEIS/SEIR was adequate, accurate and objective, reflected the independent analysis and judgment of the Department and the Commission, and approved the SEIS/SEIR for the Central Subway Project in compliance with CEQA, the CEQA Guidelines and Chapter 31. The Planning Department, Jonas Ionin, is the custodian of records, located in the File for Case No. 1996.281E, at 1650 Mission Street, Fourth Floor, San Francisco, California. Department staff prepared a Mitigation Monitoring and Reporting program, which material was made available to the public and the Commission for the Commission's review, consideration, and action.

12. **WHEREAS,** on August 19, 2008, in Resolution 08-150, the San Francisco Municipal Transportation Agency Board of Directors approved the Central Subway project, including the North Beach Construction Variant which included retrieval of the tunnel boring machines from the right of way on Columbus Avenue, and adopted CEQA findings, including a statement of overriding considerations and a mitigation monitoring and reporting program as required by CEQA.

13. **WHEREAS,** On January 31, 2013, the Department prepared and published an Addendum to the previously-certified Final EIR which determined that the revisions to incorporate the proposed Project, would not cause and new significant impacts not identified in the original Final SEIS/SEIR (Case No. 1996.281E).

14. **WHEREAS,** The Project would affirmatively promote, be consistent with, and would not adversely affect the General Plan, including the following objectives and policies, for the reasons set forth set forth in Item #10 of Motion No. 18807, Case #2013.0050C, which are incorporated herein as though fully set forth.

15. **WHEREAS,** The Project complies with the eight priority policies of Planning Code Section 101.1, for the reasons set forth set forth in Item #11 of Motion No. 18807, Case #2013.0050C, which are incorporated herein as though fully set forth.

16. **WHEREAS,** A proposed ordinance, attached hereto as Exhibit A, has been prepared in order to make the amendment to the Sheet HT01 of the Zoning Map by changing the height and bulk district for the Project Site, from the existing 40-X Height and Bulk District to a height limit of 55 feet. The proposed ordinance would also amend Zoning Map SU01 and the text of the Planning Code to establish the "Central Subway Tunnel Boring Machine Extraction Site" SUD on the property.

17. **WHEREAS,** the Office of the City Attorney has approved the proposed ordinance as to form.

18. **WHEREAS,** Section 4.105 of the San Francisco Charter and Section 302 of the Planning Code require that the Commission consider any proposed amendments to the City's Zoning Maps or Planning Code, and make a recommendation for approval or rejection to the Board of Supervisors before the Board of Supervisors acts on the proposed amendments.

19. **WHEREAS**, On February 14, 2013, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the Proposed Zoning Map Amendment and Zoning Text Amendment.

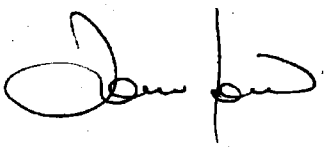
20. **WHEREAS**, The Commission has had available to it for its review and consideration studies, case reports, letters, plans, and other materials pertaining to the Project contained in the Department's case files, and has reviewed and heard testimony and received materials from interested parties during the public hearings on the Project.

NOW, THEREFORE BE IT RESOLVED THAT, in accordance with the actions contemplated herein, the Commission has reviewed the Final SEIS/SEIR and the Addendum, and adopts and incorporates by reference as though fully set forth herein the findings, including the mitigation monitoring and reporting program, adopted by the San Francisco Municipal Transportation Agency Board of Directors in Resolution 08-150 on August 19, 2008. The Board further finds that there is no need to prepare a subsequent environmental impact report under CEQA Guidelines Section 15162 for the actions contemplated herein; and;

BE IT FURTHER RESOLVED THAT, the Commission finds, based upon the entire Record, the submissions by the Applicant, the staff of the Department, and other interested parties, the oral testimony presented to the Commission at the public hearing, and all other written materials submitted by all parties, that the public necessity, convenience and general welfare require that Sheet HT01 of the Zoning Maps be amended to reclassify the height limit for the property from the existing 40-X Height and Bulk District to a height limit of 55 feet, and to amend Zoning Map SU01 and the text of the Planning Code to establish the "Central Subway Tunnel Boring Machine Extraction Site" SUD on the property, as proposed in Application No. 2013.0050TZ; and,

BE IT FURTHER RESOLVED THAT, the Planning Commission recommends the Board of Supervisors approve the proposed Zoning Map Amendment and Planning Code Text Amendment.

I hereby certify that the foregoing Resolution was ADOPTED by the Planning Commission at its regular meeting on February 14, 2013.



Jonas P. Ionin
Acting Commission Secretary

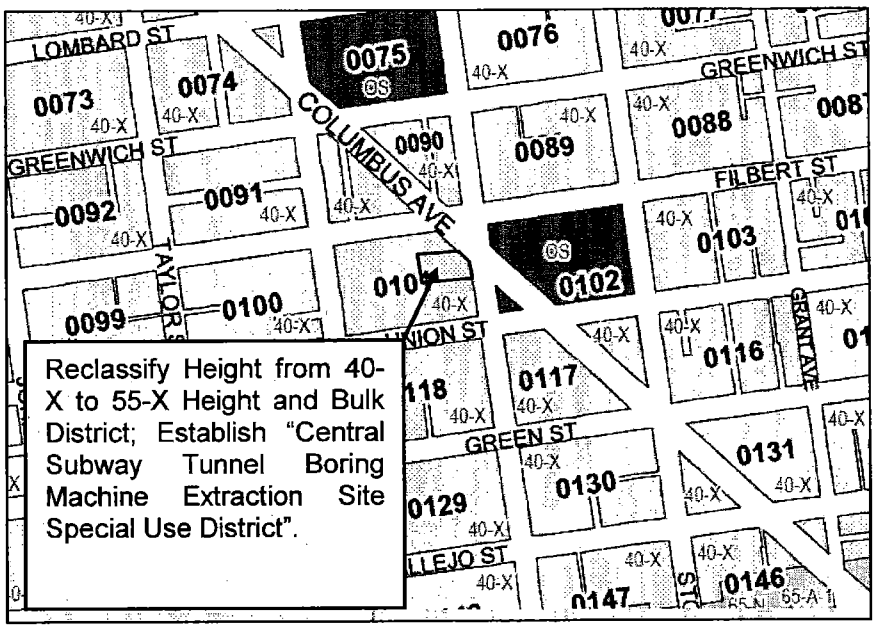
AYES: Fong, Antonini, Borden, Hillis

NOES: Moore, Sugaya

ABSENT: Wu

ADOPTED: February 14, 2013

Proposed Zoning Map Amendments



SAN FRANCISCO
PLANNING DEPARTMENT

Executive Summary
Conditional Use
Height Reclassification
Zoning Text Amendment

HEARING DATE: FEBRUARY 7, 2013

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date:	January 31, 2012
Case No.:	**2013.0050CTZ**
Project Address:	**1731 Powell Street**
Zoning:	North Beach Neighborhood Commercial District North Beach Special Use District North Beach Financial Service, Limited Financial Service, and Business or Professional Service Subdistrict 40-X Height and Bulk District
Block/Lot:	0101/004
Project Sponsor:	Brett Gladstone 177 Post Street, Penthouse San Francisco, CA 94108
Legislation Sponsor:	David Chiu, District 3 Supervisor
Staff Contact:	Kevin Guy – (415) 558-6163 kevin.guy@sfgov.org
Recommendation:	**Approval with Conditions**

PROJECT DESCRIPTION

The applicant proposes to demolish the existing vacant movie theater (formerly known "Palace" or "Pagoda" Theater), and construct a new five-story over basement mixed-use building containing up to 18 dwelling units, a restaurant measuring approximately 4,700 square feet, and up to 27 off-street parking spaces. Following demolition of the existing building, and prior to the construction of the new mixed-use building, the site would be utilized for extraction of a tunnel boring machine associated with the Central Subway project.

A project was previously approved for the subject property (Case No. 2007.1117C; Motion No. 17797, adopted on January 8, 2009, and amended by Motion No. 18204, adopted on October 28, 2010), to rehabilitate the existing theater and convert the building to a similar program of uses as the mixed-use building proposed by this application.

SITE DESCRIPTION AND PRESENT USE

The project is located on the southwest corner of the intersection of Columbus Avenue and Powell Street, Assessor's Block 0101, Lot 004. The property is located within the North Beach NCD Neighborhood Commercial District (NCD), the 40-X Height and Bulk District, the North Beach Special Use District, and the North Beach Financial Service, Limited Financial Service, and Business or Professional Service Subdistrict. The property is historically known as the Palace and the Pagoda Theaters. The subject

property is a corner lot, with approximately 40 feet of frontage on Columbus Avenue and 58 feet of frontage on Powell Street. The existing building that is proposed for demolition has full lot coverage.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located at the intersection of Powell Street and Columbus Avenue within the North Beach NCD and directly across the street from Washington Square Park. The North Beach NCD is a generally linear district situated along Columbus Avenue between Grant Avenue and Francisco Street. The District hosts a mixture of commercial establishments, but is heavily oriented toward restaurants, including a number of larger restaurants such as Original Joe's (measuring approximately 7,800 square feet), Park Tavern (measuring approximately 7,200 square feet), and Fior D' Italia (measuring approximately 6,000 square feet). The surrounding area is mixed-use in character. A variety of commercial establishments are located within ground floor storefronts in the vicinity, including restaurants, financial institutions, apparel stores, and other types of retailers. Upper floors of buildings are generally occupied by offices, residential units, or tourist-hotels. Other nearby uses include the Church of Saint Peter and Paul and the Saint Francis of Assisi Church.

ENVIRONMENTAL REVIEW

On August 7, 2008, the Planning Commission certified the Central Subway/Third Street Light Rail Phase 2 Final Supplemental Environmental Impact Statement/Final Supplemental Environmental Impact Report ("Final SEIS/SEIR").

On January 31, 2013, the Department prepared and published an Addendum to the previously-certified Final EIR which determined that revisions to incorporate the proposed Project, would not cause and new significant impacts not identified in the original Final SEIS/SEIR (Case No. 1996.281E).

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	January 18, 2013	January 18, 2013	20 days
Posted Notice	20 days	January 18, 2013	January 18, 2013	20 days
Mailed Notice	20 days	January 18, 2013	January 16, 2013	22 days

The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the conditional use authorization process.

PUBLIC COMMENT

- To date, the Department has received six communications in support of the project, and no letters in opposition.

ISSUES AND OTHER CONSIDERATIONS

- The project will facilitate the Central Subway project by providing a site for the extraction of the tunnel boring machines used to tunnel the subway alignment. Prior to the construction of the new building, the existing vacant theater would be demolished and the boring machine would be removed at the subject property. Extracting the boring machine at this site would avoid the

substantial disruption to pedestrian and vehicular traffic that would result by extracting the boring machine within the public right-of-way of Columbus Avenue.

- The Planning Commission previously approved a project to rehabilitate the existing vacant theater building on the site, and convert the building to a similar program of uses as the mixed-use building proposed by this application. The Zoning Administrator also granted variances from Planning Code regulations for rear yard and dwelling unit exposure in association with the rehabilitation project.

  The project proposes to construct the new building at the same height and configuration as the previously-approved rehabilitation project. However, because the project involves new construction, it is subject to several aspects of the Planning Code that were not addressed by the previous approval for rehabilitation. The Board of Supervisors has introduced legislation that would enable the construction of the project in a manner similar to the previously-approved rehabilitation of the theater building.

  Specifically, the property is proposed for a height reclassification from the 40-X to the 55-X Height and Bulk District, because the existing theater building exceeds the 40-foot height limit. The height and roofline profile of the new building would not exceed the height of the previously-approved rehabilitation project.

  In addition, the proposed "Central Subway Tunnel Boring Machine Extraction Site Special Use District" (SUD) would modify specific Planning Code regulations related to off-street parking, rear yard, ground-floor ceiling heights, dwelling unit exposure, signage, allowing a restaurant use at the property, and maximum non-residential use size, as follows:

  - Rear Yard – Section 134 would require a rear yard on the property equal to 25% of the depth of the lot. The Project proposes to construct within the same general footprint and configuration as the existing vacant theater, which covers the entire lot and does not provide a Code-complying rear yard. It should be noted that the subject block is generally occupied by buildings with full-lot coverage, and does not exhibit a strong pattern of mid-block open space that is intended by the rear yard requirements of the Code. The Project includes private terraces for each of the dwelling units, creating ample exterior open space for the use of residents that might ordinarily be satisfied by a Code-complying rear yard. The proposed SUD would exempt the project from strict compliance with the rear yard requirements of Section 134.

  - Dwelling Unit Exposure - Section requires each unit to face directly onto a public street or an open area (whether an inner court or a space between separate buildings on the same lot) which is unobstructed and is no less than 25 feet in every horizontal dimension for the floor at which the dwelling unit is located and the floor immediately above it, with an increase of five feet in every horizontal dimension at each subsequent floor. Several of the units toward the interior of the property do not face onto an area that meets the exposure requirements of the Code. However, the interior units face onto inner courtyards to be inserted on the north and south sides of the building. These courtyards measure 25-feet in every direction. The proposed SUD would exempt the project from strict compliance with the dwelling unit exposure requirements of Section 140.

- Blade Sign - The height of the blade sign, which exceeds the roof height of the existing building, would not be permitted by the existing sign regulations of Article 6. The Project Sponsor has indicated, as shown in the proposed plans, that the new building will include a new blade sign that is comparable to the size and character of the existing blade sign. The proposed SUD would exempt the blade sign from the height limitation which applies to the property.

- Ground-floor Ceiling Heights - Section 145.1(c)(4) requires that non-residential ground-floor uses within NC Districts provide a minimum floor-to-floor height of 14 feet. The floor-to-floor heights within portions of the ground-floor restaurant space measure approximately 10 feet, and do not strictly comply with the requirements of Section 145.1(c)(4). However, the ceiling heights must be limited in order for the overall structure to fit within the height and roof profile of the existing vacant theater building. Therefore, the proposed SUD would exempt the project from the ceiling height requirements of Section 145.1(c)(4).

- Restaurant Use – Section 780.3 (the North Beach SUD) prohibits a restaurant from being located within a space that is currently or last occupied by a Basic Neighborhood Sale or Service. The proposed SUD would exempt the project from this prohibition, allowing the proposed restaurant to seek Conditional Use authorization.

- Non-Residential Use Size - Section 121.2 limits nonresidential uses to a maximum of 4,000 square feet within the North Beach NCD. The Project Sponsor is requesting conditional use authorization for the proposed restaurant, which would measure approximately 4,700 square feet. The proposed SUD (as amended by substitute legislation introduced on January 29, 2013) would exempt the subject property from the maximum 4,000 square-foot nonresidential use size limit, in order to accommodate the proposed restaurant size.

- The SUD would apply only to the subject property, would only become effective once a lease for use of the site is authorized by the SFMTA, and would sunset five years from the initial effective date, unless extended by the Board of Supervisors.

- The project has been designed to respect the overall character, massing, and scale of the district. It follows the Art Deco and Moderne motifs found on other buildings within the neighborhood and its massing and scale is identical to its previous use as a movie theater. The historic blade sign will be rehabilitated as part of the proposal and will continue as a prominent visual landmark within the North Beach NCD.

- The Commerce and Industry Element of the General Plan contains Guidelines that discourage the overconcentration of eating and drinking establishments within NCD's. The North Beach NCD is characterized by a large number of restaurants, However, the proposed restaurant would be located within a newly constructed building which replaces a theater that has been vacant for over 20 years. Therefore, the restaurant will not displace an existing business, or occupy an

existing storefront which could otherwise be used for a neighborhood serving, non-restaurant use.

- The proposed restaurant is not a Formula Retail use and would serve the immediate neighborhood. The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the conditional use authorization process.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use authorization to allow development of a lot greater than 5,000 square feet (Section 121.1), non-residential uses greater than 2,000 square feet (Section 121.2), demolition of a movie theater use (Section 221.1), and establishment of a restaurant use, including a Type 47 ABC License to provide beer, wine, and/or liquor in a Bona Fide Eating Place (Sections 722.44 and 790.142). In addition, the Commission would need to make a recommendation regarding the proposed height reclassification from the 40-X Height and Bulk District to the 55-X Height and Bulk District, as well as the adoption of the "Central Subway Tunnel Boring Machine Extraction Site Special Use District", as introduced at the Board of Supervisors on January 8, 2013, and in substitute legislation introduced on January 29, 2013.

BASIS FOR RECOMMENDATION

- The project would facilitate the Central Subway project by providing a tunnel boring machine extraction site located outside of the public right-of-way, avoiding substantial disruptions for pedestrian and vehicular movement.
- The project would create housing opportunities within a walkable, urban context in an area well-served by transit.
- The project would not displace an existing retail tenant providing convenience goods and services to the neighborhood.
- The project would meets all applicable requirements of the Planning Code, pending the adoption of the proposed height reclassification and SUD.
- The project is desirable for, and compatible with the surrounding neighborhood.
- The business is not a Formula Retail use and would serve the immediate neighborhood.

RECOMMENDATION:	Approval with Conditions

Attachments:
Draft Conditional Use Authorization Motion
Draft Height Reclassification/Zoning Text Amendment Resolution
Addendum to Supplemental Environmental Impact Report
Block Book Map
Sanborn Map
Aerial Photographs
Public Correspondence
Project Sponsor Submittal

Attachment Checklist

- ☒ Executive Summary
- ☒ Draft Motion
- ☒ Environmental Determination
- ☒ Zoning District Map
- ☒ Height & Bulk Map
- ☒ Parcel Map
- ☒ Sanborn Map
- ☒ Aerial Photo
- ☒ Context Photos
- ☒ Site Photos
- ☒ Project sponsor submittal
  - Drawings: Existing Conditions
    - ☒ Check for legibility
  - Drawings: Proposed Project
    - ☒ Check for legibility
- ☐ Wireless Telecommunications Materials
  - ☐ Health Dept. review of RF levels
  - ☐ RF Report
  - ☐ Community Meeting Notice
- ☐ Housing Documents
  - ☐ Inclusionary Affordable Housing Program: Affidavit for Compliance
  - ☐ Residential Pipeline

Exhibits above marked with an "X" are included in this packet _____

Planner's Initials

KG: G:\Documents\Projects\Pagoda\2013.0050CTZ - 1731 Powell - Exec Sum.doc

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 13-023

WHEREAS, On August 7, 2008, the San Francisco Planning Commission certified in Planning Commission Motion No. 17668 that the Final Supplemental Environmental Impact Statement/Supplemental Environmental Impact Report (SEIS/SEIR) for the Central Subway/Third Street Light Rail Phase 2 (Project) was in compliance with the California Environmental Quality Act (California Public Resources Code section 21000, et seq.) (CEQA), the CEQA Guidelines, and Administrative Code Chapter 31; and,

WHEREAS, On August 19, 2008, under Resolution No. 08-150, the Board of Directors of the San Francisco Municipal Transportation Agency (SFMTA) adopted Project Alternative 3B, Fourth / Stockton Alignment with semi-exclusive surface rail operations on Fourth Street and the North Beach Construction Variant, which contemplated the eventual retrieval of tunnel boring machines (TBMs) from a retrieval shaft to be constructed on Columbus Avenue, and adopted the findings and conclusions with respect to SEIS/SEIR certified by the San Francisco Planning Commission as required under CEQA, including a mitigation monitoring and reporting program and a statement of overriding considerations; and,

WHEREAS, Certain members of the North Beach community are concerned that the approved TBM retrieval shaft location will impede traffic on Columbus Avenue and disrupt businesses, and requested that the SFMTA evaluate options to removing the TBMs from the Columbus Avenue retrieval shaft location; and,

WHEREAS, One of the options evaluated, Option 4, removal of the TBMs at the property at 1731-1741 Powell Street and 601 Columbus Avenue (Property), will address the disruption on the North Beach community caused by the TBM removal shaft construction and operation, without impeding any future, but unplanned, extension of the T-Third to North Beach/Fisherman's Wharf; and,

WHEREAS, In order to not impact the Project construction schedule, implementation of Option 4 would require that additional local funds be appropriated, and that all review (including environmental review) and approvals be obtained by April 1, 2013; and,

WHEREAS, The SFMTA Board of Directors adopted a motion on December 4, 2012, directing SFMTA staff to pursue Option 4 if it was feasible; and,

WHEREAS, On January 31, 2013, in an Addendum to the 2008 Phase 2 Central Subway Supplemental Environmental Impact Report/Environmental Impact Statement for the SFMTA Third Street Light Rail Program, the City's Planning Department determined that Option 4, would not require a subsequent environmental impact report because none of the circumstances calling for a subsequent environmental impact report found in California Public Resources Code section 21166 have occurred; and,

WHEREAS, SFMTA staff anticipate that the increased construction costs for performing Option 4 rather than retrieving the TBMs at the approved retrieval shaft in Columbus Avenue will not exceed $6 million ; and,

WHEREAS, The Property owner, The Palace at Washington Square LLC (Owner), has a conditional use permit that allows the rehabilitation of the existing building at the Property into a mixed-use development (Owner's Approved Project), but SFMTA's construction of the TBM retrieval shaft at the Property (Excavation Shaft) would require full demolition of that building; and,

WHEREAS, The Owner submitted an application for a conditional use authorization to allow for the construction of Owner's Approved Project with new construction (Owner's Modified Project); and an ordinance amending the Planning Code to create a special use district and modify certain maps in the Planning Code (SUD/Map Ordinance), which would allow for the construction of Owner's Modified Project was submitted to the City's Board of Supervisors in Board File No. 130019 on January 8, 2013, and modified by substitute legislation submitted on January 29, 2013 (SUD Ordinance); and City's Planning Commission approved a conditional use authorization (Case No. 2013-0050.CTZ) for Owner's Modified Project (Modified CUP) and recommended that the Board of Supervisors adopt the SUD/Map Ordinance, on February 14, 2013; and,

WHEREAS, SFMTA staff and Owner negotiated a lease (Lease) that would allow SFMTA to construct the Excavation Shaft and extract the TBMs at the Property; and,

WHEREAS, The Lease has a term of two years, with annual rent commencing only if, by April 1, 2013, the SUD/Map Ordinance and the Modified CUP become effective and the Federal Transit Administration makes a written determination that extracting the TBMs from the Property requires no supplemental environmental review under 23 CFR Section 771.130(c) of the regulations implementing the National Environmental Policy Act (NEPA Finding); and,

WHEREAS, SFMTA would have the right to immediately terminate the Lease if the SUD/Map Ordinance and the Modified CUP do not become effective, and the NEPA Finding is not made, by April 1, 2013, if Owner's lender does not timely provide SFMTA with a consent and non-disturbance agreement, if a court of competent jurisdiction issues an injunction with regard to the demolition of the building or the construction of the Excavation Shaft, or if SFMTA learns of any adverse conditions at the Property during the first six months of the Lease term that would delay completion of the Excavation Shaft by more than 30 days, and SFMTA would further have the right to terminate the Lease for any other reason after first delivering no less than 120 days prior notice to Owner; and,

WHEREAS, The total annual rent for the Lease would be $400,000 per year, and SFMTA would reimburse Owner (i) up to $450,000 for its costs to review SFMTA's proposed uses of the Property and to negotiate the Lease, to prepare a new conditional use permit application for the Owner's Modified Project, to make necessary modifications to its project plans to address the changed property conditions that will be caused by SFMTA's use of the

Property, to pay property taxes for the Property during the term of the Lease, and to pay the installation fee charged by SFMTA for any approved white zone or bulb out that Owner is required to install as part of the Owner's Modified Project; (ii) up to $1,500,000 for any construction cost increases (Construction Cost Increase) caused by delaying the construction of Owner's Approved Project for the Lease, provided that Owner gets a site permit for the Owner's Modified Project during the time period specified in the Modified CUP; and (iii) up to $400,000 for removing a portion of the Excavation Shaft walls, and backfilling the Excavation Shaft, to accommodate the construction of the Owner's Modified Project; and,

WHEREAS, SFMTA would provide a refundable security deposit of $66,666 and a refundable deposit of $750,000 (Construction Account) to be used for the Construction Cost Increase if the Construction Account is required by Owner's lender or future construction lender to secure a construction loan for the Owner's Modified Project, with any funds in the Construction Account in excess of the determined Construction Cost Increase to be returned to SFMTA; and,

WHEREAS, The Lease has been placed with the Secretary to the SFMTA Board of Directors and has been available for public review since February 15, 2013, and the SFMTA Board of Directors has determined that delaying approval of the Lease until it has been available for public review for ten days would delay the commencement of retrieval shaft activities at the Property and cause Central Subway Project construction delays; now therefore be it

RESOLVED, That based on its review of the SEIS/SEIR and the Addendum dated January 31, 2013, the SFMTA Board of Directors finds that (1) modifications incorporated into the project will not require important revisions to the SEIS/SEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects, (2) no substantial changes have occurred with respect to the circumstances under which the project will be undertaken which would require major revisions to the SEIS/SEIR due to the involvement of new environmental effects, or a substantial increase in the severity of effects identified in the SEIS/SEIR, and (3) no new information of substantial importance to the project has become available which would indicate (a) the project has significant effects not discussed in the SEIS/SEIR, (b) significant environmental effects will be substantially more severe, (c) mitigation measures or alternatives found not feasible which would reduce one or more significant effects have become feasible, or (d) mitigation measures or alternatives which are considerably different from those in the SEIS/SEIR would substantially reduce one or more significant effects on the environment; and adopts and incorporates by reference the findings adopted in SFMTA Board Resolution 08-150; and be it further

RESOLVED, That the SFMTA Board of Directors authorizes the Director of Transportation to execute a two-year lease (Lease), as tenant, with The Palace at Washington Square (Owner) for the premises at 1731-1741 Powell Street and 601 Columbus Avenue (Property), for an annual rent of $400,000 plus reimbursement of certain Owner costs, not to exceed $2,350,000 related to the SFMTA's use of the Property to build the Central Subway Project tunnel and to make any modifications to the Lease necessary or advisable to consummate the purposes and intent of this resolution that are consistent with all applicable laws and SFMTA Board policies; and be it further

RESOLVED, That the SFMTA Board of Directors approves total expenditures resulting from use of the Property to facilitate tunnel construction in an amount not to exceed $9,150,000, including total Lease costs not to exceed $3,150,000 and total additional demolition, design, construction and related costs not to exceed $6,000,000 to be funded from SFMTA reserves, fund balance and operating savings; and authorizes SFMTA staff to, with FTA concurrence, seek reimbursement of all authorized costs associated with implementing "Option 4" from Central Subway Project contingency funding at the completion of the Central Subway Project.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of February 19, 2013.

R. Boomer

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

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

RESOLUTION NO. 08-150

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RESOLVED, That the San Francisco Municipal Transportation Agency Board of

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

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

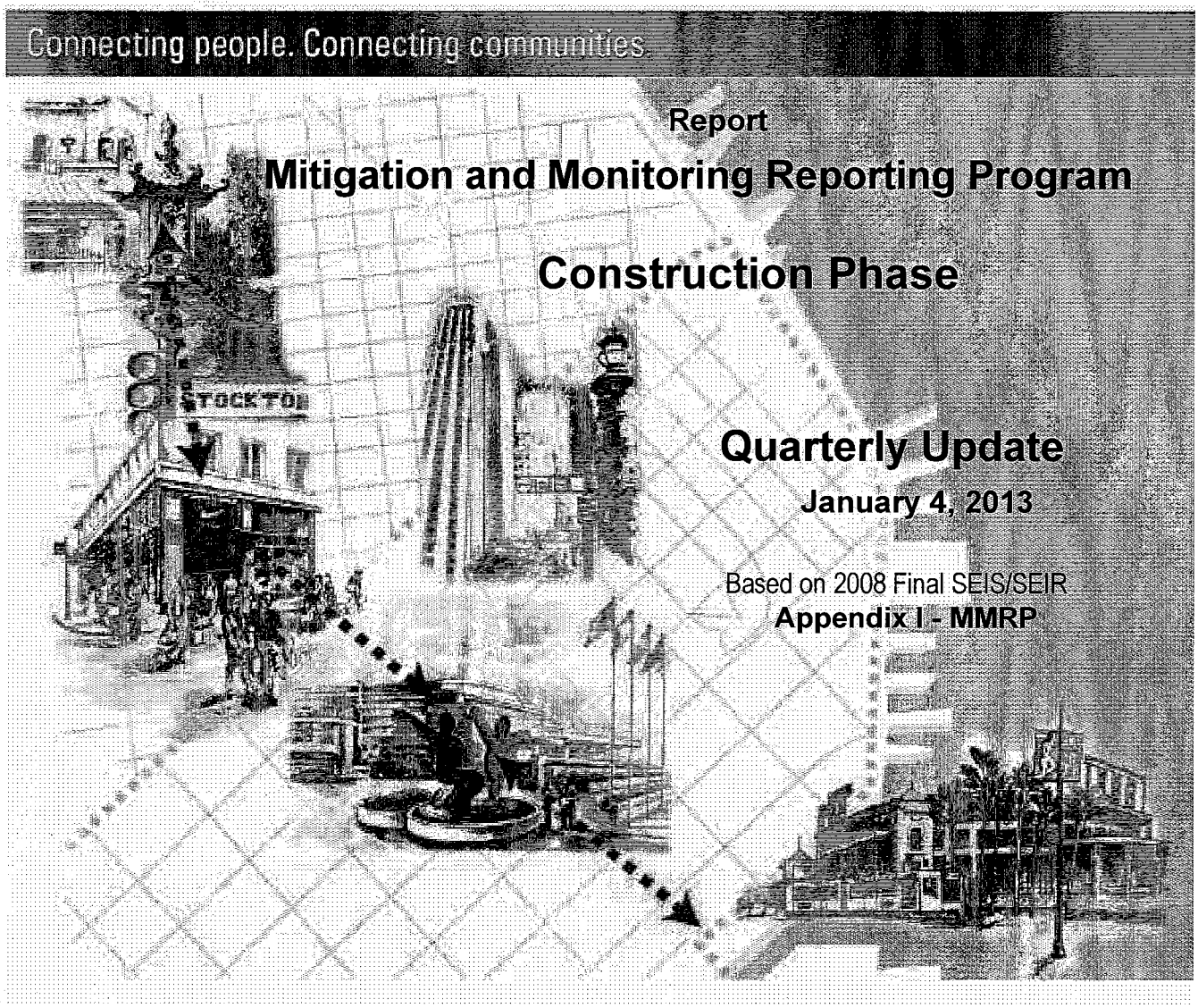
I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of AUG 19 2008.

R. Boomer

Secretary, San Francisco Municipal Transportation Agency Board

central T subway

Connecting people. Connecting communities



Report

Mitigation and Monitoring Reporting Program

Construction Phase

Quarterly Update

January 4, 2013

Based on 2008 Final SEIS/SEIR
Appendix I - MMRP

Prepared by:

SFMTA

CITY AND COUNTY OF SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
821 Howard Street
San Francisco, CA 94103

In association with:

C S P Central Subway Partnership
creativity stewardship performance

Report
Construction Phase

Mitigation and Monitoring Reporting Program Quarterly Update

Based on 2008 SEIS/SEIR – Appendix I MMRP

2012 4th Quarter Update

This document is the property of San Francisco Municipal Transportation Agency (SFMTA). SFMTA and Central Subway Partnership make no representation, undertake no duty and accept no responsibility to any third party who may use or rely upon this document or the information contained in it.

Prepared by: Lewis Ames Date: 1-4-13

Lewis Ames]
SFMTA Environmental Program Liaison

Reviewed by: Date: 04Jan13

Eric Stassevitch
Program Manager Project Services

Reviewed by: Date: 1/4/13

Richard Redmond
CSP Program Manager Project Construction

Approved by: Date: 1-7-13

John Funghi
SFMTA Program Director

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MITIGATION MONITORING AND REPORTING ACTION TABLE

PROJECT NAME AND CASE NO. Central Subway Project 96.28IE

Environmental Program Manager Contact Name and Phone: Lewis Ames (415) 701-4226

EPM SIGNATURE AND DATE

SUBMITTAL DATE 1/04/13

Impact Category # of 29 Impact # out of 68		Impact Summary	Mitigation Measures (MM) or Improvement Measures (1M)	Monitoring and Reporting Actions	Monitoring Status and Information Source
1. OPERATION – TRANSIT (TST)					
1.	TST -1	In 2030 passenger demand could slightly exceed the capacity of proposed light rail service and 9AX bus services during certain peak hours.	**IM TST-1a:** SFMTA will monitor transit ridership and increase the number, frequency, and/or size of trains and buses through modification of the operating plan as warranted to increase the capacity.	Monitor operations post construction	To be implemented post-construction **No change since last update.** Relevant Drawings: N/A Relevant Technical Specs: N/A
2.	TST -2	The Powell Street Station may experience capacity issues at the concourse level due to increased passenger activity at the northeast end of the station.	**IM TST-2a:** The SFMTA and BART will prepare and enter into a Station Improvement Coordination Plan for the Powell Street Station that will provide for, at a minimum, implementation of the allocation of cost for any station infrastructure improvements necessary to maintain pedestrian safety and a pedestrian level of service of D or better at the Powell Street Station as a result of the Central Subway Project.	Monitor passenger flow on Concourse level of station in BART shared-use area.	This applies to the Union Square/Market St Subway Station Work Package only. **No change since last update.** The Cooperative Agreement was executed on April 19, 2011. Cost and work associated with required station infrastructure improvements is addressed in an amendment to the Cooperative Agreement. The 1st amendment was approved and executed on July 12, 2012. Relevant Drawings: N/A Relevant Technical Specs: N/A

CENTRAL SUBWAY

MITIGATION MONITORING AND REPORTING ACTION TABLE

2012 4th Quarter Update

Impact Category # / Impact # out of 68		Impact Summary	Mitigation Measures (MM) or Improvement Measures (IM)	Monitoring and Reporting Actions	Monitoring Status and Information Source
2.	OPERATION – TRAFFIC (TRF)				
3	TRF-1	The Fourth and Harrison Street intersection would degrade to LOS F conditions during the p.m. peak hour due to the number of right turns from Fourth Street to Harrison Street.	**MM TRF-1a:** Improve conditions by adding, via striping changes, a shared through and right-turn lane from Fourth Street to Harrison Street. This migration measure would require parking removal on the east side of Fourth Street, from Harrison Street to a point about 200 feet to the north, for lane transition purposes. Signal timing changes would also help improve the operating conditions by allocating the appropriate amount of green time to all approaches. These improvements are projected to return intersection operations to LOS B.	Check Final Traffic Engineering documents for compliance.	This applies to the Surface/Trackwork/Systems Work Package only. **No change since last update.** Incorporate additional shared thru and right turn lane from 4th street to Harrison Street. Relevant Drawings: TR-022 Final Traffic Striping: Fourth Street, Berry St. to Harrison St. Relevant Technical Specs: N/A
4	TRF-2	The portal at Fourth Street under I-80 may restrict large truck movements onto Stillman Street.	**MM TRF-2a:** SFMTA will explore with the Transbay Joint Powers Authority, Caltrans, and Golden Gate Transit options, such as providing alternate truck routes, that will permit truck access to Stillman Street to reduce the impacts to a less-than-significant level. **Monitor during construction.**	Check Final Traffic Engineering documents for compliance.	This applies to the Tunnels Contract and to the Surface/Trackwork/Systems Work Package. For the Tunnels Contract: Specifications require all lanes of Stillman St to remain open at all times. Relevant Drawings: TR-020 021 025 026 Relevant Technical Specs: Spec 01 55 26 Article 3.01 Vehicular and Pedestrian Traffic Table 2 Tabulation of Traffic Lane Requirements **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source:** Contractor submittals and IDRs received by Resident For the Surface/Trackwork/Systems Work Package Truck access to Stillman Street will be accessible at all times. Relevant Drawings: N/A In-house implementation Relevant Technical Specs: N/A In-house implementation

CENTRAL SUBWAY

MITIGATION MONITORING AND REPORTING ACTION TABLE

2012 4th Quarter Update

Impact Category # / Impact # out of 68		Impact Summary	Mitigation Measures (MM) or Improvement Measures (IM)	Monitoring and Reporting Actions	Monitoring Status and Information Source
3. OPERATION -FREIGHT AND LOADING (FRT)					
5	FRT-1	Provision of the light rail station platform on Fourth Street at Brannan Street, the surface alignment along Fourth Streets and the location of the subway would displace some existing loading zones between King and Harrison Streets.	**IM FRT-1a:** Areas for new, permanent, on-street loading zones may be identified along Fourth Street (between King and Bryant Streets) and/or appropriate side streets. Some of the new loading zones may need to displace existing parking spaces.	Check Final Traffic Engineering documents for compliance.	This applies to the Surface/Trackwork/Systems Work Package only **No change since last update.** Existing parking stalls along 4th Street between Bryant and King streets will be all eliminated after the Surface/Trackwork/Systems Work Package. SFMTA will investigate all existing loading zones along 4th Street and will establish new loading zones on the nearby cross streets. Relevant Drawings: N/A In-house implementation Relevant Technical Specs: N/A In-house implementation
6	FRT-2	The portal at Fourth Street under I-80 may restrict large truck movements on to Stillman Street.	**IM FRT-2a:** SFMTA will coordinate with the Transbay Joint Powers Authority and Golden Gate Transit to identify options, such as providing alternate truck routes that will permit truck access to Stillman Street.	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to the Tunnel and to the Systems/Track Construction Contracts. For the Tunnel Contract - Specifications requires all lanes of Stillman St to remain open at all times. See MM TRF-2a Relevant Drawings: TR-020,021,025,026 Relevant Technical Specs: Spec 01 55 26 Article 3.01 Vehicular and Pedestrian Traffic Table 2 Tabulation of Traffic Lane Requirements **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source:** Contractor submittals and IDRs received by Resident For the Surface/Trackwork/Systems Work Package Truck access to Stillman Street will be accessible at all times. Relevant Drawings: N/A (In-house implementation) Relevant Technical Specs: N/A (In-house implementation)
4. OPERATION – PEDESTRIANS (PED)					
7	PED-1	Sidewalk widths on Geary Street would be reduced adjacent to the Union Square	**IM PED-1a:** During final design, consideration will be given to ensure that stairways and escalators would not compete with sidewalk space for pedestrians.	Check Final Engineering documents for compliance.	This applies to the Union Square/Market St Subway Station, to the Chinatown Subway Station, and to the Yerba Buena / Moscone Subway Station Construction Contracts.

CENTRAL SUBWAY

MITIGATION MONITORING AND REPORTING ACTION TABLE

2012 4th Quarter Update

Impact Category # / Impact # out of 68	Impact Summary	Mitigation Measures (MM) or Improvement Measures (1M)	Monitoring and Reporting Actions	Monitoring Status and Information Source
	Station			**No change since last update.** For the Union Square/Market St Station Work Package - Northern Entrance (Union Square): Elevators, escalator and stair are placed so as not to compete with public sidewalk space for pedestrians. Elevator vestibule waiting space is provided off of the public sidewalk / out of the pedestrian circulation space. Additionally, the width of the public sidewalk in the area of the Union Square entrance is increased from 10 feet to 17 feet. (Ref. AR-840, AR-851, AR-861, RP-108) Ellis Street Entrance: This entrance is to be reconstructed entirely within the footprint of the existing MUNI/BART Powell Station entrance adjacent to the Apple Store. Similarly, the existing elevator on Market Street provides access to UMS. (Ref. AR-050, AR-893, AR-894) Two additional emergency egress stairs reach the surface through hatches located in the public sidewalk on O'Farrell Street. In the normal closed position, the hatches provide a non-slip walkable surface that is flush with the sidewalk. (Ref. AR-050, AR-731, RP-111.) Relevant Drawings: AR-050, AR-840, AR-851, AR-861, AR-893, AR-894, RP-108, RP-111 Relevant Technical Specs: N/A For the Chinatown Station Work Package - All the stairs, escalators, and elevators used for the normal operation of the station are located within the headhouse property, and do not compete with sidewalk circulation. Two of the emergency exit stairs (Stairs 4 and 7) terminate at hatches at the sidewalk. The exit hatches are flush with the sidewalk with a non-slip surface, and can be walked on except during emergencies when the station is being evacuated. The exit hatch for stair 4, along Stockton St., is on a bulb-out, and does not compete with the sidewalk clearance even when open. Relevant Drawings: AR-100, AR-114, AR-22, AR-731 Relevant Technical Specs: N/A For the Yerba Buena / Moscone Station Work Package - All the stairs, escalators, and elevators used for the normal operation of the station are located within the headhouse property, and do not compete with sidewalk circulation. Emergency stairs are placed to the inside of sidewalk right-of-way.

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					Relevant Drawings: AR-100 and AR-111 Relevant Technical Specs: N/A
8	PED-2		IM PED-1b: Elevator shafts should be located so as not to block the line of sight of motorists exiting the garage to maximize pedestrian safety.	Check Final Engineering documents for compliance	This applies to the Union Square/Market St Subway Station Work Package **No change since last update.** Elevator shafts at the Union Square entrance are set back from the south edge of the planters and terraces adjacent to the sidewalk. The distance from the mid-block garage vehicle entrance to the Union Square entrance is approximately 70 feet. (Ref. AR-840, AR-862) Relevant Drawings: AR-840, AR-862 Relevant Technical Specs: N/A
9	PED-3		IM PED-1c: During final design, elevators, escalators, and stairways should be kept as close as possible to the primary circulation path to facilitate disabled access.	Check Final Engineering documents for compliance	This applies to the Union Square/Market St Subway Station, to the Chinatown Subway Station, and to the Yerba Buena / Moscone Subway Station Work Packages. **No change since last update.** For the Union Square/Market St Station Work Package - All elevators, escalators, and stairways are located within the primary circulation path to facilitate disabled access. Relevant Drawings: AR-050 & AR-051 Relevant Technical Specs: N/A For the Chinatown Station Work Package - At the street entrance, the stairs, escalators, and elevators are accessed from the same entrance lobby. All three vertical circulation elements land at the ticketing hall, where the elevators open directly in front of the ticket vending machines. Entering past the single array of faregates (including one accessible faregate), passengers face escalators to the left, a pair of elevators directly to the front, and stairs to the right. All lead to the platform. The elevators land at the center of the platform. Relevant Drawings: AR-114, AR-124, AR-154, AR-152 Relevant Technical Specs: N/A For the Yerba Buena / Moscone Station Work Package -

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					At the street entrance, the stairs, escalators, and elevators are accessed from the same entrance lobby. All three vertical circulation elements land at the ticketing hall, where the elevators open directly in front of the ticket vending machines. Entering past the single array of faregates including one accessible faregate, passengers face stairs, escalators and a pair of elevators o the left. All vertical circulation elements lead to the platform. The elevators land at the center of the platform. Relevant Drawings: AR-021 Relevant Technical Specs: N/A
5	OPERATION – BICYCLES (BIC)				
10	BIC-I	Diversion of traffic from Fourth Street resulting from increased congestion associated with the project implementation could permanently impact the proposed bicycle lanes on Second and Fifth Streets.	IM BIC-1a: Implementation of the Second and Fifth Street bicycle projects are recommended to facilitate bicycle travel in the South of Market area.	Monitor progress on these independent projects.	This applies to the Tunnels Contract, to the Yerba Buena / Moscone Subway Station, and to the Station/Trackwork/Systems Work Package. **No change since last update.** For the Tunnels Contract The 2nd Street bicycle lane implementation is to be incorporated into a San Francisco Department of Public Works Pavement Renovation Project. This project is currently going through the planning process within the SFMTA and its anticipated implementation will be late 2013. The implementation of bicycle lanes on 5th Street is on-hold, in conflict with future Muni line (#30 &45) re-route. Relevant Drawings: N/A Relevant Technical Specs: N/A For the Yerba Buena / Moscone Station Work Package The 2nd Street bicycle lane implementation is to be incorporated into a San Francisco Department of Public Works Pavement Renovation Project. This project is currently going through the planning process within the SFMTA and its anticipated implementation will be late 2013. The implementation of bicycle lanes on 5th Street is on-hold, in conflict with future Muni line (#30 &45) re-route. Relevant Drawings: N/A Relevant Technical Specs: N/A

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					For the Station/Trackwork/Systems Contract The 2nd Street bicycle lane implementation is to be incorporated into a San Francisco Department of Public Works Pavement Renovation Project. This project is currently going through the planning process within the SFMTA and its anticipated implementation will be late 2013. The implementation of bicycle lanes on 5th Street is on-hold, in conflict with future Muni line (#30 & #45) re-route. Relevant Drawings: N/A Relevant Technical Specs: N/A
6	OPERATION - EMERGENCY VEHICLE ACCESS (EMER)				
11.	EMER-I	The introduction of a double-track median in the middle of Fourth Street would require emergency vehicles from Fire Station #8 (36 Bluxome Street) to cross the entire trackway to reach the intersection of Fourth and Brannan Streets.	IM: **EMER-1a:** SFDPT will be upgrading traffic signals with emergency vehicle preemption equipment in order to minimize the emergency response time and to improve the signal operation at several intersections near fire stations along the Corridor.	**Monitor during construction.**	This applies to the Surface/Trackwork/Systems Work Package only. **No change since last update.** Design: Traffic Signal upgrade along 4th Street between Harrison and King Streets will include emergency service vehicle pre-emption at the signalized intersections. To be implemented by SFMTA staff at the completion of Traffic Signal installation. Relevant Drawings: ET-001 through ET-154 Relevant Technical Specs: 34 41 13 traffic Signals **Construction Monitoring Status: N/A until systems contract construction.**
7.	OPERATION - SOCIOECONOMIC - POPULATION AND HOUSING (PH)				
12.	PH-I	Acquisition of one parcel for the Chinatown Station at 933-949 Stockton would displace of 8 small businesses and 17 low income residential units.	MM **PH-1a:** Redevelopment of the Chinatown Station site will incorporate affordable housing and ground floor retail where possible.	Redevelopment plans for the station areas are in the early stages of discussion by SFMTA Real Estate.	This applies to the Chinatown Subway Station Construction Work Package only. **SFMTA Real Estate is exploring Transit Oriented Design in this area.** Relevant Drawings: Drawings to be developed at a later date. Relevant Technical Specs: Specifications to be developed at a later date.

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13.	PH-2		MM PH-1b: State and federal relocation regulations will be implemented.	Redevelopment plans for the station areas are in the early stages of discussion by SFMTA Real Estate.	This applies to the Chinatown Subway Station Construction Work Package only. **No change since last update.** A Relocation Impact and Last Resort Housing Study has been completed and approved by the SFMTA Board and SF Board of Supervisors in accordance with Federal and State requirements. The SFMTA has relocated all affected residential tenants and all affected commercial tenants. Relevant Drawings: N/A Relevant Technical Specs: N/A
8. OPERATION – COMMUNITY FACILITIES (CF)					
14.	CF-1	The placement of station entries and elevators in Union Square Plaza would permanently remove 1,690 square feet of open space for transportation purposes in Union Square Park.	IM CF-1a: During final design, minimize the footprint of station entrances to the subway in Union Square plaza would be designed and located in such a manner as to minimize the station entrance footprint and minimize disruption to park users.	Check Final Engineering documents for compliance.	This applies to the Union Square/Market St Subway Station Construction Work Package only. **No change since last update.** The design of the station entrance at Union Square minimizes the surface level footprint of the station entrance while accommodating all functions requiring a street level presence. These functions include the station vertical circulation (with off-sidewalk queuing space) as well as station-related systems and emergency response infrastructure. The entrance incorporates an accessible roof terrace that is integrated into the existing pedestrian circulation to minimize disruption to park users. The design has been vetted by the Arts Commission, Parks and Rec Dept, SFMTA Accessibility, the Mayor's Office of Disability, and the Union Square Business Improvement District. The design minimizes the footprint, thereby minimizing the impact to the Union Square Park Users. Relevant Drawings: AR-840, AR-851, AR-861, AR-862 Relevant Technical Specs: N/A
15.	CF-2		IM CF-1b: Design subway entrances so they are visually integrated with the existing park design.	Coordinate with Recreation and Parks Department Planners to review plans.	This applies to the Union Square/Market St Station Work Package only. Final Design Mitigation Task Closed.

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					No change since last update. In addition to the compact footprint, the Union Square station entrance is designed as a low structure to set into and underneath the stepping plaza terraces. The tallest features of the entrance design - the elevator hoistways - have been held to the minimum height accommodating their function. The design has been vetted by the Arts Commission, Parks and Rec Dept, SFMTA Accessibility, the Mayor's Office of Disability, and the Union Square Business Improvement District, and visually integrates with the existing Union Square Park. Relevant Drawings: AR-861, AR-862, AR-864, AR-866, LA-401 Relevant Technical Specs: N/A
9	OPERATION - HISTORIC ARCHITECTURAL RESOURCE IMPACTS (HARC)				
16.	HARC 1		**MM HARC-1a:** Partial preservation of 933-949 Stockton Street or Incorporation of elements of the building into the design of the new station building, salvage significant architectural features from the building for conservation into a historical display or exhibit in the new Chinatown station or in museums and/or develop a permanent interpretive display for public use on the T-Third line cars or station walls in Conform to MOA between SHPO, FTA and SFMTA.	Check Final Engineering documents for compliance.	This applies to the Chinatown Subway Station Work Package only. **No change since last update.** A Historic American Buildings Survey (HABS) Recordation has been performed and submitted Sept. 2011. Carey and Company, the firm performing the HABS, has stated, via letter, that there are no architectural elements of the existing building that should be salvaged and/or installed on the new station. Updated 09/17/12: Location of Historical Display Cases (NIC) are identified on Finish Plan - if required and with clearer scope requirements. Future installation will be provided by Exhibition Designer (Other) through SFMTA. Relevant Drawings: 1254R AR-254, Finish Plan Concourse Level - 4, Sheet # 432, CL-19920 Relevant Technical Specs: N/A
17.	HARC 1 (cont)	Demolition of the historic building at 933-949 Stockton Street, which is a contributor to a NRHP eligible district, would create a visual break in the cohesive grouping of contextually-related buildings within the	**MM HARC-1b:** The final design of the Chinatown Station will be reviewed by the Environmental Review Officer, the City Preservation Coordinator, and a historic architect hired by MTA for compliance with the Secretary of Interior's standards based on their compatibility with the character-defining features of the district.	Check Final Engineering documents for compliance.	This applies to the Chinatown Subway Station Construction Work Package only. **No change since last update.** The historic architecture firm Carey and Co. reviewed the drawings for compliance with the Secretary of Interior's standards based on their compatibility with the character-defining features of the district. See Carey & Co. Letter dated April 4, 2012. A review has also been performed concurrently by the Environmental Review Officer and the City Preservation

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		block			Coordinator. The San Francisco Planning Department performed a "Historic Resource Evaluation Response" (HRER) dated 04/26/12 which states that the new station construction with design adjustments noted in HRER attachments is compliant with the Secretary of Interior's Standards and meets the requirements of this Mitigation Measure. (updated 09/17/12). Relevant Drawings: AR-104 Rev. 1 (CL-19900) - Roof Plan; AR-114 Rev. 1 (CL-19901) - Floor Plan Surface Level - 4; AR-300 Rev. 1 (CL-19927) - Exterior Elevations; AR-302 Rev. 1 (CL-19929) - Glass Enclosure Elevations and Sections; AR-303 Rev. 1 (CL-19930) - Glass Enclosure Elevations and Sections; Update 09/17/12: Stockton Street Elevation to have same glass facade rhythm from Washington Street with "punched" window openings. Update 09/17/12: Note that Contract 1254 has been replaced by Contract 1254R. Relevant Technical Specs: Spec. 12 10 10 (1254 Addendum #2) Washington Street Fascia Art Work.
18	HARC 1 (cont)	Same as HARC 1 above	MM HARC-1c: Prior to demolition of the 933-949 Stockton Street building, a Historic American Buildings Survey/Historic American engineering Record documentation will be completed.	Check Final Engineering documents for compliance.	This applies to the Chinatown Subway Station Construction Work Package only. **No change since last update.** Final Design Mitigation Task Closed. The historic architecture firm of Carey and Co. has performed this HABS documentation (Sept. 2011), and copies of the HABS Recordation report has been submitted to SHPO, SF Planning, SF History Center & Bancroft Library at University of California at Berkeley. (updated: 09/17/2012) Relevant Drawings: Structural Demolition Drawings. (updated 09/17/2012) SD-200 (CL-19534), see Demolition Note #12; SD-201 (CL-19535), see Demolition Note #1; SD-202 (CL-19536), see Demolition Note #1; SD-203 (CL-19537), see Demolition Note #1; SD-204 (CL-19538), see Demolition Note #1;

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					SD-205 (CL-19539) Elevations Relevant Technical Specs: Spec. 02 41 16 - Structural Demolition, para 1.02 A Historic Items (09/17/12)
19.	HARC 2	Station entrances located in Union Square would permanently alter the recently redesigned plaza and parking garage.	IM HARC-2a: Less-than-significant visual impacts at Union Square Station will be minimized through the use of design and architectural materials that would be compatible with the surrounding structures and landscape. The final design for the station will be subject to review by the Recreation and Parks Department.	Check Final Engineering documents for compliance. Coordinate with Recreation and Parks Department.	This applies to the Union Square/Market St Subway Station Construction Work Package only **No change since last update** Final Design Mitigation Task Closed. The area of terraced lawns and seating west of the new station entrance is to be restored to match the existing terrace design and finishes. The new entrance fascia is clad in precast stone panels matching the existing adjacent precast planters. Similarly, terraces and other hardscape features are detailed and specified to match existing finishes and detailing. New finishes are limited to minimal glass guardrails at the terrace level parapet and glass and steel elevator hoistway enclosure and doors. Landscaping at the Union Square entrance includes lawn terraces, trees, and shrubs in planters, matching the design of the existing south edge of the park. The design was vetted by the Arts Commission, Parks and Rec Dept, the Mayors Office of Disability, and the Union Square Business Improvement District; architectural materials used are compatible with the surrounding structures and landscape of Union Square Park. Relevant Drawings: AR-861, AR-862, AR-864, AR-866, LA-401 Relevant Technical Specs: 03 45 00 Precast Architectural Concrete; 09 75 00 Stone Facing
10. CONSTRUCTION - VISUAL AND AESTHETIC RESOURCES (CNVAES)					
20.	VAES-1	Station entrances for the Union Square Station would be visible in the plaza from Stockton and	MM VAES-1a: Station architectural treatment for the exterior façade in the visually sensitive Union Square Park would be developed in consultation with the Planning, Recreation and Parks Departments and the	Check Final Engineering documents for compliance. Coordinate with city agencies and	This applies to the Union Square/Market St Subway Station Construction Work Package only. Final Design Mitigation Task Closed.

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		Geary Streets.	Union Square business associations	community business groups during design development.	**No change since last update.** The design has been vetted by the Arts Commission, Parks and Rec Dept, the Mayor's Office of Disability, and the Union Square Business Improvement District; the station architectural treatment for the exterior façade is compatible with the surrounding structures and landscape of Union Square Park. Relevant Drawings: AR-851, AR-862, AR-863 Relevant Technical Specs: 03 45 00 Precast Architectural Concrete, 09 75 00 Stone Facing
21	VAES-I (cont)	The demolition of an existing building to accommodate the Chinatown Station and the construction of a new station entrance and transit-oriented development in the future would visually change the street façade along Stockton Street.	MM VAES-2a: Exterior treatment of the Chinatown Station and vent shaft would be developed in consultation with the Planning Department, Architectural historians, the City Historic Preservation Coordinator, and the Chinatown community during preliminary and final design.	Exterior treatment of the Chinatown Station and vent shaft would be developed in consultation with the Planning Department, Architectural historians, the City Historic Preservation Coordinator, and the Chinatown community during preliminary and final design.	This applies to the Chinatown Subway Station Construction Work Package only. Final Design Mitigation Task Closed. **No change since last update.** The 90% Design Documents were provided to the Planning Depart, which includes the Historic Preservation Coordinator, for review. They had no issues with the exterior treatment of the vent shaft. Their comments on the exterior treatment of the station were incorporated into the final contract documents. The historical architectural firm of Carey and Co. provided findings. These findings were not of any significance and didn't require addressing in the final contract documents. 90% Design Documents were provided to the Chinatown Community representatives (CCDC) who provided no comments that required changes to the final contract documents. Community outreach was also performed by presenting to the Citizens Advisory Committee who also had no comments that required addressing in the final contract documents. Relevant Drawings: N/A Relevant Technical Specs: N/A

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11. OPERATION: NOISE AND VIBRATION (NV)					
22.	NV-I	The FTA vibration criteria of 72 V dB would be exceeded at one residential building at 570 Fourth Street at Freelon Alley.	**MM NV-1a.** Vibration propagation testing will be conducted at this location during final engineering to determine the predicted impacts and finalize the mitigation measures. MTA will implement high resilience (soft) direct fixation fasteners at this location for embedded track. Implementation of this measure would reduce the vibration impacts to a less-than-significant level. (LTS)	Testing pre-construction.	This applies to the Stations/Trackwork/Systems Work Package only. **No change since last update.** Vibration testing at 570 Fourth Street was completed June 2012. Relevant Drawings: TC-115, TC-212 Relevant Technical Specs: 34 11 10 Basic Trackwork materials and Methods. Spec Sections to be added when design is finished.
23.	NV-2	Noise impacts could occur from operation of Emergency Vent Shafts and Traction Power Substations (TPSS).	**IM NV-2a.** Noise control improvement measures used to meet the San Francisco Noise Ordinance will be determined during final design, but could include enclosing TPSS in masonry structures with sound-rated doors or gates and providing sound attenuation on all emergency ventilation openings of any ancillary facility buildings.	Design has already been modified to place TPSS substations underground to provide sound attenuation. Check Final Engineering documents for compliance related to Emergency Vent Shafts.	This applies to the Union Square/Market St Station, the Chinatown Station, and to Yerba Buena / Moscone Station Work Packages. **No change since last update.** For the Union Square/Market St Station Work Package Final Design Mitigation Task Closed All emergency ventilation openings will have sound attenuators provided between the fans and the opening. There is no TPSS substation located at this station. Relevant Drawings: MV142, MV143, MV153, MV803 Relevant Technical Specs: 23 88 20 Sound Attenuators for Station and Tunnel Ventilation For the Chinatown Station Work Package Final Design Mitigation Task Closed All emergency ventilation openings will have sound attenuators provided between the fans and the opening. TPSS substation is located on the sub-surface platform level and will not be heard. Relevant Drawings: MV141, MV143, MV154, MV803, AR-024 Relevant Technical Specs: 23 88 20 Sound Attenuators for Station and Tunnel Ventilation For the Yerba Buena / Moscone Station Work Package Final Design Mitigation Task Closed

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					All emergency ventilation openings will have sound attenuators provided between the fans and the opening. TPSS substation is located sub-surface on the under-platform level and will not be heard. Relevant Drawings: MV121, MV122, MV123, MV803, AR-053 Relevant Technical Specs: 23 88 20 Sound Attenuators for Station and Tunnel Ventilation.
12. CONSTRUCTION – TRANSIT (CNTST)					
24	CNTST-I	Temporary reduction in traffic lanes on Fourth and Stockton Streets during construction would disrupt transit operations. The rerouting of the 30-Stockton and the 45-Union lines will be required.	**IM CNTST-1a:** SFDPT would develop and implement detour routes for non-transit traffic to minimize disruption to transit routes.	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to all of the Construction Contracts. For the Utilities Relocation #2 Contract Alternate routes for non-transit traffic are provided in plans and are being implemented during construction. Relevant Drawings: TR-009 and TR010 Relevant Technical Specs: 01 55 26 Traffic Regulations For the Tunnels Contract Alternate routes for non-transit traffic are provided in plans. Relevant Drawings: TR-022,023,024 AND 025 Relevant Technical Specs: 01 55 26 Traffic Control **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source:** Contractor submittals and IDRs received by Resident Engineer For the Union Square/Market St Station Specifications require the contractor to submit a Traffic Control Plan (TCP) for approval. This TCP will include detour routes for non-transit traffic to minimize the disruption to transit routes. Relevant Drawings: TR-022 through TR-023 Relevant Technical Specs: 01 55 26 Traffic Regulations For the Chinatown Station Work Package Specifications require the contractor to submit a Traffic Control Plan (TCP) for approval. This TCP will include detour routes for non-transit traffic to minimize the disruption to transit routes. Relevant Drawings: TR-004

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					Relevant Technical Specs: 01 55 26 Traffic Regulations For the Yerba Buena / Moscone Work Package Specifications require the contractor to submit a Traffic Control Plan (TCP) for approval. This TCP will include detour routes for non-transit traffic to minimize the disruption to transit routes. Relevant Drawings: TR-013 through TR-015 Relevant Technical Specs: 01 55 26 Traffic Regulations For the Systems/Trackwork Work Package Specifications require the contractor to submit a Traffic Control Plan (TCP) for approval. This TCP will include detour routes for non-transit traffic to minimize the disruption to transit routes. Relevant Drawings: TR-013 through TR-020 Relevant Technical Specs: 01 55 26 Traffic Regulations
25.	CNTST-1 (cont)	Same as CNTST-1 above	**IM CNTST-1b**: Overhead wires for the 30-Stockton and the 45-Union/Stockton lines will be temporarily relocated or reconstructed to alternative routes where feasible or motor coaches would be temporarily substituted on alternative routes.	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to the Utilities Relocation #2, to the Union Square/Market St Subway Station, to the Yerba Buena / Moscone Subway Station, and to the Chinatown Subway Station Construction Work Packages. **No change since last update.** For the Utilities Relocation #2 Contract – Contract closed Dec. 2012. New overhead lines to detour 30 and 45 from Stockton to Sutter, Mason and Fifth Streets have been installed and the bus detour is in place using these lines. Relevant Drawings: OV-180 through OV-189 Relevant Technical Specs: Division 34 For the Union Square/Market St Station Work Package Final Design Closed Relevant Drawings: N/A Relevant Technical Specs: N/A The overhead wires have been relocated by the Utility Contract 2 and are available for use for the Union/Square/Market St Station project. For the Chinatown Station Work Package – Final Design Closed The overhead wires have been relocated by the Utility Contract 2 and are

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					available for use for the Chinatown Station project. Relevant Drawings: N/A Relevant Technical Specs: N/A For the Yerba Buena / Moscone Station Work Package The overhead wires have been relocated by the Utility Contract 2 and are available for use for the Yerba Buena / Moscone project. Relevant Drawings: N/A Relevant Technical Specs: N/A **Construction Monitoring Status:** Completed.
26.	CNTST-2	Excavation of the construction shaft under the I-80 freeway between Bryant and Harrison Streets would also impact Golden Gate Transit bus operations.	**1M CNTST-2a:** SFMTA would coordinate with Transbay Joint Powers Authority Golden Gate Bridge, Highway, and Transit District to minimize construction impacts on Golden Gate Transit. SFMTA would stage excavation shaft construction and utility relocation to maintain access to the bus storage facility by Golden Gate buses and work with GGBHTD to develop bus detour routing plans for continued access. Access to the construction shaft would be scheduled to avoid conflict with the active bus periods.	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to the Tunnels Construction Contract only. "Access to proposed GGBHTD bus storage is to Perry Street from Fourth St. Specification requirement regarding Perry Street: 'Maintain the access on both Perry Street and Stillman Street at all times. Any scheduled closure of these two streets must be approved by the City, and Contractor shall notify the residents about the schedule and duration of the closure.'" Relevant Drawings: TR-020,021,025,026 Relevant Technical Specs: Spec 01 55 26 Article 3.02 Traffic Control and Construction Phasing **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source**: Contractor submittals and IDRs received by Resident Engineer
27.	CNTST-3	Temporary disruption of BART service could occur during construction. The BART entry at One Stockton Street would need to be closed temporarily during construction.	**1M CNTST-3a:** SFMTA and BART will prepare and enter into a Station Improvement Coordination Plan to include construction management procedures and processes to address any and all construction and operational impacts resulting from the tunnel boring. SFMTA will also coordinate with BART to develop bus bridges, if needed, public outreach and other programs to minimize impacts to transit riders during construction.	SFMTA monitoring and report to BART. **Monitor during construction.**	This applies to the Tunnels and to the Union Square/Market St Subway Station Construction Work Packages. For the Tunnels Contract Memorandum of Agreement signed by SFMTA and BART in February 2011 establishes an Independent Review Panel to assess TBM tunneling settlement control performance. Other elements of strategy for protection of BART facilities includes extensive surface settlement instrumentation and required survey and installation real time deformation instrumentation inside of BART tunnels. Relevant Drawings: BP-122,123,124 and BP-313,316 Relevant Technical Specs: 01 76 29 Protection of Existing Property 31 09 13 Geotechnical Instrumentation and Monitoring

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					31 09 15 Structural Instrumentation and Monitoring 31 43 14 Compensation Grouting **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source:** Instrumentation Data Report For the Union Square/Market St Station Work Package The Cooperative Agreement was executed on April 19, 2011. Cost and work associated with required station infrastructure improvements is addressed in an amendment to the Cooperative Agreement. The 1st amendment was approved and executed on July 12, 2012. Relevant Drawings: N/A Relevant Technical Specs: N/A
13. CONSTRUCTION – TRAFFIC (CNTRF)					
28	CNTRF-1	Temporary reduction in traffic lanes on Fourth and Stockton Streets and the subway crossing of Market Street would disrupt traffic.	IM-CNTRF-1a: SFMTA has identified potential traffic detours. Prior to final design, the SFMTA would select the most appropriate detour routes and develop temporary transportation system management measures along these routes, e.g., additions of turn lanes at key intersections, conversion of parking lanes into peak period travel lanes, etc. Detour routes would be advertised prior to construction in the appropriate media. When detours are initially implemented, traffic control police would monitor critical locations along the detours to promote uncongested traffic flows. All traffic detour measures would be implemented in coordination with other concurrent construction projects.	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to all of the Construction Contracts For the Utilities Relocation #2 Contract Closed Dec. 2012 Alternate routes for non-transit traffic are provided in plans and construction is completed. Relevant Drawings: TR-009 and TR010 Relevant Technical Specs: 01 55 26 Traffic Regulations For the Tunnels Contract Alternate routes for non-transit traffic are provided in plans. Relevant Drawings: TR-022, 023, 024 and 025 Relevant Technical Specs: 01 55 26 Traffic Control **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source:** Contractor submittals and IDRs received by Resident Engineer For the Union Square/Market St Station Work Package Traffic detours are included in the drawings. The contractor is required to submit a Traffic Control Plan (TCP) for approval that shows the detours. The SFMTA Central Subway Outreach Team will advertise these detours in the media prior to construction.

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				The Central Subway retained two Traffic Control Officers to monitor detours and promote uncongested traffic flow. Relevant Drawings: TR-022 through TR-023 Relevant Technical Specs: 01 55 26 Traffic Regulations For the Chinatown Station Work Package Traffic detours are included in the drawings. The contractor is required to submit a Traffic Control Plan (TCP) for approval that shows the detours. The SFMTA Central Subway Outreach Team will advertise these detours in the media prior to construction. The Central Subway retained two Traffic Control Officers to monitor detours and promote uncongested traffic flow. Relevant Drawings: TR-004 Relevant Technical Specs: 01 55 26 Traffic Regulations For the Yerba Buena / Moscone Station Work Package Traffic detours are included in the drawings. The contractor is required to submit a Traffic Control Plan (TCP) for approval that shows the detours. The SFMTA Central Subway Outreach Team will advertise these detours in the media prior to construction. The Central Subway retained two Traffic Control Officers to monitor detours and promote uncongested traffic flow. Relevant Drawings: TR-013 through TR-015 Relevant Technical Specs: 01 55 26 Traffic Regulations For the Surface/Trackwork/Systems Work Package Traffic detours are included in the drawings. The contractor is required to submit a Traffic Control Plan (TCP) for approval that shows the detours. The SFMTA Central Subway Outreach Team will advertise these detours in the media prior to construction. The Central Subway retained two Traffic Control Officers to monitor detours and promote uncongested traffic flow. Relevant Drawings: TR-013 through TR-020 Relevant Technical Specs: 01 55 26 Traffic Regulations
14. CONSTRUCTION - FREIGHT AND LOADING (CNFRT)				

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29.	CNFRT-I	During construction, temporary disruption to truck traffic flow and removal of on-street loading zones adjacent to construction work areas.	**IM CNFRT-1a:** To alleviate some of the congestion that would result adjacent to construction of the light rail line, the SFDPT has identified potential traffic detours.	**Monitor during construction.** Check Final Engineering documents for compliance.	This applies to all of the Construction Contracts For the Utilities Relocation #2 Contract Detour routes for transit and non-transit traffic are provided in plans and specifications. Relevant Drawings: TR-009 and TR010 Relevant Technical Specs: 01 55 26 Traffic Regulations For the Tunnels Contract Final Design Mitigation Task Closed Detour routes for transit and non-transit traffic are provided in plans and specifications. Relevant Drawings: TR-022, 023, 024 and 025 Relevant Technical Specs: 01 55 26 Traffic Control **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source:** Contractor submittals and IDRs received by Resident Engineer. For the Union Square/Market St Station Work Package Traffic detours are included in the drawings. The contractor is required to submit a Traffic Control Plan (TCP) for approval that shows the detours. Relevant Drawings: TR-022 through TR-023 Relevant Technical Specs: 01 55 26 Traffic Regulations For the Chinatown Station Work Package Traffic detours are included in the drawings. The contractor is required to submit a Traffic Control Plan (TCP) for approval that shows the detours. Relevant Drawings: TR-004 Relevant Technical Specs: 01 55 26 Traffic Regulations For the Yerba Buena / Moscone Station Work Package Traffic detours are included in the drawings. The contractor is required to submit a Traffic Control Plan (TCP) for approval that shows the detours. Relevant Drawings: TR-013 through TR-015 Relevant Technical Specs: 01 55 26 Traffic Regulations

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					For the Surface/Trackwork/Systems Work Package: Traffic detours are included in the drawings. The contractor is required to submit a Traffic Control Plan (TCP) for approval that shows the detours. Relevant Drawings: TR-013 through TR-020 Relevant Technical Specs: 01 55 26 Traffic Regulations
30	CNFRT-1 (cont)	Same as CNFRT-1 Impact Summary Above.	**MM CNFRT-1b**: A portion of the curb parking lanes remaining open in the construction area, or just upstream or downstream of the construction area, may be converted to short-term loading zones to enable truck loading and unloading and delivery of goods to nearby businesses.	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to all of the Construction Contracts For the Utilities Relocation #2 Contract SFMTA-SSD (Traffic Engineer) will coordinate with the Contractor regarding the use of existing parking spaces upstream and downstream of the construction zone. SFMTA will implement the time limits of these zones during construction. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations For the Tunnels Contract SFMTA-SSD (Traffic Engineer) will coordinate with the Contractor regarding the use of existing parking spaces upstream and downstream of the construction zone. SFMTA will implement the time limits of these zones during construction. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Control **Tunnel Construction Monitoring Status**: Underway and On Going **Monitoring source**: Contractor submittals and IDRs received by Resident Engineer. For the Union Square/Market St Station Work Package Specifications require the contractor to coordinate freight loading and unloading with impacted business owners to develop short-term loading zones. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations For the Chinatown Station Work Package Specifications require the contractor to coordinate freight loading and

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					unloading with impacted business owners to develop short-term loading zones Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations For the Yerba Buena / Moscone Station Work Package Specifications require the contractor to coordinate freight loading and unloading with impacted business owners to develop short-term loading zones. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations For the Surface/Trackwork/Systems Work Package Specifications require the contractor to coordinate freight loading and unloading with impacted business owners to develop short-term loading zones. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations
31.	CNFRT-1 (cont)	Same Impact Summary as above	**MM CNFRT-1c:** Temporary truck loading zones on the side streets may need to be established for the duration of the Project construction to offset any impacts along the streets that are directly affected by construction.	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to all of the Construction Contracts. For the Utilities Relocation #2 Contract SFMTA-SSD will evaluate the needs during construction and will be included on the review process of Traffic Control Plan submittals by the Contractor. Relevant Drawings: SFMTA-SSD will implement the temporary truck loading during construction based on actual needs. SFMTA-SSD will establish the temporary truck loading on the side streets. Will be included in the drawings submitted with the traffic control plan. Relevant Technical Specs: 01 55 26 Traffic Control For the Tunnels Contract SFMTA-SSD will evaluate the needs during construction and will be included on the review process of Traffic Control Plan submittals by the Contractor. Relevant Drawings: SFMTA-SSD will implement the temporary truck loading during construction based on actual needs. SFMTA-SSD will establish the temporary truck loading on the side streets. Will be included in the drawings submitted with the traffic control plan.

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				Relevant Technical Specs: 01 55 26 Traffic Control will be modified to require the Contractor to identify and submit the temporary truck loading locations for approval. **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source**: Contractor submittals and IDRs received by Resident Engineer. For the Union Square/Market St Station Work Package SFMTA-SSD will evaluate the needs during construction and will be included on the review process of Traffic Control Plan submittals by the Contractor. Relevant Drawings: SFMTA-SSD will implement the temporary truck loading during construction based on actual needs. SFMTA-SSD will establish the temporary truck loading on the side streets. Will be included in the drawings submitted with the traffic control plan Relevant Technical Specs: Traffic Regulations Specifications requires the Contractor to identify and submit the temporary truck loading locations for approval. For the Chinatown Station Work Package SFMTA-SSD will evaluate the needs during construction and will be included on the review process of Traffic Control Plan submittals by the Contractor. Relevant Drawings: SFMTA-SSD will implement the temporary truck loading during construction based on actual needs. SFMTA-SSD will establish the temporary truck loading on the side streets. Relevant Technical Specs: Traffic Regulations Specifications requires the Contractor to identify and submit the temporary truck loading locations for approval. For the Yerba Buena / Moscone Station Work Package: SFMTA-SSD will evaluate the needs during construction and will be included on the review process of Traffic Control Plan submittals by the Contractor. Relevant Drawings: SFMTA-SSD will implement the temporary truck loading during construction based on actual needs. SFMTA-SSD will establish the temporary truck loading on the side streets. Will be included in the

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					drawings submitted with the traffic control plan. Relevant Technical Specs: Traffic Regulations Specifications requires the Contractor to identify and submit the temporary truck loading locations for approval. For the Surface/Trackwork/Systems Work Package SFMTA-SSD will evaluate the needs during construction and will be included on the review process of Traffic Control Plan submittals by the Contractor. Relevant Drawings: SFMTA-SSD will implement the temporary truck loading during construction based on actual needs. SFMTA-SSD will establish the temporary truck loading on the side streets. Relevant Technical Specs: Traffic Regulations Specifications requires the Contractor to identify and submit the temporary truck loading locations for approval.
32.	CNFRT-2	Cumulative construction impacts could occur on the block bounded by Perry, Third, Stillman, and Fourth Streets due to sequential construction of the I-80 retrofit, Golden Gate Transit bus storage facility, and the Central Subway projects.	**MM CNFRT-2a:** SFDPT will work with the property and business owners on Perry and Stillman Streets to develop temporary detour routes for traffic to maintain property access during construction and reduce the impacts to a less-than-significant level.	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to the Tunnels and to the Systems/Trackwork Construction Contracts For the Tunnels Contract Specifications requires all lanes of Stillman St to remain open at all times. See MM TRF-2a. Relevant Drawings: TR-020,021,025,026 Relevant Technical Specs: Spec 01 55 26 Article 3.01 Vehicular and Pedestrian Traffic Table 2 Tabulation of Traffic Lane Requirements **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source:** Contractor submittals and IDRs received by Resident Engineer For the Surface/Trackwork/Systems Work Package The contractor is required to submit a Traffic Control Plan (TCP) for approval that shows the detours. Implementation will be coordinated with property owners, City staff (Public Affairs Office) and the Contractor. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations

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15. CONSTRUCTION – PARKING (CNPRK)					
33.	CNPRK-I	All on-street parking would be temporarily prohibited in construction zones.	**IM CNPRK-1a.** During construction signs denoting alternative parking areas (e.g., public parking garages) could be placed upstream of and through the construction zones.	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to all of the Construction Contracts For the Utilities Relocation #2 Contract Closed Dec. 2012 Changeable Message signs provided to allow for variable messaging. Relevant Drawings: TR-009 and TR010 Relevant Technical Specs: 01 55 26 Traffic Regulations For the Tunnels Contract Changeable Message Signs provided to allow for variable messaging. Relevant Drawings: TR-022,023,024 AND 025 Relevant Technical Specs: 01 55 26 Traffic Control **Tunneling Construction Monitoring Status:** Underway and On Going **Monitoring source:** Contractor submittals and IDRs received by Resident Engineer For the Union Square/Market St Station Contract The contractor is required to submit a Traffic Control Plan (TCP) for approval that includes signage denoting access to parking areas. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations For the Chinatown Station Work Package The contractor is required to submit a Traffic Control Plan (TCP) for approval that includes signage denoting access to parking areas. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations - IFB December 14, 2011. See Para. 1.03 Submittals A. Traffic Control Plans, and Para. 3.13 Diverting of Vehicular Traffic. (updated: 09/17/12)

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					For the Yerba Buena / Moscone Station Work Package The contractor is required to submit a Traffic Control Plan (TCP) for approval that includes signage denoting access to parking areas. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations - IFB February 15 2012 See Para 1.03 Submittals A.1 Traffic Control Plans in addition to A.1.d. 12) Location of detour signs and Changeable Message Signs (CMS)" and Para. 3.13 Diverting of Vehicular Traffic. (Updated: 09/17/12) For the Surface/Trackwork/Systems Work Package The contractor is required to submit a Traffic Control Plan (TCP) for approval that includes signage denoting access to parking areas. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations
34.	CNPRK-1 (cont)	Same Impact Summary as above	IM CNPRK-1b: To improve the accessibility to businesses in the Corridor, it is recommended that retained and added (where applicable) parking spaces be designated for short-term parking and loading, especially in commercial districts.	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to all of the Construction Contracts For the Utilities Relocation #2 Contract Closed Dec. 2012 SFMTA-SSD will evaluate the needs during construction and will be included on the review process of Traffic Control Plan submittals by the Contractor. Relevant Drawings: N/A Relevant Technical Specs: N/A For the Tunnels Contract SFMTA-SSD will evaluate the needs during construction and will be included on the review process of Traffic Control Plan submittals by the Contractor. Relevant Drawings: N/A Relevant Technical Specs: N/A **Tunneling Construction Monitoring Status:** Underway and On Going **Monitoring source:** Contractor submittals and IDRs received by Resident Engineer

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				For the Union Square/Market St Station Work Package Final Design Closed SFMTA-SSD will evaluate the needs during construction and will be included on the review process of Traffic Control Plan submittals by the Contractor. Relevant Drawings: N/A Relevant Technical Specs: N/A For the Chinatown Station Work Package Final Design Closed SFMTA-SSD will evaluate the needs during construction and will be included on the review process of Traffic Control Plan submittals by the Contractor. Relevant Drawings: N/A Relevant Technical Specs: N/A For the Yerba Buena / Moscone Station Work Package Final Design Closed SFMTA-SSD will evaluate the needs during construction and will be included on the review process of Traffic Control Plan submittals by the Contractor. Relevant Drawings: N/A Relevant Technical Specs: N/A For the Systems/Trackwork Work Package Final Design Closed SFMTA-SSD will evaluate the needs during construction and will be included on the review process of Traffic Control Plan submittals by the Contractor. Relevant Drawings: N/A Relevant Technical Specs: N/A

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16. CONSTRUCTION PEDESTRIANS (CNPED)					
35.	CNPED-I	There will be temporary sidewalk closures during excavation of each of the subway stations. The west sidewalk of Stockton Street would be closed during construction of the Chinatown Station.	**IM CNPED-1a:** During excavation of the subway stations, access to all abutting businesses would be maintained either through the existing or a reduced sidewalk area or via temporary access ways, e.g. ramps, planking, etc. Signs would be installed indicated that the businesses are open during construction. All temporary access ways would be in compliance with the ADA. Temporary pedestrian walkways, as required by the City, would be covered to help protect pedestrians from noise, dust, and visual annoyances during construction.	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to the Union Square/Market St Station, to the Chinatown Station, and the Yerba Buena/Moscone Station Construction Work Packages. **No change since last update.** For the Union Square/Market St Station Work Package ADA Compliant Covered Pedestrian Access with signage will be maintained when applicable Relevant Drawings: ES-085 Relevant Technical Specs: 01 55 26 Traffic Regulations, 1.03A and 3.01A Special Provision SP-27, Custom Barricades For the Chinatown Station Work Package ADA Compliant Covered Pedestrian Access with signage will be maintained at all times. Relevant Drawings: CV-201 Relevant Technical Specs: 01 55 26 Traffic Regulations, 1.01F and 3.01A Special Provision SP-27, Custom Barricades For the Moscone Station Work Package ADA Compliant Covered Pedestrian Access with signage will be maintained when applicable Relevant Drawings: TR-002, TR-008, TR-010 and TR-012 TR-023 (IFB - Feb. 15, 2012) CV-011 Civil Drawing indicates the demolition work at the 76 Gas Station site. Relevant Technical Specs: 01 55 26 Traffic Regulations, 1.03A.1.d and 3.01.A 01 56 10 Temporary Site Construction, 1.10 Barricades & Accessible Path of Travel, 1.11 Fencing (IFB - Feb. 15, 2012) 01 57 19 Environmental Mitigation Measures, 1.04 Maintenance Of The Work Area And Debris Control, 1.07 Specific Dust Control Plan, 1.08 Noise Controls
36.	CNPED-I (cont)	Same Impact Summary as above.	**IM CNBIC-1a:** Retain a wide curb or outside travel lane to facilitate bicycle travel. Where this is not possible signage could be erected indicating temporary alternative routes, e.g.	Check Final Engineering documents for compliance. Monitor bicycle use on	This applies to the Tunnels, to the Union Square/Market St Subway Station, to the Chinatown Subway Station, to the Yerba Buena / Moscone Subway Station, and to the Surface/Trackwork/Systems Work PackageContracts

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		Second and Fifth Streets for bicyclists.	2nd and 5th Streets construction. **Monitor during construction.**	For the Tunnels Contract: Specification requires Contractor to perform the appropriate measures to ensure the safety of bicyclists on ALL streets on which there is construction. Specifications direct Contractor to Section 10 Bicycle Routes of the Blue Book. Install "Bicyclists Allowed Use of Full Lane" signs, or other approved equal, on streets with bicycle lanes during construction. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Control **Tunneling Construction Monitoring Status**: Underway and On Going **Monitoring source**: Contractor submittals and IDRs received by Resident Engineer For the Union Square/Market St Station Work Package: Specifications require the Contractor perform appropriate measures to ensure the safety of bicyclists on ALL streets on which there is construction. The 2nd Street bicycle lane implementation is to be incorporated into a San Francisco Department of Public Works Pavement Renovation Project. This project is currently going through the planning process within the SFMTA and its anticipated implementation will be late 2013. The implementation of bicycle lanes on 5th Street is on-hold; in conflict with future Muni line (#30 &45) re-route. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations For the Chinatown Station Work Package: Specifications require the Contractor perform appropriate measures to ensure the safety of bicyclists on ALL streets on which there is construction. The 2nd Street bicycle lane implementation is to be incorporated into a San Francisco Department of Public Works Pavement Renovation Project. This project is currently going through the planning process within the SFMTA and its anticipated implementation will be late 2013. The implementation of bicycle lanes on 5th Street is on-hold; in conflict with future Muni line (#30 &45) re-route. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations

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					For the Yerba Buena / Moscone Station Work Package Specifications require the Contractor perform appropriate measures to ensure the safety of bicyclists on ALL streets on which there is construction. The 2nd Street bicycle lane implementation is to be incorporated into a San Francisco Department of Public Works Pavement Renovation Project. This project is currently going through the planning process within the SFMTA and its anticipated implementation will be late 2013. The implementation of bicycle lanes on 5th Street is on-hold; in conflict with future Muni line (#30 &45) re-route. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations For the Surface/Trackwork/Systems Work Package Specifications require the Contractor perform appropriate measures to ensure the safety of bicyclists on ALL streets on which there is construction. The 2nd Street bicycle lane implementation is to be incorporated into a San Francisco Department of Public Works Pavement Renovation Project. This project is currently going through the planning process within the SFMTA and its anticipated implementation will be late 2013. The implementation of bicycle lanes on 5th Street is on-hold; in conflict with future Muni line (#30 &45) re-route. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations
17. CONSTRUCTION – BICYCLES (CNBIC)					
37.	CNBIC-I	During construction, congestion on Fourth Street resulting from the temporary lane reduction could divert traffic to Second and Fifth Streets, thereby impacting bicycle	IM CNBIC-1b: Implementation of the new bicycle routes on Second and Fifth Streets would facilitate bicycle travel on these streets.	Check Final Engineering documents for compliance. Monitor bicycle use on 2nd and 5th Streets construction. Monitor during	This applies to the Union Square/Market St Subway Station, to the Yerba Buena / Moscone Subway Station, and to the Surface/Trackwork/Systems Work Package. **No change since last update.** For the Union Square/Market St Station Work Package The 2nd Street bicycle lane implementation is to be incorporated into a San Francisco Department of Public Works Pavement Renovation Project. This

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		travel on Bicycle Routes #11 and #19 respectively. Temporary diversion of traffic from Geary and Stockton Streets could impact bicycle travel, especially on Route #17.		construction.	project is currently going through the planning process within the SFMTA and its anticipated implementation will be late 2013. The implementation of bicycle lanes on 5th Street is on-hold, in conflict with future Muni line (#30 &45) re-route. Relevant Drawings: N/A Relevant Technical Specs: N/A For the Yerba Buena / Moscone Station Work Package The 2nd Street bicycle lane implementation is to be incorporated into a San Francisco Department of Public Works Pavement Renovation Project. This project is currently going through the planning process within the SFMTA and its anticipated implementation will be late 2013. The implementation of bicycle lanes on 5th Street is on-hold, in conflict with future Muni line (#30 &45) re-route. Relevant Drawings: N/A Relevant Technical Specs: N/A For the Surface/Trackwork/Systems Work Package The 2nd Street bicycle lane implementation is to be incorporated into a San Francisco Department of Public Works Pavement Renovation Project. This project is currently going through the planning process within the SFMTA and its anticipated implementation will be late 2013. The implementation of bicycle lanes on 5th Street is on-hold, in conflict with future Muni line (#30 &45) re-route. Relevant Drawings: N/A Relevant Technical Specs: N/A
18. CONSTRUCTION - EMERGENCY VEHICLE ACCESS (CNENE)					
38	CNEMER-1	Emergency response times from Fire Station #8 (36Bluxome Street) would be impacted by construction along Fourth Street for approximately 18 to 24months and from Fire Station #2 (1340	**IM CNEMER-1a:** Emergency response times from Fire Station #8 (36 Bluxome Street) would be impacted by construction along Fourth Street for approximately 18 to 24 months and from Fire Station #2 (1340 Powell Street) by temporary lanes closures on the west side of Stockton Street between Washington and Jackson Streets for the construction of the Chinatown Station. DPT will develop and implement alternative detour	Check Final Engineering documents for compliance. **Monitor emergency access during construction.**	This applies to the Chinatown Subway Station and to the Surface/Trackwork/Systems Work Package. **No change since last update.** For the Chinatown Station Work Package Traffic detours are included in the drawings. The contractor is required to submit a Traffic Control Plan (TCP) for approval that shows the detours. Relevant Drawings: TR-004 Relevant Technical Specs:01 55 26 Traffic Regulations

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	Powell Street) by temporary closures on the west side of Stockton Street between Washington and Jackson Streets for the construction of the Chinatown Station.	routes for all general traffic to minimize the construction disruption to traffic flows.		For the Surface/Trackwork/Systems Work Package: Traffic detours are included in the drawings. The contractor is required to submit a Traffic Control Plan (TCP) for approval that shows the detours. Relevant Drawings: TR-013 through TR-020 Relevant Technical Specs: 01 55 26 Traffic Regulations
39. CNEMER-1 (cont)	Same Impact Summary as above.	**IM CNEMER-1b**: Emergency response times from Fire Station #8 (36 Bluxome Street) would be impacted by construction along Fourth Street for approximately 18 to 24 months and from Fire Station #2 (1340 Powell Street) by temporary lanes closures on the west side of Stockton Street between Washington and Jackson Streets for the construction of the Chinatown Station. Contractor will be required to develop a site specific emergency access response plan as part of compliance with bid specifications.	Check Final Engineering documents for compliance. **Monitor emergency access during construction.**	This applies to the Tunnels, to the Chinatown Subway Station, to the Moscone Subway Station, and to the Systems/Trackwork Construction. For the Tunnels Contract: No work shall interfere with the access of emergency vehicles including those of Police and Fire Departments. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Control, 3.01 **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source**: Contractor submittals and IDRs received by Resident Engineer. For the Chinatown Station Work Package: No work shall interfere with the access of emergency vehicles including those of Police and Fire Departments. The contractor will be required, as part of the Traffic Control Plan to be submitted for approval, to notify the Fire Department when traffic lane closures occur. Emergency vehicles shall be given priority over all other vehicles at all times. Relevant Drawings: N/A Relevant Technical Specs 01 55 26 Traffic Regulations, 3.01 For the Yerba Buena / Moscone Station Work Package: No work shall interfere with the access of emergency vehicles including those of Police and Fire Departments. The contractor is required to notify the Fire Department when traffic lane closures occur and that emergency vehicles shall be given priority over all other vehicles at all times.

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					Emergency responses time from Fire Station #8 shall be addressed in the Contractor submittal, Site Specific Emergency Access Response Plan. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations, 1.03, Submittals, Section A.1.e, Site Specific Emergency Access Response Plan; 3.01, Table 2, 2nd footnote and, Notes, 4th bullet and; 3.02, Traffic Control and, Construction Phasing; 3.19 Site Specific Emergency Access Response Plan For the Surface/Trackwork/Systems Work Package No work shall interfere with the access of emergency vehicles including those of Police and Fire Departments. The contractor is required to notify the Fire Department when traffic lane closures occur and that emergency vehicles shall be given priority over all other vehicles at all times Relevant Drawings: N/A Relevant Technical Specs: Assume same references as MOS: 01 55 26 Traffic Regulations; 103, Submittals, Site Specific Emergency Access Response Plan; 3.19 Site Specific Emergency Access Response Plan
19. CONSTRUCTION - LAND USE (CNLND)					
40.	CNLND-I	There will be temporary construction impacts associated with parking and access to land uses.	**IM CNLND-1a:** Public information programs, including signage, as well as steps to ensure uninterrupted access to all uses along the Corridor, shall be used to minimize the construction impacts on neighboring land uses.	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to all of the Construction Contracts For the Tunnels Contract Access, including signage, shall be required at all times. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Control **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source** Contractor submittals and IDRs received by Resident Engineer.

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					For the Union Square/Market St Station Work Package Access, including signage, shall be required at all times. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations For the Chinatown Station Work Package Access, including signage, shall be required at all times. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations For the Yerba Buena / Moscone Station Work Package Access, including signage, shall be required at all times. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations For the Surface/Trackwork/Systems Work Package Requirement will be incorporated in Division 1 of Contract Specifications. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations Art. 3.01.A; Table 2 (Notes 7th Bullet for Changeable Mssg Signs)
20. CONSTRUCTION - COMMUNITY FACILITIES (CNCF)					
41.	CNCF-1	Construction could temporarily disrupt access to community facilities and parks along the Corridor (Union Square).	1M CNCF-1a: Pedestrian access would be maintained to all community facilities, parks, and recreation areas during construction.	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to all of the Construction Contracts. For the Utilities Relocation #2 Contract Access to Union Square is maintained throughout duration of construction. Requirements for maintaining pedestrian access are provided in Traffic Control specification. Relevant Drawings: None Relevant Technical Specs: 01 55 26 Traffic Regulations For the Tunnels Contract Access to Washington Square is maintained throughout duration of construction of Retrieval Shaft. Requirements for maintaining pedestrian access are provided in Traffic Control specification. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Control Article 3.01 Vehicular

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					and Pedestrian Traffic. **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source**: Contractor submittals and IDRs received by Resident Engineer. For the Union Square/Market St Station Work Package Pedestrian Access will be maintained at all times. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations For the Chinatown Station Work Package Pedestrian Access will be maintained at all times. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations For the Yerba Buena / Moscone Station Work Package Pedestrian Access will be maintained at all times. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations For the Surface/Trackwork/Systems Work Package Pedestrian Access will be maintained at all times. Relevant Drawings: TBD Relevant Technical Specs: 01 55 26 Traffic Regulations
42.	CNCF 1 (cont)	Same Impact Summary as above.	**IM -1b**: Traffic detours will be put in place to minimize disruption to traffic and public transit along the Corridor.	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to the Utilities Relocation #2, to the Tunnels, and to the Surface/Trackwork/Systems Work Package For the Utilities Relocation #2 Contract Detour routes for transit and non-transit traffic are provided in plans and specifications. Contractor has proposed (and received approval for) alternate detour and lane closure plans as allowed by specifications. Relevant Drawings: TR-009 and TR010 Relevant Technical Specs: 01 55 26 Traffic Regulations For the Tunnels Contract Detour routes for transit and non-transit traffic are provided in plans and

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					specifications. Relevant Drawings: TR-022,023,024 AND 025 Relevant Technical Specs: 01 55 26 Traffic Regulations. **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source:** Contractor submittals and IDRs received by Resident Engineer. For the Surface/Trackwork/Systems Work Package This is incorporated into the temporary traffic routing specifications and plans. Relevant Drawings: TR-001 through TR-029 Relevant Technical Specs: 01 55 26 Traffic Regulations, Art. 3.01 A; Table 2 (Note 1), 3.02 & 3.13
43	CNCF-2	Lane closures during construction could affect emergency vehicle access time, particularly for Fire Station #8 (36 Bluxome Street) which is located on Bluxome.	**IM CNCF-2a:** Alternative vehicular and pedestrian circulation patterns that permit continued access to community and public facilities in these locations during construction would be developed and clearly identified during final design, in consultation with Department of Parking and Traffic (DPT) staff.	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to all of the Construction Contracts. For the Utilities Relocation #2 Contract Traffic control specifications and plans show limits on concurrent construction work along Stockton Street (single block at a time) and provide minimum sidewalk and traffic lane requirements adjacent to active work zones. Relevant Drawings: TR-001 through TR-008 Relevant Technical Specs: 01 55 26 Traffic Regulations For the Tunnels Contract Traffic control specifications and plans show limits on concurrent construction work and provide minimum sidewalk and traffic lane requirements adjacent to active work zones on Columbus Avenue at Retrieval shaft, along Stockton Street and on Fourth Street. Relevant Drawings: TR-001 through TR-021 Relevant Technical Specs: 01 55 26 Traffic Control **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source:** Contractor submittals and IDRs received by Resident Engineer.

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					For the Union Square/Market St Station Work Package Continued access to community and public facilities have been incorporated into the traffic control specifications. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations For the Chinatown Station Work Package Continued access to community and public facilities have been incorporated into the traffic control specifications. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations For the Yerba Buena / Moscone Station Work Package Continued access to community and public facilities have been incorporated into the traffic control specifications. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations For the Surface/Trackwork/Systems Work Package Continued access to community and public facilities have been incorporated into the traffic control specifications. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations
44	CNCF-3	Construction of the entrance to the Union Square Market Street Station and construction adjacent to Yerba Buena Gardens would result in temporary noise and dust impacts for park users.	**IM CNCF-3a:** City noise regulations will be included in the bid specifications to ensure that construction is in compliance.	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to the Utilities Relocation #2, to the Tunnels, and to the Surface/Trackwork/SystemsWork PackageContracts For the Utilities Relocation #2 Contract City noise regulations incorporated into Spec 01 57 19 Environmental Mitigation Measures. Relevant Drawings: N/A Relevant Technical Specs: 01 57 19 Environmental Mitigation Measures For the Tunnels Contract City noise regulations incorporated into Spec 01 57 19 Environmental Mitigation Measures. Relevant Drawings: N/A Relevant Technical Specs: 01 57 19 Environmental Mitigation Measures

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					Tunnel Construction Monitoring Status: Underway and On Going **Monitoring source:** Contractor submittals and IDRs received by Resident Engineer. For the Surface/Trackwork/Systems Work Package City noise regulations are included in the bid specifications. Relevant Drawings: N/A Relevant Technical Specs: 01 57 19 Envir. Mitigation Measures, Para. 1.08.A
45.	CNCF-4	Emergency access and circulation could be temporarily disrupted on streets leading to construction sites.	**IM CNCF-4a:** Use a traffic control officer at construction sites to facilitate traffic flows if circulation is disrupted.	**Monitor during construction.**	This applies to all of the Construction Contracts For the Utilities Relocation #2 Contract Requirement have been incorporated in Division 1 of Contract Specifications. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations For the Tunnels Contract Requirement have been incorporated in Division 1 of Contract Specifications. Two Traffic Control Officers have been hired for the Central Subway to facilitate traffic flow. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Control **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source:** Contractor submittals and IDRs received by Resident Engineer. For the Union Square/Market St Station Work Package Requirement has been incorporated in Division 1 of Contract Specifications. Two Traffic Control Officers have been hired for the Central Subway to facilitate traffic flow. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations For the Chinatown Station Work Package Final Design Mitigation Task Closed

Impact Category # / Impact # out of 68		Impact Summary	Mitigation Measures (MM) or Improvement Measures (IM)	Monitoring and Reporting Actions	Monitoring Status and Information Source
					Requirement has been incorporated in Division 1 of Contract Specifications. Two Traffic Control Officers have been hired for the Central Subway to facilitate traffic flow. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations For the Yerba Buena / Moscone Station Work Package Final Design Mitigation Task Closed Requirement has been incorporated in Division 1 of Contract Specifications. Two Traffic Control Officers have been hired for the Central Subway to facilitate traffic flow. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations For the Surface/Trackwork/Systems Work Package Final Design Mitigation Task Closed Requirement has been incorporated in Division 1 of Contract Specifications. Relevant Drawings: N/A Relevant Technical Specs: 01 55 26 Traffic Regulations
21. CONSTRUCTION - PREHISTORIC/ HISTORICAL ARCH. RESOURCES (CNPRE)					
46.	CNPRE 1	Excavation for the project will potentially affect Historical Archaeological Resources, including 6 locations identified for the possible presence of sensitive prehistoric archaeological resources, one known archaeological resource, and 13 locations where historical archaeological	**MM CNPRE-1a:** Consistent with the SHPO MOA with the City, FTA, and SFMTA shall work with a qualified archaeologist to ensure that all state and federal regulations regarding cultural resources and Native American concerns are enforced.	Check Final Engineering documents for compliance.	This applies to all of the Construction Contracts. For the Utilities Relocation #2 Contract To date, in order to ensure that all state and federal regulations regarding cultural resources and Native American concerns are enforced, the SFMTA has used the services of the Sonoma State Archeological Department to develop a site-specific Archaeological Research Design and Testing Program in the South of Market area, a program-wide Archaeological Research Design and Testing Program, an Archeological Monitoring Plan and an Archeological Testing Plan. Archaeological Drilling (Geo-Probing) has been performed at the Tunnel Portal Area and the Station area and is planned for the Union Square/Market Street area to search for archeological remains. Relevant Drawings: N/A Relevant Technical Specs: Section 01 11 00 1.11, Discovery of Archaeological Sites

Impact Category # / Impact # out of 68	Impact Summary	Mitigation Measures (MM) or Improvement Measures (IM)	Monitoring and Reporting Actions	Monitoring Status and Information Source
	resources might be uncovered.	M CNPRE-1a: Consistent with the SHPO MOA with the City, FTA, and SFMTA shall work with a qualified archaeologist to ensure that all state and federal regulations regarding cultural resources and Native American concerns are enforced.	Check Final Engineering documents for compliance.	For the Tunnels Contract To date, in order to ensure that all state and federal regulations regarding cultural resources and Native American concerns are enforced, the SFMTA has used the services of the Sonoma State Archeological Department to develop a site-specific Archaeological Research Design and Testing Program in the South of Market area, a program-wide Archaeological Research Design and Testing Program, an Archeological Monitoring Plan and an Archeological Testing Plan. Archaeological Drilling (Geo-Probing) has been performed at the Tunnel Portal Area and the Station area and is planned for the Union Square/Market Street area to search for archeological remains. Relevant Drawings: N/A Relevant Technical Specs: Special Provision SP-17, Discovery of Archaeological Sites For the Union Square/Market St Station Work Package To date, in order to ensure that all state and federal regulations regarding cultural resources and Native American concerns are enforced, the SFMTA has used the services of the Sonoma State Archeological Department to develop a program-wide Archaeological Research Design and Testing Program, an Archeological Monitoring Plan and an Archeological Testing Plan. Archaeological Drilling (Geo-Probing) will be performed at the Station Area by the Contractor to search for archeological remains. Relevant Drawings: N/A Relevant Technical Specs: Section 01 35 40, Archaeological Discoveries For the Chinatown Station Work Package To date, in order to ensure that all state and federal regulations regarding cultural resources and Native American concerns are enforced, the SFMTA has used the services of the Sonoma State Archeological Department to develop a program-wide Archaeological Research Design and Testing Program, an Archeological Monitoring Plan and an Archeological Testing Plan. Relevant Drawings: N/A Relevant Technical Specs: Section 01 35 40, Archaeological Discoveries; 1254R IFB - prepared for Advertisement. See Para. 1.04 F Archaeologist Services and 1.04 G monitoring personnel including Native American Representatives" (updated: 09/17/12)

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					For the Yerba Buena / Moscone Station Work Package To date, in order to ensure that all state and federal regulations regarding cultural resources and Native American concerns are enforced, the SFMTA has used the services of the Sonoma State Archeological Department to develop a site-specific Archaeological Research Design and Testing Program in the South of Market area, a program-wide Archaeological Research Design and Testing Program, an Archeological Monitoring Plan and an Archeological Testing Plan. Archaeological Drilling (Geo-Probing) will be performed at the Station Area by the Contractor to search for archeological remains. Relevant Drawings: N/A Relevant Technical Specs: Section 01 35 40, Archaeological Discoveries; IFB dated February 15, 2012. See Para. 1.04 F Archaeologist Services and 1.04 G "monitoring personnel including Native American Representatives" (updated: 09/17/12). For the Surface/Trackwork/Systems Work Package To date, in order to ensure that all state and federal regulations regarding cultural resources and Native American concerns are enforced, the SFMTA has used the services of the Sonoma State Archeological Department to develop a program-wide Archaeological Research Design and Testing Program, an Archeological Monitoring Plan and an Archeological Testing Plan. Relevant Drawings: N/A Relevant Technical Specs: Section 01 35 40, Archaeological Discoveries
47.	CNPRE 1	Same Impact Summary as above.	**MM CNPRE-1b:** Limited subsurface testing in identified archaeologically sensitive areas shall be conducted once an alignment has been selected.	Check Final Engineering documents for compliance.	This applies to all of the Construction Contracts. **No change since last update.** For the Utilities Relocation #2 Contract No subsurface testing is being performed for Utility Contract 2 as most of the work is being performed in sub-sidewalk basement vaults and therefore no potential archeological sensitive areas are anticipated to be disturbed. Relevant Drawings: N/A Relevant Technical Specs: Section 01 11 00 1.11, Discovery of Archaeological Sites

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				For the Tunnels Contract Archaeological Drilling (Geo-Probing) has been performed at the Tunnel Portal Area (the only sensitive location for the Tunnel Contract) to search for archeological remains. Nothing of any significance was found. Relevant Drawings: N/A Relevant Technical Specs: Special Provision SP-17, Discovery of Archaeological Sites For the Union Square/Market St Station Work Package Environmental Drilling was performed at the Station area in the 2nd Quarter of 2012. An archaeologist monitored this drilling for potential archaeological discoveries. Archaeological Drilling (Geo-Probing) was performed at the Station Area by the Contractor to search for archeological remains. The Archeologist consultant submitted an UMS Archaeological Testing Report Sept. 24, 2012. Relevant Drawings: N/A Relevant Technical Specs: Section 01 35 40, Archaeological Discoveries For the Chinatown Station Work Package Due to the inaccessibility of the site and limited sensitivity no subsurface testing will be performed during Final Design. Relevant Drawings: N/A Relevant Technical Specs: Section 01 35 40, Archaeological Discoveries; 1254R IFB prepared for Advertisement - See Para 3.03 Archaeological Sensitivity Zones. (updated - 09/17/12) For the Yerba Buena / Moscone Station Work Package Archaeological Drilling (Geo-Probing) has been performed at the Station Headhouse Area to search for archeological remains. Nothing of any significance was found. Also, results from archeological discoveries from the first Utility Contract will be used to develop the spec for the station contract. Archaeological Drilling (Geo-Probing) will be performed at the Station Area by the Contractor to search for archeological remains. Relevant Drawings: N/A

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					Relevant Technical Specs: Section 01 12 17 Work Sequence and Constraints; IFB dated February 15, 2012. See Para. 1.03.D.8 complete Archaeological Geoprobing as early activity before surface or subsurface construction activities can commence. Section 01 35 40 Archaeological Discoveries; IFB dated February 15, 2012. See Para. 3.03 Archaeological Sensitivity Zones. (updated: 09/17/12) For the Surface/Trackwork/Systems Work Package Due to the limited sensitivity no subsurface testing will be performed. Relevant Drawings: N/A Relevant Technical Specs: Section 01 35 40 Archaeological Discoveries
48	CNPRE 1	Same Impact Summary as above	**MM CNPRE-1c:** During construction, archaeological monitoring shall be conducted in those sections of the alignment identified in the completed HCASR and through pre-construction testing as moderately to highly sensitive for prehistoric and historic-era archaeological deposits.	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to all of the Construction Contracts. For the Utilities Relocation #2 Contract In addition to the contract requirements the SFMTA is providing an on site archaeological monitor and native American representative during excavation activities. Relevant Drawings: NA Relevant Technical Specs: Section 01 11 00 1.11; Discovery of Archaeological Sites For the Tunnels Contract Contractor requirements included in Special Provisions. SFMTA is providing an on site archaeological monitor and native American representative during excavation activities. Relevant Drawings: N/A Relevant Technical Specs: Special Provision SP-17; Discovery of Archaeological Sites **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source:** Contractor submittals and IDRs received by Resident Engineer. For the Union Square/Market St Station Work Package SFMTA will provide an on site archaeological monitor and Native American representative during excavation activities.

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					Relevant Drawings: N/A Relevant Technical Specs: Section 01 35 40, Archaeological Discoveries For the Chinatown Station Work Package SFMTA will provide an on site archaeological monitor and Native American representative during excavation activities. Relevant Drawings: N/A Relevant Technical Specs: Section 01 35 40, Archaeological Discoveries; 1254R IFB prepared for Advertisement - See Para. 3.01 Archaeological Investigations, Para. 3.02 Sequence of Operations, Para. 3.04 Consultation and Coordination, and Para 3.05 Evaluation and Treatment Decision Process for Historical Archaeology. (updated: 09/17/12) For the Yerba Buena / Moscone Station Work Package SFMTA will provide an on site archaeological monitor and Native American representative during excavation activities. Relevant Drawings: N/A Relevant Technical Specs: Section 01 35 40, Archaeological Discoveries; IFB dated February 15, 2012. See Para. 3.01 Archaeological Investigations, Para. 3.02 Sequence of Operations & Para. 3.04 Consultation and Coordination (updated: 09/17/12) For the Surface/Trackwork/Systems Work Package SFMTA will provide an on site archaeological monitor and Native American representative during excavation activities. Relevant Drawings: N/A Relevant Technical Specs: Section 01 35 40, Archaeological Discoveries
49.	CNPRE 1	Same Impact Summary as above.	**MM CNPRE-1d:** Upon completion of archaeological field investigations, a comprehensive technical report shall be prepared for approval by the San Francisco Environmental Review Officer that describes the archaeological findings and interpretations in accordance with state and	Check Final Engineering documents for compliance.	This applies to all of the Construction Contracts - No change since last contract. For the Utilities Relocation #2 Contract Report is currently being developed by the archaeologist retained by the SFMTA. Relevant Drawings: N/A

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		federal guidelines.		Relevant Technical Specs: Section 01 11 00 1.11 Discovery of Archaeological Sites For the Tunnels Contract Report will be developed at the end completion of construction by the archaeologist retained by the Contractor. Relevant Drawings: NA Relevant Technical Specs: Special Provision SP-17, Discovery of Archaeological Sites. For the Union Square/Market St Station Contract Report will be developed at the completion of construction by the archaeologist retained by the SFMTA. Relevant Drawings: NA Relevant Technical Specs: Section 01 35 40, Archaeological Discoveries For the Chinatown Station Contract Report will be developed at the completion of construction by the archaeologist retained by the SFMTA. Relevant Drawings: NA Relevant Technical Specs: Section 01 35 40, Archaeological Discoveries For the Yerba Buena / Moscone Station Contract Report will be developed at the completion of construction by the archaeologist retained by the SFMTA. Relevant Drawings: NA Relevant Technical Specs: Section 01 35 40, Archaeological Discoveries For the Surface/Trackwork/Systems Work Package Report will be developed at the completion of construction by the archaeologist retained by the SFMTA. Relevant Drawings: NA Relevant Technical Specs: Section 01 35 40, Archaeological Discoveries

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50.	CNPRE 1	Same Impact Summary as above.	**MM CNPRE-1e:** If unanticipated cultural deposits are found during subsurface construction, soil disturbing activities in the vicinity of the find shall be halted until a qualified archaeologist can assess the discovery and make recommendations for evaluation and appropriate treatment to the ERO for approval in keeping with adopted regulations and policies.	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to all of the Construction Contracts - No change since last quarterly report. For the Utilities Relocation #2 Contract In addition to the contract requirements the SFMTA is providing an on site archaeological monitor and native American representative during excavation activities. Relevant Drawings: NA Relevant Technical Specs: Section 01 11 00.1 11, Discovery of Archaeological Sites, of the 1250 and 1251 Utility Relocation Contract Packages. For the Tunnels Contract Contractor requirements included in Special Provisions. SFMTA is providing an on site archaeological monitor and Native American representative during excavation activities. Relevant Drawings: NA Relevant Technical Specs: Special Provision SP-17, Discovery of Archaeological Sites **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source:** Contractor submittals and IDRs received by Resident Engineer. For the Union Square/Market St Station Work Package Contractor requirements included in the specifications. SFMTA is providing an on site archaeologist, archaeological monitor, and Native American representative during excavation activities. Archaeologist is required to make recommendations to the ERO. Relevant Drawings: NA Relevant Technical Specs: Section 01 35 40, Archaeological Discoveries For the Chinatown Station Work Package Contractor requirements included in the specifications. SFMTA is providing an on site archaeologist, archaeological monitor, and Native American representative during excavation activities. Archaeologist is required to make recommendations to the ERO. Relevant Drawings: NA Relevant Technical Specs: Section 01 35 40, Archaeological Discoveries

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					Paragraphs 1.04 & 3.01B5-Halt Work For the Yerba Buena / Moscone Station Work Package Contractor requirements included in the specifications. SFMTA is providing an on site archaeologist, archaeological monitor, and Native American representative during excavation activities. Archaeologist is required to make recommendations to the ERO. Relevant Drawings: NA Relevant Technical Specs: Section 01 35 40, Archaeological Discoveries For the Surface/Trackwork/Systems Work Package Contractor requirements included in the specifications. SFMTA is providing an on site archaeologist, archaeological monitor, and Native American representative during excavation activities. Archaeologist is required to make recommendations to the ERO. Relevant Drawings: NA Relevant Technical Specs: Section 01 35 40, Archaeological Discoveries
22. CONSTRUCTION - HISTORICAL ARCHITECTURAL RESOURCES (CNHARC)					
51.	CNHARC-I	One historic architectural resource located at 933949 Stockton Street will be demolished and replaced by the Chinatown Station during construction of the project.	**MM CNHARC-1a**: Partial preservation of 933-949 Stockton Street or incorporation of elements of the building into the design of the new station building, salvage significant architectural features from the building for conservation in a historical display or exhibit in the CTS or in museums, and/or develop a permanent interpretive display for public use on the T-Third line cars or station walls.	Check Final Engineering documents for compliance.	This applies to the Chinatown Subway Station Work Package only. The historic architecture firm Carey and Co. found no historically significant elements of the existing building worth preserving. Space for displays, at this point just interpretations, is reserved at the concourse level. The program has worked with an artist to develop interpretive artwork within the station which will satisfy this mitigation. Relevant Drawings: AR-134 AR-132 Relevant Technical Specs: N/A
52.	CNHARC-I	Same Impact Summary as above	**MM CN-HARC-1b**: If the 933-949 Stockton Street building is demolished, perform a Historic American Buildings Survey/Historic American engineering Record documentation.	Check Final Engineering documents for compliance.	This applies to the Chinatown Subway Station Construction Contract only **No change since last update** The historic architecture firm of Carey and Co. has completed the report. Relevant Drawings: N/A Relevant Technical Specs: N/A

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53	CNHARC-2	There are 25 historic architectural resources along the alignment that could be impacted by construction-related ground borne vibration and visual disturbance.	**MM CNHARC-2a:** Pre-drilling for pile installation in areas that would employ secant piles with ground-supporting walls in the cut-and-cover areas would reduce the potential effects of vibration.	Design team has selected a drilled pile system that minimizes vibration and the need for pre-drilling. Check Final Engineering documents for compliance. **Monitor during construction**	This applies to the Tunnels, to the Union Square/Market St Subway Station, to the Yerba Buena / Moscone Subway Station and to the Chinatown Subway Station Construction Work Packages. For the Tunnels Contract: All proposed methods for installing shoring reflected in the plans (cased secant piles and diaphragm walls) are non-impact methods and therefore do not require predrilling for vibration control. Relevant Drawings: Required building monitoring measures for tunnel-related surface excavations at the TBM Launch Box are shown in Building Protection drawings BP-113; required instrumentation for the TBM Retrieval Shaft is shown in BP-101. Instrumentation for the areas where drilled pile installation methods will be used for the UMS headwalls constructed as part of CN1252 is shown in Drawing BP-108. Relevant Technical Specs: Allowable vibration limits are specified in Section 01 57 19 Environmental Mitigation Measures. Instrumentation and monitoring requirements are contained in Sections 31 09 13 Geotechnical Instrumentation and Monitoring. Section 31 09 15 Structural Instrumentation and Monitoring identifies specific historic buildings that require vibration monitoring. **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source:** Contractor submittals and IDRs received by Resident Engineer. For the Union Square/Market St Station Work Package: All proposed methods for installing shoring reflected in the plans (cased secant piles and diaphragm walls) are non-impact methods and therefore do not require predrilling for vibration control. Relevant Drawings: Building Protection Drawings. Relevant Technical Specs: Allowable vibration limits specified in 01 57 19 Environmental Mitigation Measures. Instrumentation and monitoring requirements are contained in Sections 31 09 13 Geotechnical Instrumentation and Monitoring and Section 31 09 15 Structural Instrumentation and Monitoring.

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					For the Chinatown Station Work Package The design utilizes slurry walls minimizing vibration so no drilling is required. Relevant Drawings: Building Protection Drawings Relevant Technical Specs: Allowable vibration limits specified in 01 57 19 Environmental Mitigation Measures. Instrumentation and monitoring requirements are contained in Sections 31 09 13 Geotechnical Instrumentation and Monitoring and Section 31 09 15 Structural Instrumentation and Monitoring. For the Yerba Buena / Moscone Station Work Package The design utilizes slurry walls minimizing vibration so no drilling is required. Relevant Drawings: Building Protection Drawings Relevant Technical Specs: Allowable vibration limits specified in 01 57 19 Environmental Mitigation Measures. Instrumentation and monitoring requirements are contained in Sections 31 09 13 Geotechnical Instrumentation and Monitoring and Section 31 09 15 Structural Instrumentation and Monitoring.
54	CNHARC-2	Same Impact Summary as above	**MM CNHARC-2b:** Vibration monitoring of historic structures adjacent to tunnels and portals will be specified in the construction documents to ensure that historic properties do not sustain damage during construction. Vibration impacts would be mitigated to a less-than-significant level. If a mitigation monitoring plan provides the following: The contractor will be responsible for the protection of vibration-sensitive historic building structures that are within 200 feet of any construction activity. The maximum peak particle vibration (PPV) velocity level, in any direction, at any of these historic structures should not exceed 0.12 inches/second for any length of time. The Contractor will be required to perform periodic vibration monitoring at the closest structure to ground disturbing construction activities, such as tunneling and station excavation, using approved seismographs.	Design team has selected a drilled pile system that minimizes vibration and the need for pre-drilling. Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to the Tunnels, to the Union Square/Market St Subway Station, to the Yerba Buena / Moscone Subway Station, and to the Chinatown Subway Station Construction Work Packages. For the Tunnels Contract Final Design Mitigation Task Closed Allowable noise and vibration limits are provided in the specifications. Relevant Drawings: Building Protection Drawings show block and parcel numbers for all buildings and can be used to locate historic buildings listed in Section 31 09 15 that require vibration monitoring. Relevant Technical Specs: Allowable vibration limits are specified in Section 01 57 19 Environmental Mitigation Measures. Instrumentation and monitoring requirements are contained in Sections 31 09 13 Geotechnical Instrumentation and Monitoring. Section 31 09 15 Structural Instrumentation and Monitoring identifies specific historic buildings that require vibration monitoring. **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source:** Contractor submittals and IDRs received by Resident Engineer.

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			If at any time the construction activity exceeds this level, that activity will immediately be halted until such time as an alternative construction method can be identified that would result in lower vibration levels.		For the Union Square/Market St Station Work Package Final Design Mitigation Task Closed Allowable noise and vibration limits are provided in the specifications. Relevant Drawings: Building Protection Drawings Relevant Technical Specs: Allowable vibration limits specified in 01 57 19 Environmental Mitigation Measures. Instrumentation and monitoring requirements are contained in Sections 31 09 13 Geotechnical Instrumentation and Monitoring and Section 31 09 15 Structural Instrumentation and Monitoring. For the Chinatown Station Work Package Allowable noise and vibration limits are provided in the specifications. Relevant Drawings: Building Protection Drawings Relevant Technical Specs: Allowable vibration limits specified in 01 57 19 Environmental Mitigation Measures. Instrumentation and monitoring requirements are contained in Sections 31 09 13 Geotechnical Instrumentation and Monitoring and Section 31 09 15 Structural Instrumentation and Monitoring. For the Yerba Buena / Moscone Station Work Package Allowable noise and vibration limits are provided in the specifications. Relevant Drawings: Building Protection Drawings Relevant Technical Specs: Allowable vibration limits specified in 01 57 19 Environmental Mitigation Measures. Instrumentation and monitoring requirements are contained in Sections 31 09 13 Geotechnical Instrumentation and Monitoring and Section 31 09 15 Structural Instrumentation and Monitoring.
23. CONSTRUCTION - VISUAL AND AESTHETIC RESOURCES (V AES)					
55.	CNVAES-1	The presence of construction equipment at the Yerba Buena / Moscone, Union Square and	1M CNVAES-1a: Construction staging areas and excavation sites in these areas may be screened from view during construction to minimize potential visual impacts.	Check Final Engineering documents for compliance. Monitor during construction.	This applies to all of the Construction Contracts For the Utilities Relocation #2 Contract The contractor is installing 6' high wood barricades to alleviate the visual impacts. These barricades include the names/logos of the adjacent retail store.

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	Chinatown Station locations and the North Beach tunnel excavation shaft would temporarily obstruct public views of these scenic landscapes and would temporarily change the streetscape along the Corridor.			Relevant Drawings: N/A Relevant Technical Specs: 01 57 19 Environmental Mitigation Measures For the Tunnels Contract: Spec 01 56 10 requires a 6 foot chain link fence around site areas with protection to the public from traffic, mud, and grout spillage. Contractor will be required to add slats to fence for screening purposes. Relevant Drawings: N/A Relevant Technical Specs: 01 56 10 Temporary Site Construction **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source**: Contractor submittals and IDRs received by Resident Engineer. For the Union Square/Market St Station Work Package The contractor is required to provide Chain Link Fence with Slats to minimize visual impacts. Relevant Drawings: N/A Relevant Technical Specs: 01 56 10 Temporary Site Construction, 1.10A For the Chinatown Station Work Package The contractor is required to provide Chain Link Fence with Slats to minimize visual impacts. Relevant Drawings: N/A Relevant Technical Specs: 01 56 10 Temporary Site Construction, 1.10A For the Yerba Buena / Moscone Station Work Package The contractor is required to provide Chain Link Fence with Slats to minimize visual impacts. Relevant Drawings: N/A Relevant Technical Specs: 01 56 10 Temporary Site Construction, 1.11, Fencing, Section C For the Surface/Trackwork/Systems Work Package The contractor is required to provide Chain Link Fence with Slats to minimize visual impacts. Relevant Drawings: N/A Relevant Technical Specs: 01 56 10 Temporary Site Construction, 1.11 A 2

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56	CN-VAES-1	Same Impact Summary as above.	**IM CN-VAES-1b:** In visually sensitive landscapes, like Union Square and Chinatown, temporary screening or physical barriers around the station construction sites and shaded night lights may be used to reduce the visual effects of construction equipment and to reduce glare.	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to all of the Construction For the Utilities Relocation #2 Contract The contractor is installing 6' high wood barricades to alleviate the visual impacts. Any night work shall include shaded lighting. Relevant Drawings: N/A Relevant Technical Specs: 01 57 19 For the Tunnels Contract The contractor is required to install barricades to alleviate the visual impacts. Any night work shall include shaded lighting. Relevant Drawings: N/A Relevant Technical Specs: 01 57 19 **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source:** Contractor submittals and IDRs received by Resident Engineer. For the Union Square/Market St Station Work Package The contractor is required to provide Chain Link Fence with Slats to minimize visual impacts. Construction lighting shall be directed to minimize nuisance to surrounding property owners and users. Relevant Drawings: N/A Relevant Technical Specs: 01 56 10 Temporary Site Construction, 1.10A, 1.14 For the Chinatown Station Work Package The contractor is required to provide Chain Link Fence with Slats to minimize visual impacts. Construction lighting shall be directed to minimize nuisance to surrounding property owners and users. Relevant Drawings: N/A Relevant Technical Specs: 01 56 10 Temporary Site Construction, 1.10A, 1.14

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					For the Yerba Buena / Moscone Station Work Package The contractor is required to provide Chain Link Fence with Slats to minimize visual impacts. Construction lighting shall be directed to minimize nuisance to surrounding property owners and users. Relevant Drawings: N/A Relevant Technical Specs: 01 56 10 Temporary Site Construction, 1.10A, 1.14 For the Surface/Trackwork/Systems Work Package The contractor is required to provide Chain Link Fence with Slats to minimize visual impacts. Construction lighting shall be directed to minimize nuisance to surrounding property owners and users. Relevant Drawings: N/A Relevant Technical Specs: 01 56 10 Temporary Site Construction, 1.10A, 1.14
24. CONSTRUCTION – UTILITIES (CNUTL)					
57	CNUT-1	Construction of the subway and stations would require major utility relocation work, which could affect private parcel connections to main utility lines and result in short-term utility service disruption as relocated utility lines are reconnected to the utility system. Utility relocation would require street and sidewalk excavations that would impact traffic and pedestrian flows adjacent to the relocation areas. Permanent vacation	IM CNUT-1a: Utility relocation coordination would take place during detailed design in consultation with the utility agencies and the design team and would be phased to ensure that pedestrian and vehicular traffic flows are maintained.	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to all of the Construction Contracts For the Utilities Relocation #2 Contract Contract documents have been prepared in coordination with all affected City and private utilities. Relevant Drawings: All Relevant Technical Specs: Division 33 – Utilities 01 55 26, Traffic Control For the Tunnels Contract Contract documents have been prepared in coordination with all affected City and private utilities. Relevant Drawings: All Relevant Technical Specs: Division 33 – Utilities **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source:** Contractor submittals and IDRs received by Resident Engineer. For the Union Square/Market St Station Work Package Contract documents have been prepared in coordination with all affected City and private utilities.

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		of subsurface sidewalk basements may be required.			Relevant Drawings: All Relevant Technical Specs: Division 33 – Utilities For the Chinatown Station Work Package Contract documents have been prepared in coordination with all affected City and private utilities. Relevant Drawings: All Relevant Technical Specs: Division 33 – Utilities For the Yerba Buena / Moscone Station Work Package Contract documents have been prepared in coordination with all affected City and private utilities. Relevant Drawings: All Relevant Technical Specs: Division 33 – Utilities For the Surface/Trackwork/Systems Work Package Contract documents are being prepared in coordination with all affected City and private utilities. Relevant Drawings: All Relevant Technical Specs: Division 33 – Utilities
25. CONSTRUCTION – GEOLOGY AND SEISMICITY (CNSET)					
58.	CNSET-1	Construction period settlement could cause damage to existing building foundations, subsurface utilities, and surface improvements.	**MM CNSET-1a:** Provisions such as concrete diaphragm walls to support the excavation and instrumentation to monitor settlement and deformation would be used to ensure that structures adjacent to tunnel alignments are not affected by excavations.	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to the Tunnels Construction Contract only. Shoring systems for TBM Launch Box and TBM Retrieval Shaft employ either internally braced cased secant piles or slurry type diaphragm walls to provide a relatively watertight and stiff support system. Instrumentation provided around all shafts to verify support system performance. Relevant Drawings: Structural designs for diaphragm walls for TBM Launch Box are shown in Drawings: ES-501 through ES-563. For TBM Retrieval Shaft: ST-162 through 183 Required building monitoring measures for tunnel-related surface excavations at the TBM Launch Box are shown in Building Protection drawings BP-113; required instrumentation for the TBM Retrieval Shaft is shown in BP-101. Relevant Technical Specs: Specifications for wall systems are provided in Section 31 62 13.14 Secant Pile Diaphragm Walls and 31 66 16.46 Slurry

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					Diaphragm Foundation Walls Instrumentation and monitoring requirements are contained in Sections 31 09 13 Geotechnical Instrumentation and Monitoring and Section 31 09 15 Structural Instrumentation and Monitoring. Vibration limits are specified in Section 01 57 19 Environmental Mitigation Measures. **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source:** Contractor submittals and IDRs received by Resident Engineer.
59	CNSET -1	Same Impact Summary as above	**MM CNSET-1b:** Tunnel construction methods that minimize ground movement, such as pressure-faced TBMs, Sequential Excavation Method, and ground improvement techniques such as compensation grouting, jet grouting or underpinning will be used.	Check Final Engineering documents for compliance.	This applies to the Tunnels to the Union Square/Market St Subway Station, to the Yerba Buena / Moscone Subway Station, and to the Chinatown Subway Station Construction Work Packages. For the Tunnels Contract Final Design Mitigation Task Closed State-of-the-art Pressurized Face TBMs are required for the tunnel construction. Mandatory compensation grouting required for all buildings that the TBM tunnels cross beneath (Grout A buildings). Relevant Drawings: Building Protection drawings BP-121 through BP-131 show buildings where use of compensation grouting is mandatory. Drawings BP-101 through BP113 show layout of required settlement instrumentation. Relevant Technical Specs: Section 31 71 19 Tunnel Excavation by Tunnel Boring Machine provides specific requirements for mandatory use of a pressurized face tunnel boring machine. Allowable vibration limits are specified in Section 01 57 19 Environmental Mitigation Measures. Instrumentation and monitoring requirements are contained in Sections 31 09 13 Geotechnical Instrumentation and Monitoring and 31 09 15 Structural Instrumentation and Monitoring. Compensation grouting requirements are addressed in Section 31 43 14 Compensation Grouting.

Impact Category # / Impact # out of 68		Impact Summary	Mitigation Measures (MM) or Improvement Measures (IM)	Monitoring and Reporting Actions	Monitoring Status and Information Source
					For the Union Square/Market St Station Work Package This mitigation measure refers to tunnel construction, and does not apply to the construction of Union Square / Market Street Station. Relevant Drawings: N/A Relevant Technical Specs: N/A For the Chinatown Station Work Package This mitigation measure refers to tunnel construction, and does not apply to the construction of Chinatown Station. Relevant Drawings: N/A Relevant Technical Specs: N/A For the Yerba Buena / Moscone Station Work Package This mitigation measure refers to tunnel construction, and does not apply to the construction of Yerba Buena / Moscone Station. Relevant Drawings: N/A Relevant Technical Specs: N/A
60.	CNSET -1	Same Impact Summary as above	**MM CNSET-1c:** Rigorous geomechanical instrumentation would be used to monitor underground excavation and grouting or underpinning will be employed to avoid displacement of structures.	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to the Tunnels, to the Union Square/Market St Subway Station, to the Yerba Buena / Moscone Subway Station, and to the Chinatown Subway Station Construction Work Packages. For the Tunnels Contract Mandatory compensation grouting is required for all buildings that the TBM tunnels cross beneath (Grout A buildings). Mandatory settlement/deformation instrumentation required on all potentially affected buildings along alignment and inside BART Tunnels. Relevant Drawings: See Building Protection drawing series BP-001 through BP-316 Relevant Technical Specs: 31 09 13 Geotechnical Instrumentation and Monitoring 31 09 15 Structural Instrumentation and Monitoring **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source:** Contractor submittals and IDRs received by Resident Engineer

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				For the Union Square/Market St Station Work Package Required building monitoring and compensation grouting measures for station-related excavations are shown in the Building Protection drawings. Instrumentation and monitoring requirements, as well as requirements for a compensation grouting program to mitigate building settlement, are contained in the technical specifications. Relevant Drawings: BP- drawings Relevant Technical Specs: 31 09 13 Geotechnical Instrumentation and Monitoring 31 09 15 Structural Instrumentation and Monitoring 31 43 14 Compensation Grouting For the Chinatown Station Work Package Contract documents outline the specific measures and mitigation strategies available to the contractor to minimize displacement of structures. Detailed instrumentation inside the cavern excavation, on the ground surface, in the ground between the cavern and the ground surface and of individual buildings will inform the use of mitigation measures, such as compensation grouting and modification of the ground excavation and support methods. Relevant Drawings: BP-011, -012, -013, -031 and -032; ES-981, -982, -983, -984, -985, -986 and -991 Relevant Technical Specs: 31 09 13 Geotechnical Instrumentation and Monitoring; 31 09 13.60 SEM Tunnel Instrumentation and Monitoring; and 31 09 15 Structural Instrumentation and Monitoring; 31 43 14 Compensation Grouting For the Yerba Buena / Moscone Station Contract Required building monitoring and compensation grouting measures for station-related excavations are shown in the Building Protection drawings. Instrumentation and monitoring requirements, as well as requirements for a compensation grouting program to mitigate building settlement, are contained in the technical specifications. Relevant Drawings: BP- drawings Relevant Technical Specs: 31 09 13 Geotechnical Instrumentation and Monitoring 31 09 15 Structural Instrumentation and Monitoring 31 43 14 Compensation Grouting

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61.	CNSET-2	Construction of the deep subway crossing under the BART tunnel could result in the potential displacement of the BART structures.	**MM CNSET-2a**: Automated ground movement monitoring will be used to detect distortion on the BART/Muni Metro tunnels and grout pipes will be placed prior to tunnel excavation to allow immediate injection of compensation grouting to replace ground losses if deformation exceeds established thresholds.	Check Final Engineering documents for compliance. **Monitor during construction**.	This applies to the Tunnels Construction Contract only. Mandatory compensation grouting is required where the TBM tunnels cross beneath the BART tunnels. Mandatory settlement/deformation instrumentation is required inside the BART Tunnels. Relevant Drawings: See Building Protection drawing series BP-122, 123 and 124 and through BP-313 and 316 Relevant Technical Specs: 31 09 15 Structural Instrumentation and Monitoring 31 43 14 Compensation Grouting **Tunnel Construction Monitoring Status:** Underway and On Going. **Monitoring source**: Contractor submittals and IDRs received by Resident Engineer.
26. CONSTRUCTION – HYDROLOGY AND WATER QUALITY (CNHWQ))					
62.	CNHWQ-I	Construction activities at the Union Square Station could increase or otherwise disrupt flow of ground water to the Powell Street Station.	**MM CNHWWQ-1a**: Watertight shoring and fully waterproof station structures will be designed and constructed to avoid compounding ground water inflows to the Powell Street Station.	Check Final Engineering documents for compliance. **Monitor during construction**.	This applies to the Union Square/Market St Subway Station Construction Work Package only. Station structures are designed to avoid compounding ground water inflows to the Powell Street Station. Requirements of a Hydrogeological Study have been incorporated into the contract documents. Relevant Drawings: ST-911 to ST-919 Relevant Technical Specs: 07 14 16 Cold Fluid-Applied Waterproofing
27. CONSTRUCTION – BIOLOGICAL AND WETLAND RESOURCES (CNBIO)					
63.	CNBIO-1	Construction could result in the removal of existing street trees along the surface segment of Fourth Street, at station entries on Fourth and Stockton	**IM CNBIO-1a**: Any street trees removed or damaged as part of construction would be replaced along the street at a 1:1 ratio.	Check Final Engineering documents for compliance. **Monitor during construction**.	This applies to the Utilities Relocation #2 and to the Tunnels Construction Contracts For the Utilities Relocation #2 Contract Trees removed will be replaced at a ratio of 2:1. Current plans require removal of only one tree. Relevant Drawings: N/A Relevant Technical Specs: 01 76 29 Protection of Existing Property Article

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		Streets, and at the One Stockton entrance to Chinatown.			1.06 Street Tree Protection For the Tunnels Contract Relevant Drawings: Landscaping Plans LA-011, 012, 021, 022 and 031 Relevant Technical Specs: 01 76 29 Protection of Existing Property Article 1.06 Street Tree Protection 32 90 05 Tree Protection, Pruning, Root Pruning and Removal 32 90 00 Planting **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source**: Contractor submittals and IDRs received by Resident Engineer. a. A single tree in the median divider of Columbus Ave. was signed for removal in compliance with the notification b. The location of where the tree in the median divider of Columbus Ave. is to be removed is shown in the Landscaping Demolition Plan Sheet 2 of 2, Drawing No. LA-012 c. The removal of the tree was preceded by a permit from DPW-Bureau of Urban Forests (BUF) Aug. 2012 d. A permit for removal was been requested from BUF July 2012. e. The permit process requires a notification including a posting on the tree; the posting was placed on the tree. f. The location where the replacement tree would be planted is shown on the Landscaping Planting Plan Sheet 1 of 2, Drawing No. LA-021. g. By carrying out the contract specifications and implementing the contract drawings through completion, the contractor would carry out the mitigation specified in the MMRP.
64	CNBIO-2	During construction of the North Beach Tunnel Variant for removal of the tunnel boring machine at Columbus Avenue and Union Street adjacent to Washington Square Park, exposure of roots of mature trees	**IM CNBIO-2a:** A certified arborist would be present as needed during excavation of the Columbus Avenue TBM retrieval shaft to monitor protection of tree roots.	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to the Tunnels Construction Contract only For the Tunnel Contract - Construction Implementation a. The specification call out specific tasks the contractor will carry out during construction near trees. b. A tree protection plan has been prepared to carry out these tasks. A certified arborist Jim Clark, HortScience, Inc., was selected and retained. c. HortScience submitted Monitoring Report #1 Union Columbus tree inspection of Synergy 9-14 2012 from a monitoring of the excavation on Columbus Ave 9-14. HortScience recommended tree protection when performing work in close

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		could occur.			proximity to the trees. d. The arborist will be present as needed during excavation to monitor protection of tree roots. e. By carrying out the specifications below, the construction contractor, with the arborist on site, carries out the mitigation specified in the MMRP. Relevant Drawings: Landscaping Plans LA-011, 012, 021, 022 and 031 Relevant Technical Specs: 01 76 29 Protection of Existing Property Article 1.06 Street Tree Protection 32 90 05 Tree Protection, Pruning, Root Pruning and Removal **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source:** Contractor submittals and IDRs received by Resident Engineer.
28. CONSTRUCTION - HAZARDOUS MATERIALS (CNHAZ)					
65			**MM CNHAZ-1a:** Implementation of mitigation measures similar to those required for properties under the jurisdiction of Article 20: preparation of a Site History Report, Soil Quality Investigation, including a Soils Analysis Report and a Site Mitigation Report (SMR); description of Environmental Conditions; Health and Safety Plan (HSP); Guidelines for the Management and Disposal of Excavated Soils; and a Certification Statement that confirms that no mitigation is required or the SMR would mitigate the risks to the environment of human health and safety. This measure would ensure that the project impacts are mitigated to a less-than-significant level.	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to all of the Construction Contracts For the Utilities Relocation #2 Contract – Construction Contract Closed Dec. 2012 Specifications address management, handling and disposal of hazardous materials as well as the health and safety aspects. Relevant Drawings: N/A Relevant Technical Specs: 01 35 29.10 Health and Safety 01 57 19 Environmental Mitigation Measures 01 57 23 Environmental Management of Excavated Materials For the Tunnels Contract Specifications address management, handling and disposal of hazardous materials as well as the health and safety aspects. Relevant Drawings: N/A Relevant Technical Specs: 01 35 29.10 Health and Safety 01 57 19 Environmental Mitigation Measures 01 57 23 Environmental Management of Excavated Materials **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source:** Contractor submittals and IDRs received by Resident Engineer.

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		CNHAZ-1a: Implementation of mitigation measures similar to those required for properties under the jurisdiction of Article 20: preparation of a Site History Report; Soil Quality Investigation, including a Soils Analysis Report and a Site Mitigation Report (SMR); description of Environmental Conditions; Health and Safety Plan (HSP); Guidelines for the Management and Disposal of Excavated Soils; and a Certification Statement that confirms that no mitigation is required or the SMR would mitigate the risks to the environment of human health and safety. This measure would ensure that the project impacts are mitigated to a less-than-significant level. **(continued from previous page)**	Check Final Engineering documents for compliance. **Monitor during construction.**	For the Union Square/Market St Station Contract The contractor shall perform a Soil Quality Investigation by taking soil borings, performing soil sampling, and soil testing prior to excavation in order to determine the types of material, whether hazardous, and the appropriate facility for disposal or reuse. The contractor shall submit a monthly Soils Analysis Report, in the form of a spreadsheet, for all soils to be disposed from the site. For a Site Mitigation Report the contractor shall list the disposal locations of all excavated soils on this spreadsheet. The specifications include a Description of Environmental Conditions, titled as "Site Conditions", that lists all the reports available to the contractor relating to Environmental Conditions. The contractor is required to submit a Health and Safety Plan, designated as Injury Illness Prevention Program, for approval. Contractor shall also adhere to all the requirements listed in Specification 01 35 29.10, Health and Safety. The contractor is required to submit for approval an Excavated Materials Management Plan that states their guidelines for the Management and Disposal of Excavated Soils. Certification Statement that confirms that no mitigation is required or the SMR would mitigate the risks to the environment of human health and safety shall be conformed to by generating Hazardous Waste or Non Hazardous Waste Manifests. Relevant Drawings: N/A Relevant Technical Specs: 01 35 00 Hazardous Materials Conditions 01 35 29.10 Health and Safety 1.03 & 1.06 01 57 19 Environmental Mitigation Measures 01 57 23 Environmental Management of Excavated Materials For the Chinatown Station Contract The contractor shall perform a Soil Quality Investigation by taking soil borings, performing soil sampling, and soil testing prior to excavation in order to determine the types of material, whether hazardous, and the appropriate facility for disposal or reuse. The contractor shall submit a monthly Soils Analysis Report, in the form of a spreadsheet, for all soils to be disposed from the site. For a Site Mitigation Report the contractor shall list the disposal locations of all excavated soils on this spreadsheet. The specifications include a Description of Environmental Conditions, titled as "Site Conditions", that lists all the reports available to the contractor

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				relating to Environmental Conditions. The contractor is required to submit a Health and Safety Plan, designated as Injury Illness Prevention Program, for approval. Contractor shall also adhere to all the requirements listed in Specification 01 35 29.10, Health and Safety. The contractor is required to submit for approval an Excavated Materials Management Plan that states their guidelines for the Management and Disposal of Excavated Soils. Certification Statement that confirms that no mitigation is required or the SMR would mitigate the risks to the environment of human health and safety shall be conformed to by generating Hazardous Waste or Non Hazardous Waste Manifests. Relevant Drawings: N/A Relevant Technical Specs: 01 35 00 Hazardous Materials Conditions 01 35 29.10 Health and Safety 1.03 & 1.06 01 57 19 Environmental Mitigation Measures 01 57 23 Environmental Management of Excavated Materials For the Yerba Buena / Moscone Station Contract The contractor shall perform a Soil Quality Investigation by taking soil borings, performing soil sampling, and soil testing prior to excavation in order to determine the types of material, whether hazardous, and the appropriate facility for disposal or reuse. The contractor shall submit a monthly Soils Analysis Report, in the form of a spreadsheet, for all soils to be disposed from the site. For a Site Mitigation Report the contractor shall list the disposal locations of all excavated soils on this spreadsheet. The specifications include a Description of Environmental Conditions, titled as "Site Conditions", that lists all the reports available to the contractor relating to Environmental Conditions. The contractor is required to submit a Health and Safety Plan, designated as Injury Illness Prevention Program, for approval. Contractor shall also adhere to all the requirements listed in Specification 01 35 29.10, Health and Safety. The contractor is required to submit for approval an Excavated Materials Management Plan that states their guidelines for the Management and Disposal of Excavated Soils. Certification Statement that confirms that no mitigation is required or the SMR would mitigate the risks to the environment of human health and safety shall be conformed to by generating Hazardous Waste or Non Hazardous

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				Waste Manifests. Relevant Drawings: N/A Relevant Technical Specs: 01 35 00 Hazardous Materials Conditions 01 35 29.10 Health and Safety 1.03 & 1.06 01 57 19 Environmental Mitigation Measures 01 57 23 Environmental Management of Excavated Materials For the Surface/Trackwork/Systems Work Package The contractor shall perform a Soil Quality Investigation by taking soil borings, performing soil sampling, and soil testing prior to excavation in order to determine the types of material, whether hazardous, and the appropriate facility for disposal or reuse. The contractor shall submit a monthly Soils Analysis Report, in the form of a spreadsheet, for all soils to be disposed from the site. For a Site Mitigation Report the contractor shall list the disposal locations of all excavated soils on this spreadsheet. The specifications include a Description of Environmental Conditions, titled as "Site Conditions", that lists all the reports available to the contractor relating to Environmental Conditions. The contractor is required to submit a Health and Safety Plan, designated as Injury Illness Prevention Program, for approval. Contractor shall also adhere to all the requirements listed in Specification 01 35 29.10, Health and Safety. The contractor is required to submit for approval an Excavated Materials Management Plan that states their guidelines for the Management and Disposal of Excavated Soils. Certification Statement that confirms that no mitigation is required or the SMR would mitigate the risks to the environment of human health and safety shall be conformed to by generating Hazardous Waste or Non Hazardous Waste Manifests. Relevant Drawings: N/A Relevant Technical Specs: 01 35 00 Hazardous Materials Conditions 01 35 29 Health and Safety 01 57 19 Environmental Mitigation Measures 01 57 23 Environmental Management of Excavated Materials

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29.	**CONSTRUCTION - NOISE AND VIBRATION (CNNV)**				
66.	CNNV-I.	Historic buildings within 200 feet of a construction area may be subject to adverse vibration impacts if the maximum peak particle vibration (PPV) velocity level in any direction exceeds 0.12 inches/second for any length of time.	**MM CNNV-1a.** The Contractor shall be required to perform periodic vibration monitoring using approved seismographs at the historic structure closest to the construction activity. If the construction activity exceeds a 0.12 inches/second level, the construction activity shall be immediately halted until an alternative construction method that would result in lower vibration levels can be identified.	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to all of the Construction Contracts. For the Utilities Relocation #2 Contract Noise and Vibration Control Plans are required per Contract Specifications. The City has a consultant on board who will monitor noise and vibration levels to ensure contract compliance. Relevant Drawings: N/A Relevant Technical Specs: Sections 01 57 19 1.08, Noise Control and 01 57 19 1.09, Vibration Control to Prevent Cosmetic Damage, of the 1250 and 1251 Utility Relocation Contract Specifications. For the Tunnels Contract Specifications address the 0.12 in/sec vibration level for historic structures. Relevant Drawings: N/A Relevant Technical Specs: 01 57 19 Environmental Mitigation Measures, 31 09 15 Structural Instrumentation and Monitoring **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source:** Contractor submittals and IDRs received by Resident Engineer. For the Union Square/Market St Station Contract Noise and Vibration Control Plans are required per Contract Specifications. The City has a consultant on board who will monitor noise and vibration levels to ensure contract compliance. The

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				specifications include vibration project action levels, including one for 0.12 inches/sec for adjacent historic structures that halt construction when met. Relevant Drawings: N/A Relevant Technical Specs: 01 57 19 Environmental Mitigation Measures, 31 09 15 Structural Instrumentation and Monitoring For the Chinatown Station Contract Noise and Vibration Control Plans are required per Contract Specifications. The City has a consultant on board who will monitor noise and vibration levels to ensure contract compliance. The specifications include vibration project action levels, including one for 0.12 inches/sec for adjacent historic structures that halt construction when met. Relevant Drawings: N/A Relevant Technical Specs: 01 57 19 Environmental Mitigation Measures, 31 09 15 Structural Instrumentation and Monitoring For the Yerba Buena / Moscone Station Contract Noise and Vibration Control Plans are required per Contract Specifications. The City has a consultant on board who will monitor noise and vibration levels to ensure contract compliance. The specifications include vibration project action levels, including one for 0.12 inches/sec for adjacent historic structures that halt construction when met. Relevant Drawings: N/A Relevant Technical Specs: 01 57 19 Environmental Mitigation Measures, 31 09 15 Structural Instrumentation and Monitoring For the Surface/Trackwork/Systems Work Package Noise and Vibration Control Plans are required per Contract Specifications. The City has a consultant on board who will monitor noise and vibration levels to ensure contract compliance. The specifications include vibration project action levels, including one for 0.12 inches/sec for adjacent historic structures that halt construction when met. Relevant Drawings: N/A Relevant Technical Specs: 01 57 19 Environmental Mitigation Measures

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67.	CNNV-1 (cont)	Same Impact Summary as above.	**MM CNNV-1b:** During construction, an acoustical consultant will be retained by the contractor to prepare a more detailed construction noise and vibration analysis to address construction staging areas, tunnel portals, cut-and-cover construction, and underground mining and excavation operations.	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to the Tunnels, to the Union Square/Market St Subway Station, to the Chinatown Subway Station, to the Yerba Buena/Moscone Subway Station, and to the Surface/Trackwork/Systems Work PackageContracts. For the Tunnels Contract Final Design Mitigation Task Closed Contract specifications require that the Contractor have a qualified noise and vibration consultant to develop and implement a Noise and Vibration Mitigation Monitoring and Reporting Program. The 1252 Contractor has a consultant on board and they are setting the instrumentation to establish baseline readings in order to prepare and submit the Noise and Vibration Control Plan. Relevant Drawings: N/A Relevant Technical Specs: Sections 01 57 19 1.08, Construction Noise Controls and 01 57 19 1.09, Vibration Control of the Contract Specifications. **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source:** Contractor submittals and IDRs received by Resident Engineer. For the Union Square/Market St Station Contract The contractor is required to retain the services of a qualified noise and vibration consultant to develop a noise and vibration analysis (identified in the specs as the "Noise and Vibration Control Plan") Relevant Drawings: N/A Relevant Technical Specs: 01 57 19 Environmental Mitigation Measures 1.08D For the Chinatown Station Contract The contractor is required to retain the services of a qualified noise and vibration consultant to develop a noise and vibration analysis (identified in the specs as the "Noise and Vibration Control Plan") Relevant Drawings: N/A

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2012 4th Quarter Update

Impact Category # / Impact # out of 68		Impact Summary	Mitigation Measures (MM) or Improvement Measures (1M)	Monitoring and Reporting Actions	Monitoring Status and Information Source
					Relevant Technical Specs: 01 57 19 Environmental Mitigation Measures, 1.08C For the Yerba Buena / Moscone Station Contract The contractor is required to retain the services of a qualified noise and vibration consultant to develop a noise and vibration analysis (identified in the specs as the "Noise and Vibration Control Plan") Relevant Drawings: N/A Relevant Technical Specs: 01 57 19 Environmental Mitigation Measures, 1.08 For the Surface/Trackwork/Systems Work Package The contractor is required to retain the services of a qualified noise and vibration consultant to develop a noise and vibration analysis (identified in the specs as the "Noise and Vibration Control Plan") Relevant Drawings: N/A Relevant Technical Specs: 01 57 19 Environmental Mitigation Measures, 1.08
68	CNNV-2	Noise in the range of 85 to 89 dBA at 100 feet would be generated from construction activities along surface portions of the alignment and at staging areas and station or portal construction areas. Vibration levels of 58 to 112 Lv at 25 feet would be experienced as a result of equipment used during at grade construction activities. Vibration impacts on buildings	**1M CNNV-2a:** The incorporation of noise control measures would minimize noise impacts during construction; noise control devices such as equipment mufflers, enclosures, and barriers; stage construction as far away from sensitive receptors as possible; maintain sound reducing devices and restrictions throughout construction period; replace noisy with quieter equipment; schedule the noisiest construction activities to avoid sensitive times of the day. The contractor will hire an acoustical consultant to oversee the implementation of the Noise Control and Monitoring Plans; prepare a Noise Control Plan; and comply with the nighttime noise variance provisions. The consultant will conduct and report on periodic noise measurements to ensure	Check Final Engineering documents for compliance. **Monitor during construction.**	This applies to the Tunnels, to the Union Square/Market St Subway Station, to the Chinatown Subway Station, to the Yerba Buena / Moscone Subway Station, and to the Surface/Trackwork/SystemsWork PackageContracts. For the Tunnels Contract: Noise restrictions are incorporated in the specifications. The contractor is required to develop Noise and Vibration Control Plans. The 1252 Contractor has a consultant on board and they are setting the instrumentation to establish baseline readings in order to prepare and submit the Noise and Vibration Control Plan. Relevant Drawings: N/A Relevant Technical Specs: Sections 01 57 19 1.08, Construction Noise Controls and 01 57 19 1.09, Vibration Control of the Contract Specifications. **Tunnel Construction Monitoring Status:** Underway and On Going **Monitoring source**: Contractor submittals and IDRs received by Resident

Impact Category # Impact # out of 68	Impact Summary	Mitigation Measures (MM) or Improvement Measures (1M)	Monitoring and Reporting Actions	Monitoring Status and Information Source
	could result from equipment used for underground construction, particularly from tunneling.	compliance with the Noise Monitoring Plan using up to date equipment certified to meet specified lower noise level limits during nighttime hours.		Engineer. For the Union Square/Market St Station Contract The specifications include noise restrictions addressing this mitigation. The contractor is also required to develop a Noise and Vibration Control Plan. This plan will address adhering to the restrictions. Relevant Drawings: N/A Relevant Technical Specs: 01 57 19 Environmental Mitigation Measures, 1.08 Construction Noise Controls. For the Chinatown Station Contract The specifications include noise restrictions addressing this mitigation. The contractor is also required to develop a Noise and Vibration Control Plan. This plan will address adhering to the restrictions. Relevant Drawings: N/A Relevant Technical Specs: 01 57 19 Environmental Mitigation Measures, 1.08 Construction Noise Controls For the Yerba Buena / Moscone Station Contract The specifications include noise restrictions addressing this mitigation. The contractor is also required to develop a Noise and Vibration Control Plan. This plan will address adhering to the restrictions. Relevant Drawings: N/A Relevant Technical Specs: 01 57 19 Environmental Mitigation Measures, 1.08 Construction Noise Controls For the Surface/Trackwork/Systems Work Package The specifications include noise restrictions addressing this mitigation. The contractor is also required to develop a Noise and Vibration Control Plan. This plan will address adhering to the restrictions. Relevant Drawings: N/A Relevant Technical Specs: 01 57 19 Environmental Mitigation Measures, 1.08 Construction Noise Controls

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NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

LAND USE & ECONOMIC DEVELOPMENT COMMITTEE

NOTICE IS HEREBY GIVEN THAT the Land Use and Economic Development Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: **Monday, February 11, 2013**

Time: **1:30 p.m.**

Location: **Committee Room 263, located at City Hall**
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Subject: **File No. 130019.** Ordinance amending the Planning Code, by adding Section 249.70, to create the Central Subway Tunnel Boring Machine Extraction Site Special Use District for the property located at Assessor's Block No. 0101, Lot No. 004, known as 1731-1741 Powell Street; to facilitate the removal of the tunnel boring machines used in the construction of the Central Subway Project and to allow the construction of a previously approved mixed-use residential/retail building; amending Sectional Zoning Maps HT 01 and SU 01 to reflect the Central Subway Tunnel Boring Machine Extraction Site Special Use District; and adopting findings, including environmental findings, and findings of consistency with the General Plan.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public record in this matter, and shall be brought to the attention of the Members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information relating to this matter will be available for public review on Friday, February 8, 2013.

Angela Calvillo, Clerk of the Board

DATED: January 29, 2013
PUBLISHED: February 1, 2013

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NOTICE OF PUBLIC HEARING
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LAND USE & ECONOMIC DEVELOPMENT COMMITTEE
FEBRUARY 11, 2013 - 1:30 PM
COMMITTEE ROOM 263, CITY HALL
1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA

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Angela Calvillo, Clerk of the Board

Miller, Alisa

From: glenda_sobrique@dailyjournal.com
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NOTICE OF PUBLIC HEARING BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE & ECONOMIC DEVELOPMENT COMMITTEE FEBRUARY 11, 2013 - 1:30 PM COMMITTEE ROOM 263, CITY HALL 1 DR.C ARLTON B.G OODLETT PLACE,S AN FRANCISCO, CA

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File 130019

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Thomas N. Lippe
Brian Gaffney
Keith G. Wagner
Kelly A. Franger
Henry S. Steinberg

February 5, 2013

Roberta Boomer
Secretary to the Board of Directors
San Francisco Municipal Transportation Agency
One South Van Ness Avenue, 7th Floor
San Francisco, CA 94103

Jonas P. Ionin
Acting Commission Secretary
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103-2414

Angela Calvillo
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BY

Re: Central Subway Project: Use of the Pagoda Theater Parcel to remove the TBM machines.

Dear Chairman Nolan and Members of the SFMTA Board of Directors;
President Fong and Members of the San Francisco Planning Commission; and
President Chiu and Members of the San Francisco Board of Supervisors:

This office represents Howard Wong and SaveMuni.com with respect to the construction of the Central Subway Project. I am writing on their behalf to submit comments on:

(1) The SFMTA's current proposal to alter the alignment and terminus of the subway tunnels north of the Chinatown Station to change the tunnel boring machine (TBM) extraction location from Columbus Avenue between Union and Powell streets to the Pagoda Theater parcel at 1731-1741 Powell St.

(2) The current proposal before the Planning Commission to grant Conditional Use Application No. 2013.0050C to the Pagoda Theater property; and to recommend to the Board of Supervisors that it amend Zoning Map Sheet HT01 to reclassify the Pagoda Theater property from the 40-X Height and Bulk District to the 55-X Height and Bulk District; and to recommend to the Board of Supervisors that it adopt the "Central Subway

Tunnel Boring Machine Extraction Site Special Use District" for the Pagoda Theater property.

(3) The current proposal before the Board of Supervisors to amend Zoning Map Sheet HT01 to reclassify the Pagoda Theater property from the 40-X Height and Bulk District to the 55-X Height and Bulk District; and to adopt the "Central Subway Tunnel Boring Machine Extraction Site Special Use District" for the Pagoda Theater property.

I also write to object to all of the above proposed decisions on the grounds set forth in this letter. Whether viewed as a change to the previously approved Pagoda Theater project or to the previously approved Central Subway project, all of the above proposed decisions will violate the California Environmental Quality Act (CEQA) unless preceded by the preparation and certification of a Subsequent or Supplemental Environmental Impact Report.

1. A Subsequent or Supplemental EIR is required to assess the environmental impacts of altering the alignment and terminus of the subway tunnels north of the Chinatown Station to change the TBM extraction location from Columbus Avenue to the Pagoda Theater parcel.

The 2008 Final Supplemental Environmental Impact Report ("2008 FSEIR") for the Central Subway Project included a proposal to excavate two tunnels from the proposed Chinatown Station (i.e., the purported terminus of Central Subway service) approximately 2000 feet further to Washington Square. (2008 SFEIR, pp. p. 2-33 - 2-34; 10-16.)

As explained in the letter dated February 4, 2013 from Lawrence B. Karp, the soil in the area of both the Columbus Avenue extraction site and in the Pagoda Theater parcel is sandy and saturated with groundwater. (Mr. Karp's letter is attached as Exhibit 1 to this letter.) As a result, either site used for extracting the TBMs must be dewatered in order to safely shore the excavation. Dewatering the Columbus Avenue extraction site will not cause the same environmental impacts as dewatering the Pagoda Theater extraction site because the former does not have any buildings that would sink due the loss of support caused by dewatering. The Pagoda Theater site, however, is surrounded by buildings, including a number of recognized historic resources, that are in close proximity to the proposed excavation and are, therefore, likely to sink due to loss of support caused by dewatering.

This is a new significant geologic impact that the 2008 FSEIR neither identified or described. Also, the January 31, 2013 Addendum prepared by the City's Environmental Review Officer fails to discuss this new significant environmental impact. Instead, the Addendum merely recites the continued applicability of mitigation measures that the SFMTA adopted to reduce other types of geologic impacts. For example, the Addendum states:

The 2008 SEIS/SEIR recognized the potential for settlement of geologic materials

> during construction of the Central Subway. Design-level geotechnical analysis conducted as part of the project considers the potential for settlement and identifies construction methods to minimize it as appropriate given the soil conditions in applicable locations along the alignment. The 2008 SEIS/SEIR includes mitigation to minimize settlement through monitoring of movement and sequential support for excavation as necessary (through use of ground improvement techniques such as jet grouting or underpinning) (see Mitigation Measures, p. 57). This mitigation measure would be applicable to the proposed extension of the tunnel and construction of the retrieval shaft, and no new significant impact would occur.

(Addendum, p. 51.)

However, there is no evidence that the environmental review for the project ever considered whether this mitigation measure would be effective to reduce ground subsidence and building settlement caused by dewatering in the specific location now proposed for removal of the TBMs. Indeed, the 2008 FSEIR" based its finding of "no significant impacts" on these buildings on their "distance" from the Columbus Avenue extraction site stating:

> Under the North Beach Construction Variant, an extraction shaft would be located in the middle lanes of Columbus Avenue at the north end of the alignment to allow for removal of the Tunnel Boring Machine (TBM). ... Of the properties in the impact area, Washington Square Park and the associated Washington Square Park Triangle are the only resources in close proximity to the extraction shaft. Washington Square Park is listed as locally significant -- both individually as San Francisco's Landmark No. 226, and as a contributor to a proposed historic district. There would be no vibration impacts to the park and visual impacts would be limited to the duration of construction and would not substantially impact park use or historic integrity. Five additional properties, considered contributors to the proposed Washington Square Historic District, are located within 200 feet of the extraction shaft. The buildings include 1636-1656 Powell Street, 575-579 Columbus Street, 1731-1741 Powell Street, 1717-1719 Powell Street, and 1701-1711 Powell Street. Because of the distances from the extraction shaft and the temporary nature of construction activity, there would not be vibration impacts to any of the historic buildings.

(2008 FSEIR, p. 6-77 and 6-78.)

The new location eliminates most of that "distance." Therefore, the City must prepare and certify a Subsequent or Supplemental Environmental Impact Report to assess the impacts of dewatering and excavating the Pagoda Theater property.

2. A Subsequent or Supplemental EIR is required to assess the environmental impacts on historic resources of extending the Central Subway to North Beach.

The change in the project discussed in the previous section will impact several historic buildings that were not included in the original Area of Potential Impacts (APE).[1] As described by Mr. Karp, because of the geologic and soil conditions, the demolition of the Pagoda and the construction of the shaft on the Pagoda site will significantly impact a number of adjacent or nearby historic buildings by subsidence.

The original APE evaluated three nearby historic buildings that will be impacted by the construction of the TBM removal shaft at the Pagoda Theater property, including:

- 1701-1715 Powell Street (Ref 369), located nearby at the corner of Union Street. The the Historic Property Survey Report (Report) determined this property to be eligible as a contributor to the NB Historic District and the Washington Square Historic District. (See Exhibit 5, p.26.)

- 1717-1719 Powell Street (Ref 370), which abuts the project site to the south. The Report determined this property to be eligible as a contributor to the North Beach Historic District and the Washington Square Historic District. (See Exhibit 5, p.26.)

- The Pagoda Theater property (at 1731-1741 Powell Street). The Report determined this property to be a contributor to the Washington Square Historic District and to the overlapping North Beach Historic District. (See Exhibit 5, p .26.) This determination was made by the Federal Transit Administration and concurred in by the State Historic Preservation Officer (see Exhibit 7). It is a historic resource that under the revised project description will be demolished rather than remodeled.

Several nearby historic buildings that will be impacted were <u>not</u> included in the original APE and therefore were <u>not</u> evaluated. These buildings must be included in a revised Historic Property Survey Report prepared for purposes certifying a Subsequent or Supplemental EIR for this project.

- 721 Filbert Street abuts the project site to the west. Although mentioned in the Addendum, it was not included in the APE and not evaluated for its eligibility for listing on the

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[1]The map of the APE boundaries is set forth in Appendix D to the Memorandum of Agreement between the U.S. Department of Transportation, Federal Transit Administration and the California State Historic Preservation Officer and the City and County of San Francisco Municipal Transportation Agency regarding the Central Subway/third Street Light Rail Phase 2, In the City and County of San Francisco, California. A true and correct copy of the relevant excerpt of this map is attached hereto as Exhibit 5.

National Register or California Register. Indeed, the inventory form on file with the State of California which rates this building as "NR 4," which means that it "appears eligible for individual listing in the National Register (NR) or California Register (CR) through other evaluation" as well as being a contributor to the North Beach Historic District. (A true and correct copy of this inventory form is attached hereto as Exhibit 8.)

- 732-736 and 738-742 Union Street also abut the project site to the west. These are not mentioned in the Addendum, but are included in the current North Beach Survey area and would likely be determined by evaluation to be contributors to the North Beach Historic District.

- The nearby buildings at 720-722 and 728-730 Union should also be included within the APE for the revised project as the excavation for the shaft on the Pagoda site could impact them. These two buildings are also included in the current North Beach Survey area and would likely be determined by evaluation to be contributors to the North Beach Historic District.

- Several additional nearby buildings that may be impacted by the new project description are not in the currently designated APE but are in the North Beach Survey area and would likely be determined by evaluation to be contributors to the North Beach Historic District, including 744 Union, 748-50 Union and 756 Union.

Therefore, the City must prepare and certify a Subsequent or Supplemental Environmental Impact Report to assess the impacts of the revised project on historic architectural resources in the vicinity of the Pagoda Theater property.

3. A Subsequent or Supplemental EIR is required to assess the environmental impacts of extending Central Subway service to North Beach.

The 2008 FSEIR variously describes the SFMTA's reasons for building the two tunnels 2000 feet past the Chinatown Station to Washington Square, as follows:

- "for removing the Tunnel Boring Machine (TBM)" (p. S-1);
- "where the TBM would be extracted and construction equipment and materials could be delivered" (S-8);
- "for removing the Tunnel Boring Machine (TBM)" (p. 1-1);
- "to facilitate construction and extraction of the tunnel boring machines" (p. 2-26);
- "for construction purposes" (p. 2-33);
- "to extract TBMs and could be used to deliver materials to Chinatown Station" (p. 2-34).

Recently, however, new information has come to light showing that another purpose of these tunnel extensions is to commence construction of "Phase 3" of the Central Subway to bring subway service to North Beach. For example, in a declaration executed under oath on August 8,

2012 and filed in court in the case entitled *Bruno v. City and County of San Francisco*, San Francisco Superior Court No. CPF-12-512380, John Funghi, Central Subway Program Manager, testified that the cost to the City of leaving the TBMs in the ground rather than extracting them for resale, will consist of "compensating" the contractor for their lost resale value, which Mr. Funghi estimated at $2,225,000 for each of two machines, for a total cost of $4,450,000. (A true and correct copy of this declaration is attached as Exhibit 2 to this letter.

This testimony is striking because the 2008 FSEIR estimated the cost of extending the tunnels the additional 2000 feet to Washington Square at $54 million in YOE (year of expenditure) dollars (pp. S-13, Table S-3; 2-50, Table 2-7, n. 1) and more recently SFMTA officials have estimated the cost of extending the tunnels the additional 2000 feet to Washington Square at approximately $70 million. (See letter dated February 5, 2013 from Howard Wong to Thomas Lippe attached hereto as Exhibit 3.) Naturally, the question arises as to why the City would spend $54 million to $70 million to save $4.5 million. The simple answer is that it would not do so. It is also clear that the City would not spend this money to use the tunnels "to deliver materials to Chinatown Station." Indeed, SFMTA officials have recently stated that SFMTA does not intend to use these tunnels to deliver materials to Chinatown Station. (See letter dated February 5, 2013 from Howard Wong to Thomas Lippe attached hereto as Exhibit 4.)

The Addendum provides the answer, stating:

> "As a separate project, SFMTA could consider extension of the Central Subway further north and/or construction of a subway station in North Beach. Neither the Columbus Avenue retrieval shaft site nor the proposed 1731 Powell Street site would preclude either of these additions to the system. Any such proposal is not part of the current effort and would be subject to additional environmental review."

(Addendum, p. 56.) SFMTA staff have also reported that: "Leaving the TBMs in the ground could significantly impede the future extension of the subway into North Beach, however, because the encapsulated TBMs would likely have to be removed to extend the tunnels or construct an underground station." (See Exhibit 6 [November 29, 2102 letter from SFMTA's Edward Reiskin to Micki Jones and Mike Sonn, enclosing Agenda Item Report, page 6].)

Thus, regardless of whether "extension of the Central Subway further north and/or construction of a subway station in North Beach" is formally part of the current project, the patent absurdity of the notion that the City would spend anywhere from $54 million to $70 million to save $4.5 million, as well as the other evidence cited above, demonstrate that extending service to North Beach is a reasonably foreseeable future activity associated with the project or an expansion of the project. Where, as here, this reasonably foreseeable future activity may contribute to significant environmental effects, the lead agency must analyze these effects in the project EIR. (*Laurel Heights Improvement Assn. v. Regents of the University of*

California (1988) 47 Cal.3d 376, 395-396 (*Laurel Heights I*).) This obligation attaches whether the future activities are considered a foreseeable future activity under *Laurel Heights I* or a separate project subject to cumulative effects analysis: one way or the other the EIR must conduct this assessment. (*San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 733 (*San Joaquin Raptor I*).)

Therefore, the City must prepare and certify a Subsequent or Supplemental Environmental Impact Report to assess the impacts of extending service to North Beach.

Thank you for your attention to this matter.

Very truly yours,

Tom Lippe

Thomas N. Lippe

List of Exhibits

1. Letter dated February 4, 2013 from Lawrence B. Karp to Thomas Lippe.

2. Declaration of John Funghi In Support of City and County of San Francisco's Opposition to Application for Temporary Restraining Order, executed under oath on August 8, 2012 and filed in *Bruno v. City and County of San Francisco*, San Francisco Superior Court No. CPF-12-512380.

3. Letter dated February 5, 2013 from Howard Wong to Thomas Lippe.

4. Letter dated February 5, 2013 from Howard Wong to Thomas Lippe.

5. Excerpts from the Memorandum of Agreement between the U.S. Department of Transportation, Federal Transit Administration and the California State Historic Preservation Officer and the City and County of San Francisco Municipal Transportation Agency regarding the Central Subway/third Street Light Rail Phase 2, In the City and County of San Francisco, California, including pages 26 and part of the map of the Central Subway Project APE as set forth in Appendix D.

6. November 29, 2102 letter from SFMTA's Edward Reiskin to Micki Jones and Mike Sonn, enclosing Agenda Item Report.

7. State Historic Preservation Officer's letter concurring with Federal Transit Administration's evaluations of historic properties within the APE (11/5/07) and State Historic

Preservation Officer's letter concurring with FTA's Finding of Adverse Effect (7/9/08).

8. Historic resources inventory form for 721 Filbert Street.

\\Lgw-server\tl\Central Subway 2\Administrative Proceedings\LGW Docs\c001a CEQA comment to MTA Feb 5 2013.wpd

Exhibit 1

LAWRENCE B. KARP
CONSULTING GEOTECHNICAL ENGINEER

FOUNDATIONS, WALLS, PILES
UNDERPINNING, TIEBACKS
DEEP RETAINED EXCAVATIONS
SHORING & BULKHEADS
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COASTAL & MARINE STRUCTURES

SOIL MECHANICS, GEOLOGY
GROUNDWATER HYDROLOGY
CONCRETE TECHNOLOGY

February 5, 2013

Thomas N. Lippe, Esq.
329 Bryant Street, Suite 3D
San Francisco, CA 94107

Subject: Central Subway Phase 2, North Beach Construction Variant, San Francisco
Proposed Termination & Extraction of TBMs in Block 101 (Pagoda Theater)

Dear Mr. Lippe:

Herein the subject project is evaluated with respect to feasibility and potential environmental impact resulting from the deep excavation and construction of an underground structure at the site of the former Pagoda Theater at 1731-41 Powell Street [Block 101, Lot 004], near Columbus Avenue and Filbert Street.

Project

The project is the second phase of SFMTA's Light Rail Transit Project. The first phase is a 5.1 mile light-rail line along the 3rd Street corridor that opened in April 2007. The second phase, the Central Subway Project, a 1.7 mile alignment, will extend Muni's T Third Line from the Caltrain Station to Chinatown. New stations will be 4th & Brannan (surface), Yerba Buena/Moscone at 4th & Folsom, Union Square/Market Street at Stockton & Union Square, and Chinatown at Stockton & Washington (the last three subsurface). The tunnel will be drilled using boring machines (TBMs) that are planned to be extracted from the bore at Chinatown or left in place north of the station, or with a construction variant the TBMs would be extracted from Columbus Avenue at Washington Square and that location would be used to bring materials 2,000 feet back to Chinatown. It appears logical that a station is also thought of for Washington Square on the way to Fisherman's wharf, but those variants are not included in plans. Extracting the TBMs at Washington Square, although feasible, would be disruptive. Recently another proposal, to extract the TBMs at the former Pagoda Theater in conjunction with development, is evaluated herein.

Geology

The site is situated in the northern section of the San Francisco Peninsula, which is a northwest trending range of hills composed of a heterogeneous assemblage of folded, faulted and sheared rocks of the Franciscan formation, Jurassic and Lower & Upper Cretaceous age (Mesozoic; 144 to 208 million years old). Geologic maps (Schlocker 1974) show the Pagoda site is at the contact of dune sand (***Qd***) to the west and artificial fill (***Qaf***) to the east that is comprised principally of dune sand.

Investigation

No subsurface exploration program was performed for extraction of the TBMs with development of the Pagoda site, which will involve a 75 foot deep retained excavation. An investigation was performed (Treadwell & Rollo 2008) for a different idea at the site having excavations from 5 to 16 feet deep for the formerly planned garage, however that would only be about one-sixth the depth of the TBM extraction site.

Underpinning & Shoring

The 2008 report, although intended for a relatively shallow development, was used by the Planning Department to produce a non-engineered addendum to the supplemental EIS/EIR (SFPD 2013) which has been adapted for TBM extraction by the Planning Department without any regard to exponentially high lateral pressures and the necessary shoring of the excavation and mandatory protection (providing lateral support and underpinning) of buildings on adjoining properties required under 2010 SFBC §3307.1. The 75 foot deep shaft required to extract the TBMs cannot be shored using "treated zones" as there will be huge lateral pressures due to depth and because of the silts and clays intermixed with sand in the fill (Treadwell & Rollo 2008); even in clean sand that will accept microfine grout, shoring is still required.

The fill and sedimentary soils have a large percentage of fine grained materials (those that pass a No. 200 sieve) so stabilization by intrusion grouting with microfine cement, which has replaced chemical grouting, due to EPA regulations, of soils adjacent to the excavation will not work leaving, due to restricted access, lateral restraint methods being the only viable shoring alternative, with all procedures subject to lateral movement during construction and in service due to the required dewatering. Internal bracing will not work because that would interfere with TBM extraction, therefore tiebacks for soldier beams are really the only solution but tiebacks will intrude at least 40 feet into neighboring lots.

Tieback (horizontal anchors) installation require easements from land owners; at least commercial properties at Lots 005A (1701-11 Powell), 005 (1717-1719 Powell), 045 (659 Columbus), 031 (721 Filbert) and residential properties at Lots 005A (722 Union), 006 (728-730 Union), and 007 (732-736 Union). The addendum mentions nothing about acquiring the necessary easements for tiebacks or the difficulty of underpinning buildings with basements (1717 Powell, 659 Columbus, and 721 Filbert).

Groundwater

Excavating to a depth of 75 feet (to below sea level) as indicated in the addendum would be necessary will require dewatering to intercept groundwater flowing from Russian Hill toward the Bay. Dewatering will lower the groundwater table under buildings on Union, Powell, Columbus, and Filbert, some of which are more than 100 years old and historically significant as well.

The water table at 1731-1741 Powell was considered to be stabilized at Elev. 56.5 (Treadwell & Rollo 2008), or about 6 to 8 feet below street level (Elevation from 62.3 to 65.1). With the bottom of the TBM retrieval shaft at 75 feet below grade (SFPD 2013), dewatering will drop the existing phreatic surface down about 67 to 69 feet. This huge drop in groundwater will drastically influence the buoyancy of building foundations within 130 feet or more from the retrieval area.

Properties with buildings that will be affected by groundwater drawdown are the commercial properties at Lots 005A (1701-1711 Powell), 005 (1717-1719 Powell), 045 (659 Columbus), 031 (721 Filbert), 030 (729 Filbert) and residential properties at Lots 005A (722 Union), 006 (728-730 Union), 007 (732-736 Union), 007A (740A&B/738-742 & Union), 008 (744 Union), 009 (748-750 Union), and the church at 010 (756 Union). As the excavation, which must be drained, proceeds downward and the phreatic surface drops and ground is lost from pumping or during shoring operations, areal subsidence will occur and the buildings along Union, Powell, Columbus, and Filbert that were originally built to much lesser standards than are required today, are very likely to be severely damaged from differential settlement unless they are deeply underpinned. Protection of buildings that will be affected by the excavation requires years to obtain rights of entry and underpin.

Historical

Several noteworthy buildings will be impacted by dewatering. The 721 Filbert Street garage which adjoins the Pagoda site to the west is a two story UMB former stable over a basement built in 1907 and rated as eligible for the National Register by the North Beach Survey. As noted (SFPD 2013), it is considered a potential historic resource by the Planning Department and is an historic resource for the purposes of CEQA. The proposed extraction site for the TBMs is also adjacent to a potential historic resource at 1717-1719 Powell Street immediately south of the project site, a three-story building built in 1914 that has an art deco facade. I understand the building was rated by the North Beach Survey and was determined to be a contributor to the North Beach Historic District and the Washington Square Historic District by the Federal Transit Administration's evaluations.

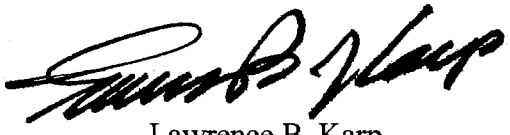
Summary

The negative consequences of engineering and construction of a deep retained excavation in an urban environment are missing from the supplemental EIS/EIR addendum. The prior choice for termination of the tunnel between Washington Square and Mariani Plaza must have been made to keep the TBM extraction away from buildings. An understanding of the effect of lowering the groundwater table by dewatering and the resulting increase in effective stress under the neighboring buildings is also missing from the addendum. The project is likely to generate claims by neighbors for property damage and inverse condemnation.

The proposed excavation and subgrade construction will require shoring and subsurface drainage facilities that will draw down the groundwater table having a steep hydraulic gradient (DeLisle 1993) from levels existing under the nearby structures, a potential environmental impact. Where lateral and subjacent support for adjacent structures are likely to be impacted during excavation for the project, underpinning of nearby foundations above 9 foot levels from the curb angle will be required by the building owners (in my experience always protested) and below 9 feet by the developer pursuant to 2010 SFBC §3307.1.

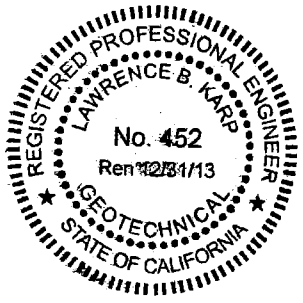
In my professional opinion, the conclusion reached by the Planning Department that there would be no environmental effects from the proposed rerouting of the end of the tunnel is wrong. The project as proposed is likely to result in significant environmental impacts during construction and in service to the surrounding environment and historical resources. The Planning Department's use of an addendum to a supplemental EIS/EIR is improper under CEQA because the proposed changes to the project will result in new or substantially more severe significant impacts.

Yours truly,



Lawrence B. Karp





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Exhibit 2

FILED
Superior Court of California
County of San Francisco
AUG 09 2012
CLERK OF THE COURT
BY: _____ Deputy Clerk

DENNIS J. HERRERA, State Bar #139669
City Attorney
KATE H. STACY, State Bar #122313
AUDREY WILLIAMS PEARSON, State Bar #178414
ROBERT K. STONE, State Bar #178822
Deputy City Attorneys
City Hall
1 Dr. Carlton B. Goodlett Place, Room 234
San Francisco, California 94102-5408
Telephone: (415) 554-4621
Facsimile: (415) 554-4757
E-Mail: audrey.pearson@sfgov.org

Attorneys for Respondents
City and County of San Francisco

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN FRANCISCO

UNLIMITED JURISDICTION

MARC BRUNO, an individual and Representative of Save North Beach,

Petitioner,

vs.

CITY AND COUNTY OF SAN FRANCISCO, ET AL.,

Respondents.

Case No. CPF – 12 – 512380

DECLARATION OF JOHN FUNGHI IN SUPPORT OF CITY AND COUNTY OF SAN FRANCISCO'S OPPOSITION TO APPLICATION FOR TEMPORARY RESTRAINING ORDER

Hearing Date: August 9, 2012
Hearing Judge: Judge Jackson
Time: 11 a.m.
Place: 503

Date Action Filed: July 31, 2012
Trial Date: n/a

Attached Documents: Request for Judicial Notice

I, John Funghi, declare that the following statements are true and accurate and are within my personal knowledge. If called, I would testify as follows:

1. I am the Program Manager for the San Francisco Municipal Transportation Agency's (SFMTA) Central Subway Project. I have held this position for approximately seven years.

2. I am a licensed civil engineer (California License No. 42122) and I hold a Class A Engineering and Class B Contractor's License (California License No. 644290).

3. I have reviewed or am aware of the contents of the following documents relevant to the statements made in this Declaration:

a. Third Street Light Rail Project Final Environmental Impact Statement/Environmental Impact Report (EIS/EIR)certified in November 1998;

b. Central Subway Final Supplemental EIS/EIR certified in August 2008;

c. Record of Decision (ROD) issued in November 2008;

d. Preliminary Engineering Design Drawings dated October 2008;

e. Final Design Drawings dated August 2011;

f. Construction Contract CS-1252 for Construction of Tunnels, including Specifications and Drawings.

4. The Central Subway Project is Phase 2 of the Third Street Light Rail Project, an at-grade light rail transit line from Third and Sunnydale Streets (Visitation Valley) to the Caltrain Station at 4th and King Streets. Phase 2 will extend the light rail service from 4th and King Streets to an underground (subway) portal located at 4th and Harrison Streets. The light rail line will then run in a twin-bore tunnel 1.6 miles north under 4th Street and Stockton Streets into Chinatown. Three subway stations will be constructed, at the Moscone Convention Center, in Union Square, and in Chinatown. The rail lines in the tunnels will terminate 250 feet past the Chinatown Station, but the tunnels will extend approximately 2000 feet beyond that station into North Beach, terminating below Columbus Avenue between Union and Powell Streets. The tunnels will be dug using tunnel boring machines. Each machine is 22 feet wide and 35 feet long, excluding the running gear that extends behind each TBM an additional 300 feet. Each TBM weighs approximately 70 tons. The tunnels were extended into North Beach because that is the first location north of the Chinatown Station where there is sufficient space to extract the TBMs. The tunnels will terminate in a shaft (commonly referenced as the "Retrieval Shaft") to be constructed in the right-of-way on Columbus Avenue between Union and Powell Streets.

5. As approved under Final Design, the Retrieval Shaft will be 46 feet in length, 40 feet wide and will extend 38 feet from the surface of the roadway median to the tunnels below. The Retrieval Shaft will be excavated from the surface, and the shaft will be constructed using secant piles (which are concrete with reinforcing steel), steel beams and steel plating.

6. The Retrieval Shaft will initially be used for the removal of the TBMs from the tunnels, and could be used for delivery of materials to the Chinatown Station, which are its designated "temporary" uses. After retrieval of the TBMs, the roadway will be reconstructed. The only remaining indication of the presence of the underground tunnels and shaft will be a 39 inch access and vent cover that will be located in the median on Columbus Avenue.

7. In planning and designing the Central Subway Project, the SFMTA determined at least as early as 2005-2006 that the TBMs would be removed from the ground through a retrieval shaft, so that the resale or reuse value of the TBMs at the conclusion of tunneling activities would not be lost or wasted, thereby reducing construction costs. The SFMTA also determined that it would not procure the TBMs itself, but would require the Contractor to do so, so that the contractor would be responsible for maintenance and repair, and delay to construction costs arising from TBM failure or breakdown.

8. The characterization of the tunnel extension and the Retrieval Shaft as "temporary" describes the use of the tunnels extension and Retrieval Shaft, not the means or methods of construction. As the SEIR notes, the tunnels would be used to store materials. The final designs of the Retrieval Shaft provide that tunnels extension and Retrieval Shaft will be constructed of concrete and steel and will be permanent underground facilities. The preliminary designs of the tunnels and Retrieval Shaft – the designs that were considered during the environmental review process for the Central Subway Project – indicated that the tunnel extensions and Retrieval Shaft would be constructed of concrete and steel and would be permanent underground facilities.

9. Late in the final design process, in approximately May 2011, the SFMTA considered using a retrieval shaft excavated that used only temporary shoring – a shaft that is essentially a shored construction pit. The SFMTA included that type of shaft as an option to the tunnel construction contract (CS-1252). A temporarily shored retrieval shaft would have to be backfilled with soil after removal of the TBMs, which would extend the construction duration and impacts.

10. Bernard Impreglio Healey, Joint Venture Partners ("BIH") the tunnel contractor, bid the work and later explained to the SFMTA that schedule savings could be realized constructing the concrete and steel Retrieval Shaft, rather than employing other shoring and construction methods that would require backfilling the shaft.

11. Under the terms of the tunnel construction contract (Contract CS-1252), the TBMs are the property of the contractor, BIH. Each machine costs approximately $7,400,000 to purchase. The removal of the TBMs through the Retrieval Shaft is intended to maximize resale or reuse value of the TBMs to reduce construction costs. At the conclusion of tunnel construction, each TBM will retain resale or reuse value of approximately $2,225,000. If the SFMTA alters the current design of the tunnels so that the TBMs are not removed from the ground, the City will be required to compensate BIH for its lost resale, reuse or scrap value of the TBMs or TBM components left in the ground, as well as additional labor costs.

12. It may be possible to remove parts and components of the TBMs through other tunnel access points, such as the Chinatown Station or the tunnel portal at 4th and Harrison Streets. But the TBMs are not designed to be removed in pieces: only portions of the TBMs could be disassembled and cut up, thereby reducing the value of the salvaged pieces to scrap metal resale only. The scrap value of each TBM would be a very small percentage of resale/reuse value (likely less than $50,000 using present day scrap metal values). The SFMTA would be required to compensate BIH for the difference in value from the resale or reuse value of the TBMs and their scrap value.

13. If the TBMs are not removed through the Retrieval Shaft, the TBMs' shields and cutterheads would have to be left in ground and encapsulated in concrete. The shield is the steel exterior shell of the TBM, and the cutter head is a 10 ton rotary cutter assembly that excavates the tunnel – both are far too large and heavy to remove except through the Retrieval Shaft.

14. Although the SFMTA has considered options (as described herein) to removing the TBMs from the Retrieval Shaft, the cost to the Agency to implement these options would likely exceed $3,000,000. Underground utilities must be relocated to build the Retrieval Shaft. If the work to relocate the utilities or the construction of the Retrieval Shaft is delayed, the City will in the near term incur significant delay charges from BIH. Although the exact amount of the delay charges are

unknown at this time, I would estimate that the delay charges would be approximately $25,000 per day.

15. The work to complete the Retrieval Shaft has been closely scheduled. Tunneling will begin from 4th and Harrison Streets in February 2013. Relocation of utilities will take approximately three months. No work may be performed from late November until January 1, 2013, because the City imposes a moratorium on construction work during the holidays. Construction of the Retrieval Shaft will take approximately ten months, which if started in January 2013 would be finished just in time for the scheduled removal of the TBMs in early 2014.

16. Impacts of construction of the Retrieval Shaft will be minimized. The streets will be kept clean; dust will be monitored and controlled; noise will be kept within required decibel levels; construction equipment will have noise attenuation devices; and the City will wash merchants' windows if required. While traffic may be impacted during utility relocation construction, all lanes will be reopened at the end of each workday and no work will take place on weekends. During construction of the Retrieval Shaft, at least one traffic lane in each direction on Columbus Avenue will remain open.

Signed under penalty of perjury, this 8th day of August, 2012, at San Francisco, California.

John Funghi
Central Subway Program Manager
San Francisco Municipal Transportation Agency

PROOF OF SERVICE

I, AUDREY WILLIAMS PEARSON, declare as follows:

I am a citizen of the United States, over the age of eighteen years and not a party to the above-entitled action. I am employed at the City Attorney's Office of San Francisco, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 234, San Francisco, CA 94102.

On August 9, 2012, I served the following document(s):

DECLARATION OF JOHN FUNGHI IN SUPPORT OF CITY AND COUNTY OF SAN FRANCISCO'S OPPOSITION TO APPLICATION FOR TEMPORARY RESTRAINING ORDER

on the following persons at the locations specified:

Marc Bruno, In Pro Per
15 Nobles Alley
San Francisco, CA 94133

in the manner indicated below:

☒ **BY UNITED STATES MAIL**: Following ordinary business practices, I sealed true and correct copies of the above documents in addressed envelope(s) and placed them at my workplace for collection and mailing with the United States Postal Service. I am readily familiar with the practices of the San Francisco City Attorney's Office for collecting and processing mail. In the ordinary course of business, the sealed envelope(s) that I placed for collection would be deposited, postage prepaid, with the United States Postal Service that same day.

☒ **BY PERSONAL SERVICE**: I sealed true and correct copies of the above documents in addressed envelope(s) and caused such envelope(s) to be delivered by hand to Marc Bruno

☐ **BY OVERNIGHT DELIVERY**: I sealed true and correct copies of the above documents in addressed envelope(s) and placed them at my workplace for collection and delivery by overnight courier service. I am readily familiar with the practices of the San Francisco City Attorney's Office for sending overnight deliveries. In the ordinary course of business, the sealed envelope(s) that I placed for collection would be collected by a courier the same day.

☐ **BY FACSIMILE**: Based on a written agreement of the parties to accept service by fax, I transmitted true and correct copies of the above document(s) via a facsimile machine at telephone number (415) 554-4630 to the persons and the fax numbers listed above. The fax transmission was reported as complete and without error. The transmission report was properly issued by the transmitting facsimile machine, and **a copy of the transmission report ☐ is attached** or **☐ will be filed separately with the court.**

I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true and correct.

Executed August 9, 2012, at San Francisco, California.

Audrey Pearson
AUDREY WILLIAMS PEARSON

Exhibit 3

SaveMuni.com

126 Varennes Street
San Francisco, California 94133
415 982-5055

February 5, 2013

Thomas N. Lippe, Attorney
Lippe Gaffney Wagner LLP
329 Bryant St., Suite 3D
San Francisco California 94107

Dear Mr. Lippe:

SUBJECT: $80 million Cost of Central Subway's Tunnel Extension to Washington Square

This letter provides information regarding the SFMTA's cost estimates of extending the tunnels 2,000 feet to Washington Square, which is approximately $70 million.

In 2007, the tunnel extension's preliminary cost estimate was $54 million. With further developments of the design, schedule and inflation, the cost increased in ensuing years.

FSEIR/ SEIS EXECUTIVE SUMMARY 2007:
http://centralsubwaysf.com/FSEIS-SEIR-Executive-Summary
Alternative 3---Fourth/ Stockton Alignment: "Costs for Alternatives 3A and 3B do not include the North Beach Construction Variant, which is estimated to cost $54 million in Year of Expenditure (YOE) dollars."

From 2007 to 2012, the tunnel extension's costs were reported as $70 million.

CHRONICLE June 22, 2007:
http://www.sfgate.com/bayarea/article/SAN-FRANCISCO-Chinatown-rail-project-estimate-2585072.php
"San Francisco's proposed subway to Chinatown could cost hundreds of millions of dollars less than originally thought, despite a decision to build a $70 million tunnel that could eventually bring the subway to North Beach."

SF WEEKLY 2012:
http://blogs.sfweekly.com/thesnitch/2012/08/central_subway_lawsuit.php
"The plan to dig 2,000 feet beyond the last planned stop of the subway -- at a minimum estimated cost of $70 million -- and extract the tunnel- boring machines on Columbus between Union and Filbert has been described to area residents as the "least disruptive" option."
http://blogs.sfweekly.com/thesnitch/2012/07/central_subway_north_beach_law.php
"The plan to dig nearly half a mile beyond the last stop of the subway -- at a minimum estimated cost of $70 million -- and extract the tunnel boring machines in the heart of North Beach has been described to area residents as the "least disruptive" option."

Sincerely yours,

Howard Wong, AIA
For SaveMuni.com

Exhibit 4

SaveMuni.com

126 Varennes Street
San Francisco, California 94133
415 982-5055

February 5, 2013

Thomas N. Lippe, Attorney
Lippe Gaffney Wagner LLP
329 Bryant St., Suite 3D
San Francisco California 94107

Dear Mr. Lippe:

SUBJECT: STATEMENTS BY SFMTA OFFICIALS AT CENTRAL SUBWAY MEETINGS

This letter provides backup information to the Lippe, Gaffney, Wagner LLP letter, regarding statements by SFMTA officials at recent public meetings.

JANUARY 22, 2013: COMMUNITY MEETING AT TELEGRAPH HILL NEIGHBORHOOD CENTER

SUBJECT: Extraction of Tunnel Boring Machines (TBMs) in North Beach and Pagoda Theater
PANEL: Supervisor David Chiu, SFMTA Director Ed Reiskin, Central Subway Project Manager John Funghi and Supervisorial Aide Judson True
ATTENDEES: Neighbors and merchants (Very well attended meeting)

- **SFMTA Director Ed Reiskin promised that the North Beach shaft will only be used for machine extraction---no storage, delivery of materials etc.** Mr. Reiskin stated this very clearly because construction delivery to Chinatown through the tunnel would disrupt North Beach for years. North Beach merchants wanted to understand how the tunnels were being used. .
- **Mr. Reiskin admitted that technically almost anything can be done**---bury TBMs in Chinatown, extract TBMs at Chinatown or dismantle/ back out TBMs through the 4th Street portal. Also, MTA said the residual value of the two TBMs was $4.5 to $6.0 million. [Note: Technically, TBM extraction in North Beach is not a necessity].
- Mr. Reiskin stated that as part of the 2-year lease of the Pagoda property, the City would retain a **First-Right-of-Refusal** to purchase the property. [Note: This potential cost implies non-complying work for a North Beach Subway Station].

As questions & answers began, the activation of the fire alarm ended the meeting---before important questions were answered. Video tape of the meeting is available.

2012 COMMUNITY MEETINGS IN NORTH BEACH

- Central Subway Project Manager John Funghi said that various TBM retrieval options were analyzed in the 2006 to 2008 timeframe, and that a report was produced that showed the continuation to North Beach as the most cost effective and the least disruptive.
- Mr. Funghi claimed that the MTA Board, based on the study's findings, selected Option 3B with the North Beach Construction Tunnel Variant as the preferred alternative.

[Note: If, as Mr. Funghi claims, a study or analysis does exist that justifies tunneling to North Beach, it has yet to be shared with the public. SaveMuni.com has submitted a number of FOIA/Sunshine Requests to the SFMTA asking that the report be produced, but NO such report has been produced to date].

Sincerely yours,

Howard Wong, AIA
For SaveMuni.com

MEMORANDUM OF AGREEMENT

between the
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION
and the
CALIFORNIA STATE HISTORIC PRESERVATION OFFICER
and the
CITY AND COUNTY OF SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
regarding the
CENTRAL SUBWAY/THIRD STREET LIGHT RAIL PHASE 2,
IN THE CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA

WHEREAS, A Programmatic Agreement among the Federal Transit Administration, the California Historic Preservation Officer and the Advisory Council on Historic Preservation for the construction of the Third Street Light Rail/New Central Subway was included as part of the Record of Decision for the 1998 Final EIS/EIR; and

WHEREAS, The Federal Transit Administration (FTA) plans to assist the San Francisco Municipal Transportation Agency (SFMTA) to implement the Central Subway, Phase 2 of the Third Street Light Rail (undertaking) pursuant to the New Starts Funds process under Section 5309 of Title 49 of the United States Code, and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU); and

WHEREAS, 36 CFR 800 et seq. requires that federal agencies take into account the effects of their projects on historic properties; and

WHEREAS, The undertaking consists of the construction of an underground subway, one surface station and three subway station facilities, to connect the existing T-Third light rail system at Fourth and King Streets with the Bay Area Rapid Transit District (BART) at Market Street and under Stockton Street into Chinatown; and

WHEREAS, FTA and SFMTA have thoroughly considered alternatives to the Undertaking, including a No-Build Alternative (Alternative 1) and three Build Alternatives (2, 3A, and 3B) that have been analyzed in the Draft and Final Supplemental Environmental Impact Statement/Environmental Impact Report (SEIS/SEIR); and

frames and the storefront has been altered, but certain design elements, such as the projected bays on the upper floors, conform to other building in the Washington Square and North Beach neighborhoods. It was previously listed in the Office of Historic Preservation's Historic Properties Directory as requiring re-evaluation (NRHP Code 4D/7N). The building qualifies as a contributor to the proposed Washington Square Historic District, and the overlapping proposed North Beach Historic District.

14. 1701-1715 Powell Street (Reference 369) eligible as a contributor to the North Beach Historic District and Washington Square Historic District.

This two-story wood-framed building was constructed in 1908 for Eliza Baum. It features slanted bay windows and a modillioned cornice. In the past, the storefronts housed drugstores, liquor and cigar stores, and restaurants, while the upper floor was used for residential purposes. By the mid-1930s it was known as the Milano Inn. The building was previously listed in the Office of Historic Preservation's Historic Properties Directory as requiring re-evaluation (NRHP Code 7N). The building is eligible for the NRHP as a contributor to the proposed Washington Square Historic District, and overlapping proposed North Beach Historic District.

15. 1717-1719 Powell Street (Reference 370) eligible as a contributor to the North Beach Historic District and Washington Square Historic District.

This three-story wood-framed building was constructed in 1914, and it is a fine example of Art Deco architecture. Several Italians have owned the property and it has housed a grocery store and a macaroni factory. This building was previously listed in the Office of Historic Preservation's Historic Properties Directory as requiring re-evaluation (NRHP Code 7N). The building appears to be a contributor to the proposed Washington Square Historic District, and the overlapping proposed North Beach Historic District.

16. 1731-1741 Powell Street (Reference 371) eligible as a contributor to the North Beach District and Washington Square District.

Italian architect J. P. Capurro designed the Washington Square Theatre at 1731-1741 Powell Street. Theatre was an important aspect of the local Italian community. In 1925 the building became the Milano Theatre, and in 1937 it was renamed the Palace Theatre. By 1974 it began to feature Chinese movies as the Pagoda Theatre. The two-story building was constructed in 1908 with a fireproof frame of structural steel. The building has an impressive Art Deco-style stepped parapet/marquee; however, the building's exterior was stripped during a renovation project that was halted. It is listed in the Office of Historic Preservation's Historic Properties Directory as requiring re-evaluation (NRHP Code 7N). The building is eligible as a contributor to the proposed Washington Square Historic District, and also to the overlapping proposed North Beach Historic District.

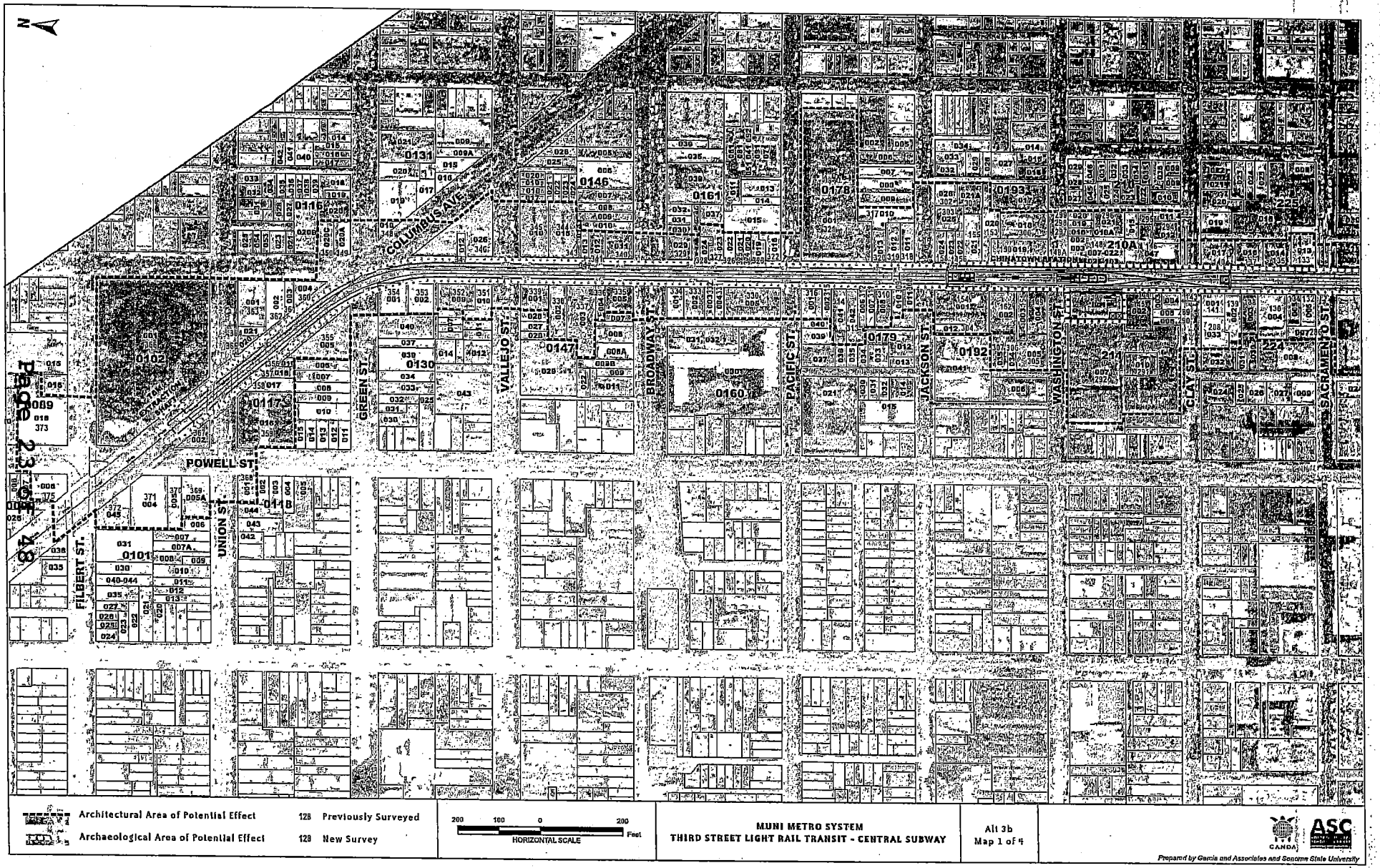

N
COLUMBUS AVE.
POWELL ST.
FILBERT ST.
UNION ST.
GREEN ST.
VALLEJO ST.
BROADWAY ST.
PACIFIC ST.
JACKSON ST.
WASHINGTON ST.
CLAY ST.
SACRAMENTO ST.
0102
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0192
0101
011B
210A
225
224
Architectural Area of Potential Effect
Archaeological Area of Potential Effect
128 Previously Surveyed
128 New Survey
200 100 0 200 Feet
HORIZONTAL SCALE
MUNI METRO SYSTEM
THIRD STREET LIGHT RAIL TRANSIT - CENTRAL SUBWAY
Alt 3b
Map 1 of 4
CANDA
ASC
Prepared by Garcia and Associates and Sonoma State University

Exhibit 6

SFMTA
Municipal Transportation Agency

November 29, 2012

Ms. Micki Jones
President, North Beach Neighbors
Email: sffd22@aol.com

Mr. Mike Sonn
Chair, Transportation & Parking Committee
Telegraph Hill Dwellers
Email: Mike.Sonn@thd.org

Re: Request for study, analysis and information related to North Beach Retrieval Option Review

Dear Ms. Jones and Mr. Sonn:

Thank you for your letter regarding the recent community meeting in which we presented options for the Central Subway's tunnel boring machines (TBMs). We appreciate your feedback as we pursue the necessary prerequisites to move this process forward.

Please find attached a document that provides background information on the San Francisco Municipal Transportation Agency's (SFMTA) analysis of the five options that were presented last week. While developing the options analysis, we participated in discussions with several city departments, including the City Attorney's Office, the Planning Department and our Tunnel Contractor, to receive feedback in developing and fine-tuning our review. The attached information was presented to the agencies for comment, and we incorporated their feedback into last week's presentation.

Next Tuesday, December 4, the SFMTA Board of Directors will open discussions about the TBM options at their regularly scheduled meeting. A calendar item prepared by SFMTA staff will guide the Board's discussion and propose a course of action for determining the feasibility of Option 4 (TBM removal from 1731-1741 Powell Street) and Option 3 (leaving TBM head under Columbus Avenue). We have attached the calendar item for your review. The Board agenda and the calendar item will be finalized and made publicly available by Friday, November 30.

We encourage you, your neighbors, local merchants and North Beach community organizations to participate in this discussion by presenting your feedback to the Board of Directors. Community input has informed and guided this review process so far, and it will continue to be instrumental as we work together to determine an outcome.

Edwin M. Lee
Mayor

Tom Nolan
Chairman

Cheryl Brinkman
Vice-Chairman

Leona Bridges
Director

Malcolm Heinicke
Director

Jerry Lee
Director

Joél Ramos
Director

Cristina Rubke
Director

Edward D. Reiskin
Director of Transportation

One South Van Ness Ave.
Seventh Floor
San Francisco, CA 94103

Tele: 415.701.4500

www.sfmta.com

Thank you again for participating in this process and providing your comments. We look forward to working closely with you and the North Beach community as the Central Subway Project proceeds.

Sincerely,

Edward D. Reiskin
Director of Transportation

Attachments: Central Subway TBM Options Analysis
SFMTA Board Calendar Item

cc: Supervisor David Chiu
John Funghi, Central Subway Program Director

North Beach Retrieval Option Review

Criteria ● Good ◒ Fair ○ Poor

	❶ Base Case - Construction on Columbus Avenue/complete TBM removal	❷ Leave TBMs head north of Chinatown Station	❸ Leave TBMs head under Columbus Avenue	❹ Complete TBM removal at 1741 Powell Street	❺ Leave TBMs head north of Taylor Street under Columbus Avenue
Neighborhood Impacts					
Residential Considerations (NB)	● Retrieval Shaft 200' from residents	◒ Utilize CTS construction area	● No construction above ground No impact to North Beach residents	◒ Construction of headwall required Minimal off-street impact to North Beach residents	● No construction above ground No impact to North Beach residents
Business Considerations	◒ Retrieval shaft 70' from businesses Access to businesses maintained	◒ Utilize CTS construction area	● N/A	◒ Construction is adjacent to businesses Access to businesses maintained	● N/A
Construction Access/Area	◒ Access from Columbus Avenue Work zone within public right of way No long-term storage Small site	○ Utilize CTS construction area Conflicts with CTS station contractor	◒ Potential access issue on Columbus Avenue if ventilation access shaft is required	◒ Out of public right-of-way	◒ Potential access issue on Columbus Avenue if ventilation shaft is required
Traffic Impacts	○ Single lane closure both northbound and southbound Reroute of traffic	○ Additional closure to CTS Reroute of traffic	◒ Potential traffic impact if ventilation shaft is required on Columbus Avenue	● Impact at headhouse Potential on Columbus Avenue	◒ Potential traffic impact if ventilation shaft is required on Columbus Avenue
Neighborhood Impacts Summary	◒	○	◒	◒	◒
Environmental Impacts/Planning Process					
Within FEIS/FEIR Limits	● Within FEIS/EIR	● Within FEIS/EIR	● Within FEIS/EIR	◒ Administrative Addendum	◒ Administrative Addendum
Cost/Schedule Impacts					
Cost*	● No Additional Cost	● CTS delay due to tail track swing and TBM extraction Tunnel cost increase due to reduced salvage of TBM Additional cost to station/tunnel contractors Design $100,000 Tunnel Removal 1,184' x $7,000/FT x2 ($25,936,000) Retrieval Shaft Removal ($2,000,000) TBM Disassembly/Removal/Jet Grouting ($1,000,000) TBM Machine-leave structure and frame: Fill head with slurry, loss of TBM salvage value $4,500,000 TBM trailing gear removal/install temporary jump rail, 2 shifts-10 man crew for two months $880,000 CTS Station contractor impact $750,000 Total: ($22,166,000)	◒ Tunnel cost increase due to reduced salvage of TBM Additional cost to tunnel contractor Design $100,000 Ventilation Shaft $500,000 Retrieval Shaft Removal ($2,000,000) TBM Disassembly/Removal/Jet Grouting ($1,000,000) TBM Machine-leave structure and frame: Fill head with slurry, loss of TBM salvage value, $4,500,000 TBM trailing gear-removal/install temporary jump rail, 2 shifts-10 man crew for two months $880,000 CTS Station contractor impact $750,000 Total: $3,730,000	◒ Property acquisition Extension of tunnel and headhouse Design $250,000 Estimated Pagoda Theater Property Acquisition $3,000,000 Estimated negotiated property settlement $1,000,000 Tunnel Extension 1,500' x $7,000/FT x2 $22,000,000 Total: $26,910,000	○ Tunnel cost increase due to reduced salvage of TBM Additional cost to tunnel contractor Additional tunnel Design $250,000 Tunnel Extension 1,500' x $7,000/FT x2 $21,000,000 Retrieval Shaft Removal ($2,000,000) TBM Disassembly/Removal/Jet Grouting ($1,000,000) TBM Machine-leave structure and frame: Fill head with slurry, loss of TBM salvage value $4,500,000 TBM trailing gear-removal/install temporary jump rail, 2 shifts-10 man crew for 2.5 months $1,100,000 CTS Station contractor impact $750,000 Ventilation Shaft $500,000 Total: $25,100,000
Schedule	● In tunnel contract	◒ Delay to CTS station access Schedule concerns	◒ Schedule Concerns	● No impact if granted access to demolish property 1st quarter of 2013	◒ Schedule concerns Longer duration for tunnel length
Future Phase III Considerations					
Central Subway Phase III Extension Consideration	● Constructible Tunnel - Jackson Street to Columbus Avenue available for Phase III	○ No tunnel from Jackson to Columbus No retrieval shaft available Removal of TBMs difficult at CTS	○ No retrieval shaft available Tunnel - Jackson to Columbus available for Phase III Large TBM obstacle to be removed in future	● Station headhouse/underground access to Columbus Avenue Tunnel - Jackson Street to Columbus Avenue available for Phase III	○ No retrieval shaft available Tunnel - Jackson Street to Columbus Avenue available for Phase III No impact to cable cars Large TBM obstacle to be removed in future
Future North Beach Transit Station Consideration	● Connection Shaft Station requirement part of consideration for design	○ No station site available	○ No retrieval shaft available Large TBM obstacle to be removed in future	● Station headhouse/underground access to Columbus Avenue Tunnel - Jackson Street to Columbus Avenue available for Phase III	● No retrieval shaft available Large TBM obstacle to be removed in future

THIS PRINT COVERS CALENDAR ITEM NO.: 11

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY

DIVISION: Central Subway Project

BRIEF DESCRIPTION:
Authorizing the Director to determine the feasibility of Option 4 for the removal of tunnel boring machines (removal from 1731-1741 Powell Street) and Option 3 (leaving tunnel boring machine head under Columbus Avenue) and to seek guidance from the City's environmental review officer and the Federal Transit Administration as to whether either Option requires additional environmental review, and if either Option 4 in the first instance or Option 3 in the second is feasible and does not require further environmental review, authorizing the Director to take all actions necessary to implement either option.

SUMMARY:

- The SFMTA Board of Directors on August 19, 2008 adopted Central Subway Project Alternative 3B, Fourth /Stockton Alignment with semi-exclusive surface rail operations on Fourth Street and a construction variant to extend the tunnel 2,000 feet to a North Beach Retrieval Shaft on Columbus Avenue.
- The SFMTA Board of Directors on June 28, 2011, awarded Contract No. 1252 to Barnard Impregilo Healy to construct tunnels, cross passages and the tunnel boring machine (TBM) retrieval shaft in the median of Columbus Avenue in North Beach.
- Prior to the start of construction of the North Beach Retrieval Shaft in August 2012, SFMTA staff held community meetings to provide information and address concerns related to construction activities. At these meetings, members of the community expressed concern about construction-related traffic and business disruption.
  To address these concerns, the community members requested that the SFMTA evaluate options to the approved TBM retrieval plan. The Central Subway Program has evaluated five retrieval shaft construction options and recommends, as its first preference, to further evaluate moving the Central Subway Tunnel Boring Machine Retrieval Shaft to1731-1741 Powell Street, with a back-up plan of leaving the TBMs in the ground under Columbus Ave. between Powell and Union Streets. If neither alternative can be accomplished by February 1, the Project will continue with construction of the previously approved retrieval shaft on Columbus Avenue.

ENCLOSURES:
1. SFMTA Board of Directors Resolution
2. Project Budget & Financial Plan
2. North Beach Retrieval Option Review

APPROVALS:		**DATE**
DIRECTOR	_____	11/29/12
SECRETARY	_____	11/29/12

ASSIGNED SFMTAB CALENDAR DATE: December 4, 2012

PURPOSE

Requesting authorization to further evaluate the feasibility of removing Tunnel Boring Machine (TBM) Retrieval Shaft to 1731-1741 Powell Street or leaving the TBMs in the ground under Columbus Avenue, between Powell and Union Streets by February 1, 2013 with the expectation that the Project will proceed to construct the retrieval shaft on Columbus Avenue as previously approved if the necessary reviews and approvals cannot be obtained by that time.

GOAL

This staff report addresses Strategic Plan Goal 3 – Improve the environment and quality of life in San Francisco

Objective 3.3 Allocate capital resources effectively

DESCRIPTION

General Background:

The Central Subway Project (Project) is the second phase of the SFMTA's Third Street Light Rail Project, and will add 1.67 miles of light rail track north from the northern end of the new Third Street Light Rail at Fourth and King Streets to a terminal in Chinatown. The Project will serve regional destinations, including Chinatown (the most densely populated area of the country that is not currently served by modern rail transportation), Union Square, Moscone Convention Center, Yerba Buena, South of Market and AT&T Park. The Project will also connect to BART and Caltrain (the Bay Area's two largest regional commuter rail services), serve a low automobile ownership population of transit customers, increase transit use and reduce travel time, reduce air and noise pollution, and provide congestion relief.

The Project will have four stations and connecting subsurface tunnels to provide direct rail service to the South of Market and Chinatown neighborhoods. The Project has been planned and located in a manner that will be most compatible with the greatest public good and the least disruption to residents and businesses in the Project area.

The Project will issue construction contracts with a total estimated construction cost of approximately $1,090 million. Construction started in 2010 and will continue for eight years. The start of revenue operations is scheduled for 2019.

Environmental Review Background:

The Third Street Light Rail Project Final Environmental Impact Statement/Environmental Impact Report (EIS/EIR) was certified by the San Francisco Planning Commission in 1998. On January 19, 1999, the Public Transportation Commission approved Resolution No. 99-009, which adopted the environmental findings pursuant to the California Environmental Quality Act (CEQA) for the Project, including mitigation measures as set forth in the 1998 FEIS/FEIR and Mitigation Monitoring Report. The Federal Transit Administration (FTA) issued a Record of

Decision (ROD) for the Initial Operating Segment (IOS) of the Project (the Third Street LRT Phase I) on March 16, 1999, under NEPA and authorized the SFMTA to enter into final design for the IOS in early 2000. Revenue operation of Phase I of the Third Street Light Rail, extending from Bayshore Boulevard to Fourth and King Streets, began in April 2007.

On November 19, 2002, the SFMTA Board of Directors adopted Resolution No. 02-144, authorizing the Director of Transportation to execute Contract No. CS-138 with Parsons Brinckerhoff Quade & Douglas and PGH Wong for professional engineering and other support services for the Central Subway segment of the Project ("PB/Wong Agreement"), in an amount not to exceed $29,800,000. On January 27, 2003, the Board of Supervisors authorized the Director of Transportation to execute the PB/Wong Agreement. The PB/Wong Agreement included services to prepare a Supplemental EIS/EIR for the Project.

On June 7, 2005, the SFMTA Board of Directors selected the Fourth/Stockton Streets option as the Locally Preferred Alternative (LPA) to be carried forward in the SEIS/SEIR. The intent of the SEIS/SEIR was to update environmental conditions in the Central Subway study area and to evaluate alternatives to the Project, including an enhancement to the alignment discussed in the EIS/EIR (Alternative 2) and the Fourth/Stockton Alignment, LPA (Alternative 3A). The SEIR/SEIS also evaluated a construction variant to the tunnel construction, in which the Tunnel Boring Machines would be removed through a retrieval shaft constructed on Columbus Avenue, between Powell and Union Streets ("the North Beach Construction Variant"). A Notice of Preparation was issued in June 2005 and a public scoping meeting was held.

In response to comments received during the public scoping process and preliminary cost estimates prepared for the Project, SFMTA made refinements to the Fourth/Stockton Alignment and identified a Fourth/Stockton, Modified LPA (Alternative 3B) for evaluation in the SEIS/SEIR.

The Draft SEIS/SEIR was issued on October 17, 2007, for a 55-day public review period. During the public comment period, a series of three publicized community meetings were held in the Chinatown, Union Square and South of Market areas to provide information to the public about the Draft SEIS/SEIR. These meetings were well attended and the public was able to view renderings and talk with Project staff about the Project and the environmental process. The San Francisco Planning Department conducted a public hearing on the Supplemental EIS/EIR on November 15, 2007.

The public comment period was closed on December 10, 2007. The SFMTA received 39 comment letters, and 23 people, representing 20 organizations, provided comments at the Planning Commission public hearing held on November 15, 2007. At the public hearing, 19 speakers expressed support for the Project and one expressed opposition to the Project. Of those responding during the public comment period, five (including the Recreation and Parks Department) expressed support specifically for Alternative 3B.

On February 19, 2008, the SFMTA Board of Directors adopted Resolution No. 08-029, selecting the Central Subway Project Alternative 3B, Fourth/Stockton Alignment with semi-exclusive surface rail operations on Fourth Street, and the North Beach Construction Variant, as the Locally Preferred Alternative, authorizing the Executive Director/CEO to carry forward this selection in the Final SEIS/SEIR.

The San Francisco Planning Commission adopted Motion No. M-17668 on August 7, 2008, certifying completion of the Central Subway Final SEIR. The Planning Commission certified the SEIR as accurate, adequate and objective, reflecting the independent judgment of the Planning Commission. On August 19, 2008, the SFMTA Board of Directors adopted Central Subway

Project Alternative 3B, Fourth/Stockton Alignment with semi-exclusive surface rail operations on Fourth Street and the North Beach Construction Variant findings required by CEQA including a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Plan. As relevant here, no significant environmental impacts were identified due to the North Beach Construction Variant, although a variety of improvement measures were identified and adopted to minimize insignificant impacts from construction.

Environmental appeals were filed and heard by the Board of Supervisors on September 16, 2008. The Board of Supervisors voted unanimously to uphold the Planning Department's certification of the Supplemental EIR.

The Notice of Determination was filed on September 18, 2008, and the 30-day legal challenge period expired without any legal challenges. The notice for the Final SEIS appeared in the Federal Register on October 3, 2008, and the 30-day waiting period elapsed. The FTA issued the Record of Decision announcing the completion of the Central Subway environmental process on November 16, 2008. On January 7, 2010, the FTA issued its approval for the Project to enter into Final Design.

Project Status:

The Central Subway design consists of a short portion of in-street surface light rail from the Caltrain Station to Bryant Street, before transitioning into subway operation for most of the alignment. The subway will consist of twin bore tunnels, with three subway stations serving the Yerba Buena/Moscone, Union Square/Market Street, and Chinatown areas.

The Union Square/Market Street Station will connect with the existing BART/Muni Powell Street Station. A deep tunneling approach using TBMs will reduce surface disruption during construction, create a more direct alignment, and shorten the construction period. The Central Subway tunnels will pass under the existing BART/Muni Market Street subway tunnels with the rail over 95 feet below the ground surface. Most of the alignment will be located under existing street right-of-way with limited required underground easements. The stations will have center-platforms and are designed to accommodate high-floor two-car trains. Whenever feasible, off-street properties have been identified for the primary station access with transit oriented development opportunities at the Moscone/Yerba Buena and Chinatown Stations.

The running tunnels will be constructed using TBMs, which will pass through differing geological formations, including bay mud, alluvium, Colma formation, and Franciscan bedrock. Subway station construction methods will vary. The Yerba Buena/ Moscone Station will be constructed using traditional top-down cut-and-cover construction. The Union Square/Market Street Station is located in a very constricted area and will be constructed using a top-down cut-and-cover method. Chinatown Station, also in a very constricted area, will be constructed using mined sequential excavation.

Relocation of utilities under Contracts 1250 and 1251 for the Yerba Buena/Moscone Station, the portal area and Union Square/Market Street Station has been completed. The tunneling work (Contract 1252) has started at four construction sites. Contract No. 1300, the combined construction contract for stations, surface improvement, track way and systems, has been issued for competitive bids. Project construction is expected to be completed in 2018.

North Beach TBM Retrieval Shaft:

The decision to extend the Central Subway tunnel to North Beach was made following discussions with North Beach community groups, including Renew SF, Friends of Washington Square Park, and Telegraph Hill Dwellers Association, during development of the final Supplemental EIR from 2006 through 2008. During the preliminary design and environmental review period, presentations were made to these groups and residents and owners of businesses adjacent to the alignment. Verbal and written comments received during these presentations were incorporated into the final environmental document.

Since 2006, the Project held ten community meetings in North Beach to inform residents, business owners and organizations of the proposed construction activities. (Additional meetings are planned for the near future.) During the Project's 10-year planning and development process, three alignment alternatives were considered, in addition to the TBM retrieval shaft on Columbus Avenue in North Beach. Other retrieval shaft locations along the Stockton and Union Street right-of-way were evaluated and presented to the public, including the option of removing the TBMs from the Chinatown Station site. However, Project staff concluded that constructing the retrieval shaft on Columbus Avenue would cause the least disruption to traffic and public access to local businesses.

In the months before North Beach Retrieval Shaft construction started in August 2012, four community meetings were held to inform the public of the upcoming construction activities. These meetings took place on May 11 (North Beach Business Association), May 22 (Telegraph Hill Dwellers), July 17 and July 25, 2012 (North Beach Neighbors). The presentations described the initial utility relocation work necessary to construct the TBM retrieval shaft on Columbus Avenue. Some members of the North Beach community raised concerns at these meetings about traffic disruption and business impacts caused by the upcoming retrieval shaft construction. Most of the utility relocation construction was completed between August and November on a half-block section of Columbus Avenue between Union and Filbert Streets where no commercial frontages are located. Only one lane of traffic on Columbus Avenue was closed at a time, and it was only closed during approved work hours (Monday to Friday, 7 a.m. to 3:30 p.m.). Based on the current TBM Retrieval Shaft construction plans, construction of the retrieval shaft will begin in January 2013 and will be completed in approximately ten months. To minimize the effects of construction, a variety of measures will be employed, including traffic controls, daily street sweeping and a limiting the contractor's daily work schedule.

Before commencing utility relocation work, the Project sent a 30-day construction notice to owners of property near the construction site, as required by local ordinance. The Project's outreach team also visited more than 75 North Beach businesses to provide information about the utility relocation work and to ensure that business owners and managers knew how to contact the team should they have questions or concerns.

Some residents and business owners in North Beach expressed concern that the North Beach Retrieval Shaft work, if carried out as planned, would negatively impact traffic on Columbus Avenue and disrupt businesses, without providing the benefits to the neighborhood of enhanced public transportation. They requested that the Project team evaluate options to the current

planned retrieval shaft work, including the feasibility of leaving the TBMs underground.

The Agency decided to move forward with approved utility relocation work to meet contractual and grant funding obligations. Utility relocation work has temporarily shut down due to the holiday construction moratorium and is currently planned to re-start after January 2013. In the meantime, the SFMTA completed a preliminary feasibility assessment of TBM removal options.

Project staff evaluated several options for the TBMs. The TBMs could be left in the ground at various locations. That would require removing some of the TBMs internal components and encapsulating the machine in concrete or within a structure to guard against surface settlement as the machines deteriorate. Leaving the TBMs in the ground could significantly impede the future extension of the subway into North Beach, however, because the encapsulated TBMs would likely have to be removed to extend the tunnels or construct an underground station. Removing the encapsulated TBMs at a later date would be more difficult, disruptive and expensive than removing them at the conclusion of Central Subway tunneling. The concrete and protective structures of the encapsulated TBMs would make them significantly larger, heavier, and far more difficult to remove, particularly if they are removed south of the Columbus Avenue site on Stockton Street, given the narrow confines of Stockton Street. Also, the TBM retrieval shaft site under Columbus Avenue was selected because there is sufficient space at that location to construct the shaft and retrieve the TBMs while maintaining traffic flow around the site. Retrieving the TBMs at other locations on the alignment would require additional traffic flow disruption.

As requested by concerned North Beach community residents and business owners, Project staff evaluated four additional options to the approved TBM retrieval shaft. The options to approved retrieval shaft plans were evaluated using three criteria: 1) potential impact to the Project's cost and schedule timeline; 2) potential impacts to the adjacent neighborhood, including traffic, proximity of construction work to residences, and impacts to residential and commercial property access; and, 3) impediments to a potential (but not yet planned) future extension of the T-Third Line to North Beach and Fisherman's Wharf. These criteria are discussed below.

Cost and Schedule:

Each option was evaluated based on its potential to impact the Project's cost and schedule. The SFMTA has entered into a $233 million contract to construct the tunnels; the Agency issued Notice to Proceed for the tunneling work on January 27, 2012. The tunnel contract is currently on schedule and within budget. Delays to the Project that prevent the tunnel contractor from completing its work within contract time limits would expose the Project to significant financial risk of contractor claims. Funding commitments secured for the Project also require that budget and schedule milestones be maintained.

Neighborhood Impacts:

TBM options were each evaluated based on the proximity to residences and businesses of the work required to remove or abandon the TBMs, required street closure, and constraints to site access and area/space available to construct each option, and resulting traffic impacts.

Potential Implications for Extension of Rail Service:

TBM resolution options were each evaluated based on their potential to impede consideration or construction of a future extension of light rail service into the North Beach/Fisherman's Wharf area. At this time, there is no identified funding to plan, design, review or construct such an extension. However, a possible extension of the T-Third was identified in the SFMTA's 20-Year Capital Plan. The SFMTA therefore evaluated the options for removing or abandoning the TBMs based on the potential to impact a future extension of the line.

Five TBM removal options were considered and evaluated as follows:

- ***Option 1 – Base Case "Approved Project" Complete TBM removal on Columbus Avenue between Powell and Union Streets***

The currently designed retrieval shaft location is approximately 200 feet from the closest residents and approximately 70 feet from the closest businesses. All work would be done within the public right-of-way. Columbus Avenue would be reduced to a single lane in each direction for ten months in 2013. The retrieval shaft on Columbus Avenue would not negatively impact the future consideration of an extension of the Third Street T Line to North Beach and/or Fisherman's Wharf, and as approved, the retrieval shaft could also be used for construction purposes should an extension be approved. The 2000 feet of additional tunnel beyond the Chinatown Station can be used as underground train storage for the LRV fleet and as emergency exit and safe harbor areas for train operators and other staff during an emergency.

- ***Option 2 – Leave Tunnel Boring Machine Head North of the Chinatown Station***

Based on preliminary conversations with the Planning Department's Major Environmental Analysis division, this option likely would require minimal additional environmental study. However, a final determination cannot be made until new construction drawings and specifications are prepared by the Project's engineering consultants and analyzed by the Planning Department for possible impacts. Leaving the TBM Head underground in Chinatown will increase cost and could create site access issues for the tunnel and station contractors that would jeopardize the Project's schedule. Leaving the TBM head underground could complicate or preclude reasonable near-term prospects for a future extension of the T Third Line. This option would reduce Project construction costs by $21 to $23 million and would reduce the Tunnel Contract schedule by approximately three months by eliminating tunnel construction north of the Chinatown Station. However, overall project savings are unknown, as the SFMTA will be required to compensate the tunneling contractor for the lost resale value of the two buried TBMs. Leaving the TBMs underground may also delay the station contractor's work, which is currently scheduled to begin on the underground stations as soon as the TBMs pass beyond the Chinatown Station site.

- ***Option 3 – Leave Tunnel Boring Machine Head under Columbus Avenue***

Based on preliminary conversations with the Planning Department's Major Environmental Analysis division, this option likely would require minimal additional environmental study.

However, a final determination cannot be made until such time as new preliminary construction drawings and specifications are considered for possible impacts. Leaving the TBM Head under Columbus Avenue will leave an encapsulated large obstacle that would be difficult and disruptive to remove at a later date, as the concrete and protective structures would make the abandoned TBMs significantly larger and heavier. This option will also complicate a possible future extension of the line and/or station. Abandoning the TBMs underground on Columbus Avenue would require the SFMTA to compensate the tunnel contractor for the loss of resale value of two buried TBMs and the costs of removing the TBM trailing gear in pieces, and may also cause schedule delays to the Tunnel and Station work. Adopting this option would likely increase the Project costs by $3-$5 million and increase the Project schedule by approximately two months.

- ***Option 4 – Complete TBM Removal at 1731-1741 Powell Street***

Based on preliminary conversations with the Planning Department's Major Environmental Analysis division, this option likely would require minimal additional environmental study. However, a final determination cannot be made until such time as new preliminary construction drawings are considered for possible impacts. The property, a former cinema commonly known as the Pagoda Palace, is currently empty and decrepit. However, the owner has obtained approvals, including environmental approvals, from the Planning Department to redevelop the property as a mixed use retail/residential development. To use the site for TBM retrieval may require demolishing the old building. This option imposes minimal traffic impacts on Columbus Avenue. This option would not preclude future extension of LRV service. This option will increase the Project budget by approximately $3 million and require the appropriation of additional local (non-federal) funds to purchase or otherwise secure access rights for the property from the current owner. This Option would not impact the Project schedule, provided that the SFMTA can reach agreement with the property owner, obtain any necessary further review and approvals, including approval to demolish the building by February 1, 2013. The property owner's approval may require that the City grant a zoning variance to allow development of the site to the existing building height, which exceeds current height restrictions for new construction.

- ***Option 5 – Leave TBM Head North of Taylor Street under Columbus Avenue***

Based on preliminary conversations with the Planning Department's Major Environmental Analysis division, this option likely would require minimal additional environmental study. For the reasons articulated above, abandoning the TBMs underground will require the SFMTA to compensate the tunneling contractor for the loss of the two buried TBMs resale value and the costs of removing the TBM trailing gear in pieces, and may delay construction of the tunnels and stations. If the tunnels are extended north of Taylor Street, then any future extension of the line would not conflict with the existing Powell Street Cable Car lines. This option would increase Project costs by $24 - 26 million due to the increased tunnel length and would increase the Project schedule by approximately three months.

The above alternatives were presented to the North Beach community at a public meeting on November 19, 2012. The meeting was attended by approximately ninety people, representing a

cross section of those who support extending transit to North Beach and a group of constituents who want no construction-related disruption. SFMTA staff expressed the Agency's commitment to working with merchants, local businesses and neighbors to minimize disruption and impacts associated with Central Subway construction.

Based on the above review, only Option 4, complete TBM Removal at 1731-1741 Powell Street, will address the construction concerns of the North Beach community without significantly impeding the possible future extension of rail service to North Beach/Fisherman's Wharf. The challenges associated with this option include the very tight timeline in which to acquire or secure access rights for the private property (including issuance of any required zoning variance), the appropriation of local funds needed to purchase or secure these access rights, and the need for any additional engineering review and approvals necessary to retrieve the TBMs from the site. If Option 4 proves infeasible, Option 3, Leave Tunnel Boring Machine Head under Columbus Avenue, would respond to disruption concerns raised by some members of the North Beach community, and, while this option creates additional challenges for a future extension of the T Third Line to North Beach and Fisherman's Wharf, this Option would increase Project costs less than Option 5. The challenges associated with Option 3 for the currently approved Project include the tight timeline in which to obtain additional Project funding, complete the additional engineering work, execute the necessary construction contract modifications, and complete any additional environmental study required.

Staff recommends, as its first preference, to further evaluate Option 4 (remove tunnel boring machine from 1731-1741 Powell Street) with a back-up plan to further evaluate Option 3 (leave tunnel boring machine head under Columbus Avenue) until February 1, 2013. If the necessary reviews and approvals cannot be obtained by that time, staff recommends that the Project focus on constructing the approved retrieval shaft on Columbus Avenue so that the Project's schedule and budget are not put at risk.

Consideration of extending rail service into North Beach/Fisherman's Wharf will be a separate effort, given that funding has yet to be identified for planning, design or construction. SPUR is currently planning a design charette to be held this winter to begin community discussions regarding such extension, and are eager to work with affected communities and neighborhoods to move that discussion forward.

The City Attorney's Office has reviewed this calendar item.

ALTERNATIVES CONSIDERED

The principal alternatives considered include leaving the Tunnel Boring Machine Head under Stockton Street or at either of two locations under Columbus Avenue. The alternatives that will be pursued will be to consider moving the TBM retrieval shaft to a site on private property and leaving the TBM head under Columbus Avenue to minimize disruptions to traffic on Columbus Avenue.

FUNDING IMPACT

The funding for Central Subway is from federal, state and local sources. Costs for advancing the Base Case: Construction on Columbus/Complete TBM removal is covered by the existing Central Subway Project budget and thus does not increase the Project budget. The Central Subway Project Budget & Financial Plan is set forth in Enclosure 2.

RECOMMENDATION

Staff recommends that the SFMTA Board of Directors authorize staff to first pursue the feasibility of moving the TBM retrieval shaft to property at 1731-1741 Powell, with a back-up plan to leave the TBM head under Columbus Avenue between Union and Powell Streets. If the required necessary Project review and possible approvals cannot be obtained by February 1, 2013, then the SFMTA Board directs staff to proceed with the approved retrieval shaft construction on Columbus Avenue so that the Project's schedule and budget are not put at risk.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, The Final Environmental Impact Statement/Environment Impact Report (Final EIS/EIR) for the two-phase Third Street Light Rail Project (the "Project") was completed in November 1998; and,

WHEREAS, The former Public Transportation Commission approved Resolution No. 99-009 on January 19, 1999, which adopted the environmental findings pursuant to the California Environmental Quality Act (CEQA) for the Project, including mitigation measures as set forth in the Project's Final Environmental Impact Report and Mitigation Monitoring Report; and,

WHEREAS, Design and construction of the 1.7-mile Central Subway is Phase 2 of the Third Street Light Rail Transit Project; and,

WHEREAS, The SFMTA Board of Directors adopted Resolution No. 05-087 on June 7, 2005, which selected the Fourth/Stockton option as the Locally Preferred Alternative (LPA) to be carried forward in the SEIS/SEIR; and,

WHEREAS, In response to comments received during the public scoping process and preliminary cost estimates prepared for the Project, SFMTA made refinements to the Fourth/Stockton Alignment and identified a Fourth/Stockton, Modified LPA (Alternative 3B) for evaluation in the SEIS/SEIR; and,

WHEREAS , The San Francisco Municipal Transportation Agency Board of Directors on February 19, 2008 adopted Resolution No. 08-029, selecting the Central Subway Project Alternative 3B, Fourth/Stockton Alignment with semi-exclusive surface rail operations on Fourth Street and the North Beach Construction Variant, as the Locally Preferred Alternative; and,

WHEREAS, The San Francisco Planning Commission adopted Motion No. M-17668 on August 7, 2008 certifying completion of the Central Subway Final SEIR; and,

WHEREAS, The SFMTA Board of Directors adopted Resolution No. 08-150 on August 19, 2008 adopting Central Subway Project Alternative 3B, Fourth / Stockton Alignment with semi-exclusive surface rail operations on Fourth Street and the North Beach Construction Variant; and,

WHEREAS, Certain members of the North Beach community are concerned that the North Beach Retrieval Shaft work as approved will impede traffic on Columbus Avenue and disrupt businesses, without receiving the benefit of enhanced public transportation; and,

WHEREAS, Certain members of the North Beach community has requested that the Central Subway team evaluate options to the current approved retrieval shaft construction work; and,

WHEREAS, The SFMTA has reviewed several options to the North Beach Construction Variant; and,

WHEREAS, According to the North Beach Retrieval Option Review, only Option 4, Complete TBM Removal at 1731-1741 Powell Street, will address the construction impacts of the North Beach community without impeding the possible future extension of the T-Third to North Beach/Fisherman's Wharf should funding be identified to plan, design and construct such an extension, and only Option 3, Leave Tunnel Boring Machine Head under Columbus Avenue will provide a reasonable option that the North Beach community may accept without precluding reasonable near-term prospects for a future extension of the T Third Line to North Beach and Fisherman's Wharf, if Option 4 proves infeasible; and,

WHEREAS, In order to not impact the construction schedule, Options 3 and 4 require that additional local funds be appropriated, and review (including environmental review) and approvals be obtained by February 1, 2013; and,

WHEREAS, If the necessary review, approvals or funds cannot be obtained by that time, the Project must proceed with constructing the approved retrieval shaft construction on Columbus Avenue so as not to put the Project's schedule and cost obligations at risk; therefore be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors authorizes the Director of Transportation or his designee to evaluate the feasibility of Option 4 (remove tunnel boring machine from 1731-1741 Powell Street) as an alternative to the previously approved plan to remove the tunnel boring machines for the Central Subway Program using Columbus Avenue between Powell and Union Streets, and, if the Director determines Option 4 to be feasible and if the City's Environmental Review Officer and the Federal Transportation Administration conclude that no additional environmental review is necessary, authorizes the Director of Transportation to take all actions necessary to implement Option 4; and,

RESOLVED, That if the Director of Transportation determines that Option 4 is not feasible, the San Francisco Municipal Transportation Agency Board of Directors authorizes the Director of Transportation or his designee to evaluate the feasibility of Option 3 (leave tunnel boring machine head under Columbus Avenue) as an alternative to the previously approved plan to remove the tunnel boring machines for the Central Subway Program using Columbus Avenue between Powell and Union Streets, and, if the Director determines Option 3 to be feasible and if the City's Environmental Review Officer and the Federal Transportation Administration conclude that no additional environmental review is necessary, authorizes the Director of Transportation to take all actions necessary to implement Option 3; and be it

FURTHER RESOLVED, That if the Director of Transportation determines by February 1, 2013 that either Option 3 or Option 4 is not feasible, or if the City's Environmental Review Officer or the Federal Transit Administration concludes that the preferred Option requires additional environmental review, the SFMTA Board of Directors directs the Central Subway Program to continue to construct the retrieval shaft for the tunnel boring machines on Columbus Avenue, as previously approved.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of December 4, 2012.

_____

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

ENCLOSURE 2

THIRD STREET LIGHT RAIL PROJECT
CENTRAL SUBWAY

Project Budget & Financial Plan

Cost	**($Million)**
Conceptual and Preliminary Engineering	46.32
Program Management & Construction Management	206.52
Final Design	86.05
Construction Contracts	1,089.61
Vehicles	26.38
Contingency	63.34
Right-of-Way	37.40
Other Professional Services	22.68
Total Central Subway Cost	**$ 1,578.30**

Funding	**($Millions)**
Federal 5309 New Starts	942.20
Federal CMAQ	41.03
State RTIP Grant	88.00
State TCRP Grant	14.00
State Proposition 1A - High Speed Rail	61.31
State Proposition 1B - PTMISEA	307.78
Proposition K Sales Tax Funds	123.98
Total Central Subway Funding	**$ 1,578.30**

North Beach Retrieval Option Review

1. Base Case: Construction on Columbus Avenue/Complete TBM removal
2. Leave TBMs head north of Chinatown Station
3. Leave TBMs head under Columbus Avenue
4. Complete TBM removal at 1731-1741 Powell Street
5. Leave TBMs head north of Taylor Street under Columbus Avenue

*Additional environmental work is required to investigate further

Criteria	Good	Fair	Poor

Neighborhood Impacts	Option 1	Option 2	Option 3	*Option 4	*Option 5
Residential Considerations (NB)	Good	Fair	Good	Fair	Good
Business Considerations	Fair	Fair	Good	Fair	Good
Construction Access/Area	Fair	Poor	Fair	Fair	Fair
Traffic Impacts	Poor	Poor	Fair	Good	Fair
Neighborhood Impacts Summary	Fair	Poor	Fair	Poor	Fair

Environmental Impacts/Planning Processes	Option 1	Option 2	Option 3	*Option 4	*Option 5
Within FEIS/FEIR Limits	Good	Good	Good	Fair	Fair

Cost and Schedule	Option 1	Option 2	Option 3	*Option 4	*Option 5
Cost (does not include cost of schedule delay)	Good	Good	Fair	Fair	Poor
Schedule	Good	Fair	Fair	Good	Fair

Future Phase III Considerations	Option 1	Option 2	Option 3	*Option 4	*Option 5
Central Subway Phase III Extension Considerations	Good	Poor	Poor	Good	Poor
Future North Beach Transit Station Considerations	Good	Poor	Poor	Good	Good

Exhibit 7

Attachment D

SHPO's letter concurring with FTA's evaluations of historic properties within the APE (11/5/07) and SHPO's letter concurring with FTA's Finding of Adverse Effect (7/9/08)

STATE OF CALIFORNIA – THE RESOURCES AGENCY ARNOLD SCHWARZENEGGER, *Governor*

OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION
P.O. BOX 942896
SACRAMENTO, CA 94296-0001
(916) 653-6624 Fax: (916) 653-9824
calshpo@ohp.parks.ca.gov
www.ohp.parks.ca.gov

05 November 2007

Reply To: FTA980703A

Leslie Rogers, Regional Administrator
US Department of Transportation
Federal Transit Administration, Region IX
201 Mission Street, Suite 1650
San Francisco, CA 94105-1839

Re: Determination of Eligibility for Phase 2 of the 3rd Street Light rail, San Francisco, San Francisco County, CA

Dear Mr. Rogers:

Thank you for initiating consultation with me pursuant to Section 106 of the National Historic Preservation Act as amended and the implementing regulations codified in 36 CFR 800 with regards to the above referenced undertaking. You are requesting I review and concur with the determination of eligibility for 76 properties and 18 previously evaluated properties.

As I presently understand it, the undertaking consists of extension of the light rail from the current terminus at Fourth and King Streets, primarily via subway, to a terminus in Chinatown on Stockton between Washington and Jackson Streets.

I concurred with the delineation of the APE in our earlier consultation.

FTA has determined that 39 properties are eligible for inclusion in the National Register of Historic Places (NRHP). Of those properties the following were reevaluated and recommended as **eligible** for inclusion in the NRHP:

1. 920 Sacramento Street, (Reference 285), eligible under Criterion A and C both individual and as a contributor to the Chinatown Historic District. I concur with this determination but am unable to concur with the eligibility under Criterion B.
2. 950 Clay Street (Reference 292), eligible as a contributor to the Chinatown Historic District
3. 1325-1341 Stockton Street (Reference 337), eligible as a contributor to the North Beach Historic District
4. 470-480 Columbus Avenue (Reference 348), eligible under Criterion C as an example of Moderne Architecture. At this time I am unable to concur with the determination of eligibility under Criterion B.
5. 1435 Stockton Street (Reference 353), eligible as a contributor to the North Beach Historic District
6. 1455 Stockton Street (Reference 354), eligible individually under Criterion C for its architecture and as a contributor to the North Beach Historic District
7. 500-524 Columbus Avenue (Reference 360), eligible as a contributor to the North Beach Historic District

8. 532 Columbus Street/1527 Stockton Street (Reference 362), eligible as a contributor to the North Beach Historic District
9. 548 Columbus Street/629 Union Street (Reference 364), eligible as a contributor to the North Beach Historic District and the Washington Square Historic District
10. 552-566 Columbus Street (Reference 365), eligible as a contributor the North Beach Historic District and the Washington Square Historic District
11. 600-668 Columbus Street (Reference 366), eligible as a contributor to the North Beach Historic District and Washington Square Historic District
12. 651 Columbus Avenue (Reference 367), eligible as a contributor to the North Beach Historic District and Washington Square Historic District
13. 701-705 Union Street (Reference 368), eligible as a contributor to the North Beach Historic District and Washington Square Historic District
14. 1701-1715 Powell Street (Reference 369), eligible as a contributor to the North Beach Historic District and Washington Square Historic District
15. 1717-1719 Powell Street (Reference 370), eligible as a contributor to the North Beach Historic District and Washington Square Historic District
16. 1731-1741 Powell Street (Reference 371), eligible as a contributor to the North Beach Historic District and Washington Square Historic District, but I am unable to concur with the determination that the building would be eligible if it were to be restored (7N1)

FTA has determined that two newly identified properties are **individually eligible** for listing in the NRHP:

17. 601 Fourth Street (Reference 173), eligible under Criterion A for its association with the Liggett and Meyers Tobacco Company and under Criterion C as a significant example of industrial architecture for the early twentieth century. I am able to concur with the determination under Criterion C but will need more justification under Criterion A to consider the building eligible.
18. 54 Fourth Street (Reference 238), at this time I am unable to concur with the eligibility under Criterion B and C unless more information is provided. Additionally FTA may want to consider eligibility under Criterion A for its association with construction of new commercial buildings and hotel to showcase San Francisco during the Panama-Pacific Exposition.

Additionally, FTA has determined that the following properties are **eligible as contributors** to historic districts and I concur with the following determinations:

19. 165-167 O'Farrell Street (Reference 256)
20. 918 Sacramento Street (Reference No. 286)
21. 910-914 Clay Street (Reference No. 289)
22. 916-918 Clay Street (Reference No. 290)
23. 868-870 Clay Street (Reference No. 294)
24. 45-53 Ross Alley (Reference No. 301)
25. 168-770 Jackson Street (Reference No. 317)
26. 1200-1206 Stockton Street (Reference No. 322)
27. 1208-1214 Stockton Street (Reference No. 323)
28. 1216-1218 Stockton Street (Reference No. 324)
29. 1220-1222 Stockton Street (Reference No. 325)
30. 1224-1226 Stockton Street (Reference No. 326)
31. 1230 Stockton Street (Reference No. 327)
32. 1238-1242 Stockton Street (Reference No. 328)
33. 1201-1217 Stockton Street (Reference No. 330)
34. 1241-1245 Stockton Street (Reference No. 332)
35. 1247 Stockton Street (Reference No. 333)
36. 1265 Stockton Street/705 Broadway (Reference No. 334)

37. 1301-1317 Stockton/700 Broadway (Reference No. 335)
38. 1319-1323 Stockton Street (Reference No. 336)
39. 1355-1365 Stockton Street (Reference No. 339)
40. 1300 Stockton Street (Reference No. 340)
41. 1318-1324 Stockton Street (Reference No. 341)
42. 1326-1328 Stockton Street (Reference No. 342)
43. 1334-1338 Stockton Street (Reference No. 344)
44. 637 Vallejo Street/1362 Stockton Street (Reference No. 345)
45. 1424 Stockton/401-451 Columbus Ave (Reference No. 346)
46. 1418 Stockton Street (Reference No. 347)
47. 702-712 Vallejo Street/1401-1405 Stockton Street (Reference No. 351)
48. 1411 Stockton Street (Reference No. 352)
49. 501-543 Columbus Ave (Reference No. 355)
50. 526 Columbus Ave/1521 Stockton Street (Reference No. 361)
51. 549-561 Columbus Ave (Reference No. 356)
52. 561-571 Columbus Ave (Reference No. 357)
53. 575-579 Columbus Ave (Reference No. 358)
54. 166 South Park (Reference No. 192)

Of the properties determined eligible for the NRHP as contributors to a historic district, I am unable to concur with the following:

55. Willie "Woo Woo" Wong Playground- 850 Sacramento Street (Reference No. 283), the property still has to maintain integrity to be considered a contributor to a historic district, and as the report states, the property does not maintain integrity.

As for archeological resources, FTA has determined there is potential for buried deposits and that a new Programmatic Agreement for deferred identification is appropriate. I agree with this approach.

I look forward to continuing consultation on this project. If you have any questions, please contact Amanda Blosser of my staff at (916) 653-9010 or e-mail at ablosser@parks.ca.gov.

Sincerely,

Susan K Stratton for

Milford Wayne Donaldson, FAIA
State Historic Preservation Officer

MWD:ab

STATE OF CALIFORNIA – THE RESOURCES AGENCY ARNOLD SCHWARZENEGGER, *Governor*

OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION
P.O. BOX 942896
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(916) 653-6624 Fax (916) 653-9824
calshpo@ohp.parks.ca.gov
www.ohp.parks.ca.gov

July 9, 2008 Reply To: FTA080501A

Leslie T. Rogers, Regional Administrator
Federal Transit Administration
201 Mission Street, Suite 1650
San Francisco, CA 94105-1839

RE: Finding of Effect for the Proposed San Francisco Municipal Transportation Agency Third Street Light Rail – Central Subway, San Francisco, CA

Dear Mr. Rogers:

You have provided me with the results of your efforts to determine whether the project described above may involve or affect historic properties. You have done this, and are consulting with me, in order to comply with Section 106 of the National Historic Preservation Act and implementing regulations codified at 36 CFR Part 800.

The Federal Transit Administration (FTA) has found that the proposed project will have an adverse effect on historic properties. I concur with this finding.

Thank you for considering historic properties as part of your project planning. If you have any questions, please contact Natalie Lindquist of my staff at your earliest convenience at (916) 654-0631 or e-mail at nlindquist@parks.ca.gov.

Sincerely,

Susan K Stratton for

Milford Wayne Donaldson, FAIA
State Historic Preservation Officer

Contract No: CS-138 – Central Subway
Routing Date 7-11-08
File No.: 1.70-01.14
Doc No.: 02912 Initials: PMC
MTA Project No. M544 PBWong Project No. 13217

XREF FILE NO.
GC.EN SHPO
1.70-01.06a
1.70-01.06b
1.70-01.13

Exhibit 8

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

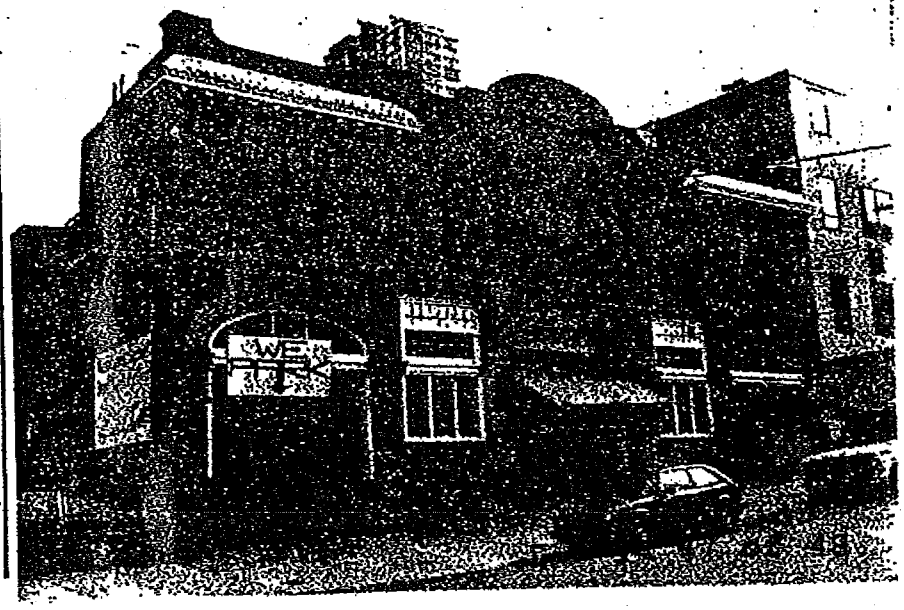
HISTORIC RESOURCES INVENTORY

Ser. No. ____
HABS ___ HAER ___ NR 4 SHL ___ Loc ___
UTM: 10/A 551900/4183690 B ___
C ___ D ___

IDENTIFICATION
1. Common name: 721 Filbert
2. Historic name: Hildebrand Stables
3. Street or rural address: 721 Filbert Street
City San Francisco, CA Zip 94133 County San Francisco
4. Parcel number: 101/31
5. Present Owner: Crown Building Maintenance Co. Address: 721 Filbert
City San Francisco, CA Zip 94133 Ownership is: Public ___ Private x
6. Present Use: garage; industrial or offices Original use: stable & stores

DESCRIPTION
7a. Architectural style: Mission Revival
7b. Briefly describe the present *physical description* of the site or structure and describe any major alterations from its original condition:

This 2-story-&-basement garage is a brick structure with clinker brick facade. Three elliptical arches cover three automobile-sized entrances, but the two outer ones originally were stores. Windows with factory sash are between the arches and in one transom. A curved parapet above clay tile rooflets sets the Mission Revival atmosphere. The upper window sills have been significantly lowered and dark metal sash inserted, but the job is sympathetically done. A string course completes the ornamentation, in contrasting red brick like the four-course arch voussoirs.



8. Construction date: 1906
Estimated x Factual ___
9. Architect M.J. Lyon
10. Builder R.W. Moller
11. Approx. property size (in feet)
Frontage 80 Depth 138
or approx. acreage ___
12. Date(s) of enclosed photograph(s)
1982

13. Condition: Excellent ___ Good X Fair ___ Deteriorated ___ No longer in existence ___

14. Alterations: sandblasted; upper windows; conversion from stable to gara

15. Surroundings: (Check more than one if necessary) Open land ___ Scattered buildings ___ Densely built-up X
Residential X Industrial ___ Commercial X Other: ___

16. Threats to site: None known ___ Private development ___ Zoning ___ Vandalism ___
Public Works project ___ Other: ___

17. Is the structure: On its original site? X Moved? ___ Unknown? ___

18. Related features: none

SIGNIFICANCE

19. Briefly state historical and/or architectural importance (Include dates, events, and persons associated with the site.)

This massive-seeming garage is very visible just off Washington Square. Only one other building in North Beach has a facade entirely of clinker brick, and the other is on a much less visible site (corner of Powell & Vallejo). This may be the only clinker brick garage in the city, worth even sand-blasting to restore some thing like the original color from the bright paints that once covered it. The architect M.J. Lyon did both the original buildi and its conversion from stable to garage in 1924. He designed als Madison and Marshall Schools, the office structure at the northwes corner of Van Ness and Pacific, and a couple of buildings listed in Splendid Survivors. His client here was the notorious politica boss Abe Ruef, who had bought the land together with the adjacent site of the pre-fire Russion Orthodox Church. Later he was to hav a hand in constructing there the Washington Square Theater, now called the Pagoda Palace. The subject building was long called the Columbus Garage.

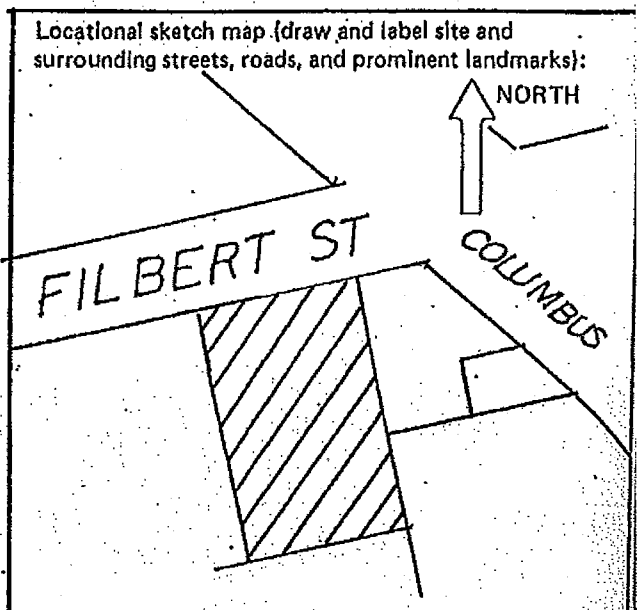
20. Main theme of the historic resource: (If more than one is checked, number in order of importance.)
Architecture 1 Arts & Leisure ___
Economic/Industrial 2 Exploration/Settlement ___
Government ___ Military ___
Religion ___ Social/Education ___

21. Sources (List books, documents, surveys, personal interviews and their dates).

Edwards Abstracts: 20 Oct. 1906.
Bldg. Perm.Applic. 124076, 7706559.
Gumina, Italians of S.F.: 65.

22. Date form prepared June 1982
By (name) Anne Bloomfield
Organization No. Beach Hist'l Project
Address: 2229 Webster St.
City San Francisco, CA Zip 94115
Phone: ___

Locational sketch map (draw and label site and surrounding streets, roads, and prominent landmarks):



Miller, Alisa

From: Board of Supervisors
Sent: Friday, February 08, 2013 3:56 PM
To: Miller, Alisa
Subject: File 130019: CENTRAL SUBWAY: LEGAL OBJECTIONS TO PAGODA THEATER

From: Lee Goodin [mailto:lgoodin1@mindspring.com]
Sent: Wednesday, February 06, 2013 3:59 PM
To: Chiu, David; marc bruno; WongAIA; Board of Supervisors
Subject: Fw: CENTRAL SUBWAY: LEGAL OBJECTIONS TO PAGODA THEATER

Supervisor Chiu,
While I would love to see that monument to blight torn down, digging a hole that you could put an eight-story building in is simply ludicrous. How many trucks filled with dirt are going to be rumbling through North Beach for how many days? If you believe Rieskin and Funghi that the extraction hole and tunnel will not be used to transport materials to Chinatown, I've got a bridge for sale. Spin meister Funghi has never been a reliable fount of info. This was a fatally flawed project from the beginning – and it just now becoming obvious what a cockamamie idea is is. If it can't be stopped entirely then at least stop it in Chinatown for whom it is being built.
Lee Goodin

From: WongAIA@aol.com
Sent: Tuesday, February 05, 2013 11:06 PM
To: wongAIA@aol.com
Subject: CENTRAL SUBWAY: LEGAL OBJECTIONS TO PAGODA THEATER

SaveMuni.com
CENTRAL SUBWAY: LEGAL OBJECTIONS TO PAGODA THEATER EXTRACTION OF TUNNEL BORING MACHINES (TBMs)

At the February 5, 2013 MTA Board meeting, SaveMuni.com submitted a letter from their Attorney, raising substantive concerns and legal objections to TBM extraction at the Pagoda Theater. On the grounds set forth in the letter, SaveMuni.com objects to the realignment of the Central Subway, alteration of the TBM extraction terminus, new Conditional Use Applications and Zoning Map Amendments. The new work requires a Subsequent or Supplement EIR, including evaluation of new geological impacts/ dewatering/ ground subsidence, nearby historic resources and the Subway's extension to North Beach.

CHRONICLE: "Central Subway foes fight Pagoda plan"
http://www.sfgate.com/bayarea/article/Central-Subway-foes-fight-Pagoda-plan-4253846.php

At a January 22, 2013 community meeting in North Beach, MTA Director Ed Reiskin assured concerned neighbors that the North Beach tunnel will be used only for TBM retrieval---not for equipment storage and delivery of materials to Chinatown. Since the machines can be retrieved or buried at a significant cost savings in Chinatown, the sole rationale to tunnel to North Beach is to complete a majority of a northerly subway extension---without neighborhood engagement or environmental reviews.

SENSIBLE COST-SAVINGS OPTIONS
It is illogical to spend $54 million to $70 million for two 2,000 foot tunnels from Chinatown to North Beach---in order to save $4.5 million in TBM salvage value. Instead, by stopping construction at Chinatown, cost savings from the Central Subway's local funding can implement the 2003 Stockton Street Enhancement Project and parts of the 2003 Prop K Transit Priority Streets Program---improving Muni throughout northern/ western San Francisco and creating more jobs quicker.

TBMs ROUTINELY BURIED AND SHIFTED OUT OF THE WAY
Learning from best construction practices around the world, TBMs are frequently entombed and routinely placed in out-of-the-way locations if future line extensions are contemplated. Other subway projects have negated disruptions to streets, traffic, transit, businesses and neighborhoods.

BRISBANE: Subway is burying two TBMs---lowered below tunnel and concrete-encased, decreasing street impacts.
http://www.theaustralian.com.au/national-affairs/tunnel-giants-to-be-entombed-as-underground-road-takes-shape/story-fn59niix-1226089288072

http://www.brisbanetimes.com.au/queensland/worksite-to-become-graveyard-for-machines-20110706-1h25s.html

Time Lapse Burial: http://www.youtube.com/watch?v=4i4DSvRoKQc

CHUNNEL: One TBM was shifted sideways/ entombed and the second TBM was hollowed out.
http://wiki.answers.com/Q/What_happened_to_the_boring_machines_used_to_build_the_Chunnel

NEW YORK CITY's new subway is burying TBMs---for cost-savings and minimizing disruptions to Park Avenue.
http://www.nytimes.com/2011/07/25/nyregion/deep-below-park-avenue-a-200-ton-drill-at-rest.html?_r=1&src=un&feedurl=http://json8.nytimes.com/pages/nyregion/index.jsonp

http://www.mta.info/news/stories/?story=320

http://ca.news.yahoo.com/blogs/good-news/subway-tunnel-boring-subterranean-wonder-buried-under-grand-164749728.html

WHAT YOU CAN DO
It is particularly effective for North Beach merchants to express concerns to Supervisor David Chiu, Board of Supervisors, MTA Board, MTA Director Ed Reiskin and Planning Commissioners.

If MTA comes to terms with the Pagoda's owner, the item will go to the Planning Commission on February 7 and the Land-Use Committee on February 11.
PLANNING COMMISSION: Pagoda Theater Special Use District
THURSDAY, FEBRUARY 7, 2013, (12 PM Start) Item 10a, 12:30 PM+
At City Hall, Room 400
AGENDA: http://sfplanning.org/index.aspx?page=3381
EXECUTIVE SUMMARY: http://commissions.sfplanning.org/cpcpackets/2013.0050CTZ.pdf

Regards, Howard Wong, AIA
www.SaveMuni.com

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

January 30, 2013

File No. 130019-2

Bill Wycko
Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Mr. Wycko:

On January 29, 2013, Supervisor Chiu introduced the following **substitute** legislation:

File No. 130019-2

Ordinance amending the Planning Code, by adding Section 249.70, to create the Central Subway Tunnel Boring Machine Extraction Site Special Use District for the property located at Assessor's Block No. 0101, Lot No. 004, known as 1731-1741 Powell Street, to facilitate the removal of the tunnel boring machines used in the construction of the Central Subway Project and allow the construction of a previously approved mixed-use residential/retail building; amending Sectional Zoning Maps HT 01 and SU 01 to reflect the Central Subway Tunnel Boring Machine Extraction Site Special Use District; adopting findings, including environmental findings, and findings of consistency with the General Plan.

This legislation is being transmitted to you for environmental review, pursuant to Planning Code Section 306.7(c).

Angela Calvillo, Clerk of the Board
Alisa Miller
By: Alisa Miller, Committee Clerk
Land Use & Economic Development Committee

Attachment

c: Monica Pereira, Environmental Planning
Joy Navarrete, Environmental Planning

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January 30, 2013

Planning Commission
Attn: Linda Avery
1660 Mission Street, 5th Floor
San Francisco, CA 94103

Dear Commissioners:

On January 29, 2013, Supervisor Chiu introduced the following **substitute** legislation:

File No. 130019-2

Ordinance amending the Planning Code, by adding Section 249.70, to create the Central Subway Tunnel Boring Machine Extraction Site Special Use District for the property located at Assessor's Block No. 0101, Lot No. 004, known as 1731-1741 Powell Street, to facilitate the removal of the tunnel boring machines used in the construction of the Central Subway Project and allow the construction of a previously approved mixed-use residential/retail building; amending Sectional Zoning Maps HT 01 and SU 01 to reflect the Central Subway Tunnel Boring Machine Extraction Site Special Use District; adopting findings, including environmental findings, and findings of consistency with the General Plan.

The proposed ordinance is being transmitted pursuant to Planning Code Section 302(b) for public hearing and recommendation. The ordinance is pending before the Land Use & Economic Development Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board
Alisa Miller
By: Alisa Miller, Committee Clerk
Land Use & Economic Development Committee

c: John Rahaim, Director of Planning
Scott Sanchez, Zoning Administrator
Bill Wycko, Chief, Major Environmental Analysis
AnMarie Rodgers, Legislative Affairs
Monica Pereira, Environmental Planning
Joy Navarrete, Environmental Planning

BOARD of SUPERVISORS

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MEMORANDUM

TO: Regina Dick-Endrizzi, Director
Chris Schulman, Commission Secretary
Small Business Commission, City Hall, Room 448

FROM: Alisa Miller, Clerk, Land Use and Economic Development Committee
Board of Supervisors

DATE: January 30, 2013

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Land Use & Economic Development Committee

The Board of Supervisors' Land Use and Economic Development Committee has received the following **substitute** legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 130019-2

Ordinance amending the Planning Code, by adding Section 249.70, to create the Central Subway Tunnel Boring Machine Extraction Site Special Use District for the property located at Assessor's Block No. 0101, Lot No. 004, known as 1731-1741 Powell Street, to facilitate the removal of the tunnel boring machines used in the construction of the Central Subway Project and allow the construction of a previously approved mixed-use residential/retail building; amending Sectional Zoning Maps HT 01 and SU 01 to reflect the Central Subway Tunnel Boring Machine Extraction Site Special Use District; adopting findings, including environmental findings, and findings of consistency with the General Plan.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

****

RESPONSE FROM SMALL BUSINESS COMMISSION - Date: _____

____ No Comment

____ Recommendation Attached

_____
Chairperson, Small Business Commission

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Ed Reiskin, Director, Municipal Transportation Agency

FROM: Alisa Miller, Clerk, Land Use and Economic Development Committee
Board of Supervisors

DATE: January 30, 2013

SUBJECT: SUBSTITUTE LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Economic Development Committee has received the following **substitute** legislation, introduced by Supervisor Chiu on January 29, 2013.

File No. 130019-2

Ordinance amending the Planning Code, by adding Section 249.70, to create the Central Subway Tunnel Boring Machine Extraction Site Special Use District for the property located at Assessor's Block No. 0101, Lot No. 004, known as 1731-1741 Powell Street, to facilitate the removal of the tunnel boring machines used in the construction of the Central Subway Project and allow the construction of a previously approved mixed-use residential/retail building; amending Sectional Zoning Maps HT 01 and SU 01 to reflect the Central Subway Tunnel Boring Machine Extraction Site Special Use District; adopting findings, including environmental findings, and findings of consistency with the General Plan.

On Page 8, Lines 8-14, it references an SFMTA Resolution authorizing a lease for 1731 Powell for extraction of the tunnel boring machines for the Central Subway Project. Please forward a copy of this resolution for the file.

If you wish to submit any additional reports or documentation to be included as part of the file, please send those to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Kate Breen, Municipal Transportation Agency
Janet Martinsen, Municipal Transportation Agency

BOARD of SUPERVISORS

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Tel. No. 554-5184
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TDD/TTY No. 554-5227

January 16, 2013

File No. 130019

Bill Wycko
Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Mr. Wycko:

On January 8, 2013, Supervisor Chiu introduced the following proposed legislation:

File No. 130019

Ordinance amending the Planning Code, by adding Section 249.70, to create the Pagoda Palace Special Use District for the property located at Assessor's Block No. 0101, Lot No. 004, known as 1731-1741 Powell Street; to facilitate the removal of the tunnel boring machines used in the construction of the Central Subway Project and to allow the construction of a previously approved mixed-use residential/retail building; amending Sectional Zoning Maps ZN 01, HT 01, and SU 01 to reflect the Central Subway Tunnel Boring Machine Extraction Site Special Use District; and adopting findings, including environmental findings, and findings of consistency with the General Plan.

This legislation is being transmitted to you for environmental review, pursuant to Planning Code Section 306.7(c).

Angela Calvillo, Clerk of the Board

By: Alisa Miller, Committee Clerk
Land Use & Economic Development Committee

Attachment

c: Monica Pereira, Environmental Planning
Joy Navarrete, Environmental Planning

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

January 16, 2013

Planning Commission
Attn: Linda Avery
1660 Mission Street, 5th Floor
San Francisco, CA 94103

Dear Commissioners:

On January 8, 2013, Supervisor Chiu introduced the following proposed legislation:

File No. 130019

Ordinance amending the Planning Code, by adding Section 249.70, to create the Pagoda Palace Special Use District for the property located at Assessor's Block No. 0101, Lot No. 004, known as 1731-1741 Powell Street; to facilitate the removal of the tunnel boring machines used in the construction of the Central Subway Project and to allow the construction of a previously approved mixed-use residential/retail building; amending Sectional Zoning Maps ZN 01, HT 01, and SU 01 to reflect the Central Subway Tunnel Boring Machine Extraction Site Special Use District; and adopting findings, including environmental findings, and findings of consistency with the General Plan.

The proposed ordinance is being transmitted pursuant to Planning Code Section 302(b) for public hearing and recommendation. The ordinance is pending before the Land Use & Economic Development Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

By: Alisa Miller, Committee Clerk
Land Use & Economic Development Committee

c: John Rahaim, Director of Planning
Scott Sanchez, Zoning Administrator
Bill Wycko, Chief, Major Environmental Analysis
AnMarie Rodgers, Legislative Affairs
Monica Pereira, Environmental Planning
Joy Navarrete, Environmental Planning

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MEMORANDUM

TO: Regina Dick-Endrizzi, Director
Chris Schulman, Commission Secretary
Small Business Commission, City Hall, Room 448

FROM: Alisa Miller, Clerk, Land Use and Economic Development Committee
Board of Supervisors

DATE: January 16, 2013

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Land Use & Economic Development Committee

The Board of Supervisors' Land Use and Economic Development Committee has received the following legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 130019

Ordinance amending the Planning Code, by adding Section 249.70, to create the Pagoda Palace Special Use District for the property located at Assessor's Block No. 0101, Lot No. 004, known as 1731-1741 Powell Street; to facilitate the removal of the tunnel boring machines used in the construction of the Central Subway Project and to allow the construction of a previously approved mixed-use residential/retail building; amending Sectional Zoning Maps ZN 01, HT 01, and SU 01 to reflect the Central Subway Tunnel Boring Machine Extraction Site Special Use District; and adopting findings, including environmental findings, and findings of consistency with the General Plan.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

****

RESPONSE FROM SMALL BUSINESS COMMISSION - Date: _____

____ No Comment

____ Recommendation Attached

_____
Chairperson, Small Business Commission

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Ed Reiskin, Director, Municipal Transportation Agency

FROM: Alisa Miller, Clerk, Land Use and Economic Development Committee
Board of Supervisors

DATE: January 16, 2013

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Economic Development Committee has received the following proposed legislation, introduced by Supervisor Chiu on January 8, 2013.

File No. 130019

Ordinance amending the Planning Code, by adding Section 249.70, to create the Pagoda Palace Special Use District for the property located at Assessor's Block No. 0101, Lot No. 004, known as 1731-1741 Powell Street; to facilitate the removal of the tunnel boring machines used in the construction of the Central Subway Project and to allow the construction of a previously approved mixed-use residential/retail building; amending Sectional Zoning Maps ZN 01, HT 01, and SU 01 to reflect the Central Subway Tunnel Boring Machine Extraction Site Special Use District; and adopting findings, including environmental findings, and findings of consistency with the General Plan.

On Page 4, Lines 3-7, it references an SFMTA Board of Directors' Resolution No. 08-150, approved on August 19, 2008. Please forward a copy of this resolution for the file.

If you wish to submit any additional reports or documentation to be included as part of the file, please send those to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Kate Breen, Municipal Transportation Agency
Janet Martinsen, Municipal Transportation Agency

Print Form

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

☒ 1. For reference to Committee: Land Use

An ordinance, resolution, motion, or charter amendment.

☐ 2. Request for next printed agenda without reference to Committee.

☐ 3. Request for hearing on a subject matter at Committee:

☐ 4. Request for letter beginning "Supervisor inquires"

☐ 5. City Attorney request.

☐ 6. Call File No. from Committee.

☐ 7. Budget Analyst request (attach written motion).

☐ 8. Substitute Legislation File No.

☐ 9. Request for Closed Session (attach written motion).

☐ 10. Board to Sit as A Committee of the Whole.

☐ 11. Question(s) submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission

☐ Planning Commission ☐ Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.

Sponsor(s):

Supervisor Chiu

Subject:

Ordinance amending the San Francisco Planning Code by creating the Pagoda Palace Special Use District and amending Sectional Maps, adopting environmental findings and findings of consistency with the General Plan.

The text is listed below or attached:

See attached

Signature of Sponsoring Supervisor:

For Clerk's Use Only:

130619

Print Form

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

☐ 1. For reference to Committee: _____

An ordinance, resolution, motion, or charter amendment.

☐ 2. Request for next printed agenda without reference to Committee.

☐ 3. Request for hearing on a subject matter at Committee: _____

☐ 4. Request for letter beginning "Supervisor _____ inquires"

☐ 5. City Attorney request.

☐ 6. Call File No. _____ from Committee.

☐ 7. Budget Analyst request (attach written motion).

☒ 8. Substitute Legislation File No. 130019

☐ 9. Request for Closed Session (attach written motion).

☐ 10. Board to Sit as A Committee of the Whole.

☐ 11. Question(s) submitted for Mayoral Appearance before the BOS on _____

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission

☐ Planning Commission ☐ Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.

Sponsor(s):

Supervisor David Chiu

Subject:

Planning Code and Zoning Map – Central Subway Tunnel Boring Machine Extraction Site Special Use District

The text is listed below or attached:

Ordinance amending the San Francisco Planning Code by adding section 249.70 to create the Central Subway Tunnel Boring Machine Extraction Site Special Use District for the property located at Assessor's Block No. 0101, Lot No. 004, known as 1731-1741 Powell Street, to facilitate the removal of the tunnel boring machines used in the construction of the Central Subway Project and to allow the construction of an previously approved mixed-use residential/retail building; amending Sectional Maps HT 01 and SU 01 of the San Francisco Zoning Maps to reflect the Central Subway Tunnel Boring Machine Extraction Site Special Use District; adopting findings, including environmental findings and findings of consistency with General Plan.

Signature Sponsoring Supervisor: Pa

For Clerk's Use Only: