

10.0 TOPICAL RESPONSES

The following responses are presented for those topics on which several comments were submitted. This approach is intended to provide a more comprehensive, integrated response than might be provided if the comments were addressed individually. The topics are grouped into two major categories: (1) transportation and circulation issues; and (2) other issues. Within each category, the topics are presented in alphabetical order. For each topic, there is a cross-reference to the comments addressed, a brief summary of the comments made, and an essay response.

Figure 10.0-1, 2015 Illustrative Plan Main Campus provides the reader with a map of the streets around the Main Campus and indicates the locations of the proposed Master Plan projects.

TRANSPORTATION AND CIRCULATION ISSUES

Analysis of Lee Avenue Entrance

This response addresses Comments Marks A-61; SFDPT C-8, C-17

Summary of Comments

Trustee Marks asks why a future direct access to Ocean Avenue [at Lee] is considered speculative in the EIR, and asks whether the College can work toward direct access. The San Francisco Department of Parking and Traffic (SFDPT) calls for the EIR to analyze traffic impacts at the intersection of Ocean Avenue and Lee Avenue, “since page 66 of the Master Plan recommends that a Lee Avenue entrance be provided in the future.” Similarly, SFDPT calls for the EIR to analyze the extension of Lee Avenue into the reservoir parking area.

Response

As stated in the Draft EIR, “The Master Plan recommends a direct vehicle access to the Balboa Reservoir parking lots from Ocean Avenue, through the Phelan Loop transit turnaround site at the intersection of Ocean Avenue and Lee Avenue.” (Draft EIR, p. 3.0-18) The Phelan Loop site is not owned by CCSF nor is it part of the Main Campus; therefore, uses within the site are not under the control of CCSF. As noted in the Draft EIR, the redevelopment of the Phelan Loop area, including a direct connection to Ocean Avenue at Lee Avenue, is identified in the draft *Balboa Station Area Plan*; however, the *Balboa Station Area Plan* has not been approved. As of the publication date of the Draft EIR, no specific projects had been identified nor applications filed to redevelop the Phelan Loop area; plans calling for modification of the bus stop area, addition of a plaza to connect Ocean Avenue to the Reservoir, and development of a mixed-use project are still in the preliminary design concept phase. CCSF is working closely with staff from the San Francisco Planning Department to coordinate this effort.

For those reasons, the Draft EIR states that “a future direct access to Ocean Avenue is still considered speculative,” and the Draft EIR analysis is based on access to the reservoir parking from Phelan Avenue only. (Draft EIR, p. 3.0-18) The Draft EIR contains a mitigation measure (Traffic-9g, Draft EIR p. 4.3-35) calling for CCSF to work with the City to extend Lee Avenue from Ocean Avenue to the Balboa Reservoir along the western edge of the reservoir development. If the EIR is certified and the Master Plan approved, this mitigation measure will become a condition of approval for the Master Plan.

The Draft EIR notes that “the use of Lee Avenue to access the reservoir could result in traffic impacts at the (new) intersection of Ocean and Lee Avenues.” Should the direct access at Lee become a realistic possibility, traffic impacts at the intersection would need to be analyzed (in a supplemental environmental review by the City in the EIR for the *Balboa Station Area Plan* or perhaps by others as part of the project to redevelop the Phelan Loop).

Campus Access Impacts and Mitigation

This response addresses Comments SFDPT C-22; Sunnyside G-2, G-3, G-8; Hearing H-5, H-19, H-20, H-25, H-26, H-30, H-32, H-33, H-37; Evans I-2, I-3, I-8

Summary of Comments

SFDPT notes that SFDPW requires an adjacent property owner to construct the sidewalk along the street frontage, and asks if CCSF will construct the sidewalk along the south side of Havelock Street (mentioned in Mitigation Measure **Traffic-9a**).

The Sunnyside Neighborhood Association would like to know how CCSF plans to persuade the City to make improvements along Havelock Street. They offer several suggestions with regard to the parking garage (put it elsewhere on campus, extend Circular Drive through the tennis courts, make the garage free for students, eliminate the garage access from Havelock). They also recommend that CCSF implement measures to ensure no increase in through traffic on Havelock Street. The Association expresses concern about impacts to streets other than Havelock (particularly Edna and Marston). These concerns were echoed by Rita Evans in her letter.

In her public hearing comments, Ms. Evans is concerned about dangerous conditions on Havelock Street and the fact that the mitigation in the EIR is dependent on the City of San Francisco implementing improvements. She is also concerned about the use of the proposed eastern campus road as a shortcut through the campus, with resulting impacts to Havelock and the residential area.

Mr. Lopes states that the proposed parking garage would result in hazards on Edna Street for pedestrians and residents, and that there would be impacts to pedestrians using the bridge at Havelock Street and Edna Street. He recommends that Marston be considered as a safer route to the proposed garage, with Havelock restricted to pedestrian and emergency access. He notes that Marston can be accessed by emergency vehicles. Ms. Levine states her opposition to a Marston Avenue access to the parking garage.

Figure 10.0-1, 2015 Illustrative Plan Main Campus

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Mr. Coghlan states that none of the streets in that area should be used as access and that another access route be considered. Mr. Moggia states his belief that Havelock has to be widened to accommodate the expected traffic.

Response

As noted on p. 4.3-34 of the Draft EIR, the southern edge of the Havelock Street (at the east edge of the campus) is under the City's jurisdiction. The land to the south of Havelock Street at the east edge of the campus is owned by the San Francisco Recreation and Park Department and is used by CCSF for tennis courts. Therefore, the Draft EIR identifies Mitigation Measure **Traffic-9a** (requiring CCSF to work with the City to improve conditions along Havelock). Implementing this measure would likely include negotiations with the City, and could include cost-sharing between CCSF and the City.

Although commenters disagreed about the location of access to the garage, in general they did express similar concern about the effects the garage would have on local streets. The EIR identifies impacts to nearby streets in **Sections 4.1, Land Use and Planning** and **4.3, Transportation and Circulation**. The discussion in Section 4.1 refers generally to streets near the campus; the discussion in **Section 4.3** focuses on Havelock Street because it would provide access to the proposed garage. These impacts were found to be significant even with mitigation. Specifically, as noted in the conclusion of **Section 4.3** (pg. 4.3-41), "impacts related to increased traffic on Havelock Street would be reduced through the provision of sidewalks, incorporation of design features into the garage to discourage entry to the garage from the north, and implementation of TDM measures to reduce future vehicle traffic levels. However, there are uncertainties attached to these measures and their effectiveness, and the construction of sidewalks is under the jurisdiction of another agency. For those reasons, the impacts on Havelock Street would remain significant." **Section 4.3** of the Draft EIR has been revised to refer to potential impacts on other streets, such as Edna and Marston. (See **Section 12.0, Revisions to the Draft EIR.**)

In response to the concerns of the commenters, a mitigation measure has been added to the EIR requiring CCSF to commit to a process to address existing and potential future congestion issues on the neighborhood roads adjacent to the campus. CCSF will continue to work with the stakeholders (including, but not limited to, College neighbors and the City), to develop a list of proposed improvements. CCSF will work with the City to ensure implementation, and CCSF will contribute its fair share of the cost of those improvements. See **Section 12.0, Revisions to the Draft EIR.**

Edna Street

This response addresses Comments Sunnyside G-7; Hearing H-23, H-27; Evans I-7

Summary of Comments

Several commenters noted that Edna Street is not shown on the maps in the EIR, and that it should have been studied. The Sunnyside Neighborhood Association refers specifically to Figures 4.3-1, 4.3-2 and 4.3-3, and recommends that traffic counts be done for the intersections of Judson/Edna and Havelock/Edna.

Response

Figures 4.3-1, 4.3-2 and 4.3-3 have been updated to show Edna Street (see **Section 12.0, Revisions to the Draft EIR**).

The Draft EIR identifies impacts to neighborhood streets adjacent to the campus, in **Sections 4.1, Land Use and Planning** and **4.3, Transportation and Circulation**. The discussion of neighborhood impacts in **Section 4.1** (p. 4.1-16) addresses neighborhood streets in the vicinity generally, and therefore, is meant to include streets such as Edna and Marston. This impact is identified as significant. The discussion of campus access impacts in **Section 4.3** (p. 4.3-33) focuses on Havelock because it would be the main access to the proposed garage. However, the discussion notes that an increase in traffic on Havelock could “create localized congestion and annoyance to campus neighbors” and refers to the impact identified in **Section 4.1**. Therefore, this impact is also meant to cover streets such as Edna and Marston. Several of the mitigation measures identified for the neighborhood and campus access impacts, including expansion of the residential permit parking area, implementation of the TDM program, and design of the garage to discourage access from the north, would benefit residents on Edna and Marston as well as those on Havelock. In addition, a mitigation measure has been added to the EIR requiring CCSF to commit to a process to address existing and potential future congestion issues on the neighborhood roads adjacent to the campus. (See topical response on Campus Access Impacts and Mitigation.)

The Draft EIR discussion has been clarified to refer to potential impacts on other streets, such as Edna and Marston. (See **Section 12.0, Revisions to the Draft EIR**.) The types of impacts occurring on these streets (related to their narrowness, pedestrian/vehicle conflicts, and illegal parking) would not be reflected in an analysis of congestion at the intersections.

Improvements to Phelan Avenue

This response addresses Comments SF Planning E-13, E-19; Sunnyside G-4; Hearing H-21; Evans I-4

Summary of Comments

The San Francisco Planning Department states that the city initiative to change the configuration of Phelan Avenue is not yet funded nor approved by the city. The Sunnyside Neighborhood Association states that CCSF needs to find out from the City exactly what it plans to do, and asks whether the change in capacity on Phelan Avenue has been taken into account in the EIR. These comments are echoed by Rita Evans in her letter. In her public hearing testimony, Ms. Evans wants clarification regarding the City's plans and schedule and how the improvements "will affect mitigation that City College has proposed."

Response

As stated on p. 3.0-19 of the Draft EIR, the draft Balboa Park Station Area Plan includes a policy calling for the redesign of Phelan Avenue to function more as an internal campus street. Under this policy, the redesigned street would include one lane of traffic in each direction (reduced from two), Class I bike lanes and a landscaped median with left-turn pockets. This proposal is not part of the proposed Main Campus Master Plan; it is a City project.

The redesign project is under consideration but the City has not committed to it at this time. The text in the Draft EIR (pp. 3.0-19 and 4.3-12) has been revised to clarify the project status. Uncertainty about implementation of the Phelan Avenue redesign would not affect the intersection impact analysis in the EIR, because the redesign would not affect the configuration of the nearby intersections.

Need for On-Campus Parking

This response addresses Comments Marks A-47; SF Environment D-3; Public Hearing H-6, H-7, H-17

Summary of Comments

Mr. Marks raises a number of questions regarding the merits of providing parking. These comments are questions about the goals and content of the Master Plan and not comments on the contents of the EIR. Nonetheless, they are noted for the record and have been forwarded to the CCSF Master Plan team for consideration.

The San Francisco Department of the Environment suggests a limit to (or moratorium on) new parking and a gradual phase-out of existing parking "as other forms of transit are more fully taken advantage of." On its face, this comment is about the Master Plan; the comment is noted for the record and forwarded to the CCSF Master Plan team for consideration. The comment also implies that the suggested limits on parking be implemented to reduce the impacts of automobile use on energy consumption, traffic congestion, and air pollution. This aspect of the comment is addressed in the following response.

Ms. Levine states that it is very important for residents that a large parking facility is built on the campus. She says that it is not realistic to expect students to use public transit because they must combine their travel to the Main Campus with a trip to work. Mr. Weaver suggests that no more permanent spaces be

built on the campus than there currently are. Mr. Marks asks whether a survey of student trip patterns was conducted.

Response

The commenters have presented a range of opinions related to the need for a parking garage. Parking deficits in San Francisco are considered to be social effects, rather than impacts on the physical environment as defined by CEQA. Moreover, as described in **Section 4.3 Transportation and Circulation** (DEIR, pg. 4.3-18), 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 City's Transit First Policy, established in the City's Charter Section 16.102, provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation."

A survey of student trip patterns was not conducted for the Master Plan or EIR. However, the Draft EIR did consider students' use of public transportation. As noted on p. 4.3-8 of the Draft EIR, about 44 percent of the daily-enrolled students use transit to access the campus. The analysis of traffic impacts in the Draft EIR assumed that only 23 percent of the future trips would use transit; this assumption was conservative, so as not to underestimate traffic impacts, and was based on the San Francisco Transportation Guidelines.

However, it is acknowledged that community college students may be combining their trips to school with trips to work or other locations. This factor was considered in the Master Plan team's estimates of the effectiveness of a Transportation Demand Management Program and need for additional parking. Even with implementation of an aggressive TDM program, there would be an increase in the demand for parking. The proposed net increase in parking spaces is based on that finding. The College wishes to maintain and expand the current parking supply to avoid shifting more parking to the nearby neighborhoods (given the nature of student trips) and to provide an appropriate supply of parking for faculty.

Parking Fees

This response addresses Comments Marks A-49; SF Planning E-7; Sunnyside G-2; Hearing H-8; Evans I-2

Summary of Comments

Mr. Marks questions taking money from academic programs to subsidize people who drive, and suggests alternate language for the Transportation Demand Management program. The San Francisco Planning Department states that the College should recover the entire cost of building new parking facilities

through fees, and notes that this practice is followed at the University of California and the State University System.

The Sunnyside Neighborhood Association would like more details on the funding for the garage. They also suggest that parking be made free for students. These comments are echoed by Rita Evans in her letter. Ms. Levine suggests that the campus parking garages be free to encourage students to park there instead of neighborhood streets.

Response

The issues raised by these comments are primarily about the merits of the project. Increases in parking fees have been included in the proposed TDM program to encourage people to use other modes of transportation, and thereby reduce congestion and parking spillover. The amount of the increase has not been established at this time. CCSF will consider all of the comments submitted in setting the fee structure, and would implement a fee increase that complies with State law. See also the topical response **Need for On-Campus Parking**, above.

Recommended v. Proposed Improvements

This response addresses Comments SFDPT C-13, C-14, C-15

Summary of Comments

SFDPT asks several questions about “recommended” transportation improvements discussed in the traffic report, including signals at the intersections of Phelan/Cloud Circle North, Phelan/Cloud Circle South, and Phelan/Judson.

Response

The CCSF Main Campus Master Plan includes proposals for several transportation improvements and recommendations for a number of other improvements. The Draft EIR (**Section 3.0, Project Description**) clarifies which changes are proposed as part of the project and which changes are not proposed but recommended for implementation in the future. Regarding signals on Phelan Avenue at Cloud Circle North and South, the Draft EIR states: “The Master Plan recommends that the City install signals along Phelan Avenue at both of its intersections with Cloud Circle, primarily to enhance pedestrian safety and regulate pedestrian crossings.” (Draft EIR, p. 3.0-19) The Master Plan does not include a proposal or recommendation to signalize the intersection of Phelan and Judson. The Draft EIR analysis of traffic impacts does not assume signals at any of these intersections.

Residential Permit Parking

This response addresses Comments SFDPT C-3, C-23; Sunnyside G-5; Hearing H-3, H-22; Evans I-5

Summary of Comments

SFDPT calls for the traffic impact study to include a discussion of the nearby streets that have residential permit parking and “describe the effectiveness of this program in discouraging student parking.” SFDPT also notes (with respect to Mitigation Measure **Traffic-9c**) that residents must petition DPT to create or expand a residential permit parking area. The Sunnyside Neighborhood Association asks for more details regarding how **Traffic-9c** and **Land Use-1b** would be implemented, including whether CCSF has any leverage with SFDPT or whether there is any precedent for bypassing the usual process. These comments are echoed by Rita Evans in her letter. Mr. Coghlan believes that the City should pay for residential stickers and that the CCSF police should take over both the sticker program and the area of the neighborhood where traffic is affected. In her public hearing comments, Ms. Evans asks that CCSF help the neighbors with the permit parking process, including requesting that the process be expedited.

Response

The Draft EIR has been revised to include a discussion of the existing residential permit parking in the areas near the campus. See **Section 12.0, Revisions to the Draft EIR**. Essentially, most of the area directly north of the campus does not have residential permit parking, and most of the area directly south of the campus does. Residential permit parking does extend to Havelock Street, Marston Avenue, and Edna Street in the vicinity of the Main Campus. The parking inventory conducted for the Draft EIR indicates that all of the available spaces are occupied, but it is not clear from the inventory whether people park on those streets illegally. Anecdotal evidence from campus neighbors indicates that students may be parking illegally on those streets.

The following is the process for expanding an existing residential parking permit area:

- The proposed block(s) must be contiguous to an existing residential permit parking area;
- A petition signed by more than fifty percent of the households on each proposed block must be submitted to the Traffic Engineering Division (one signature per household; and
- At least eighty percent of the legal on-street parking spaces within the proposed area must be occupied during the day.

The legislation and sign installation process takes approximately six months from submittal of valid petitions for area extensions. The process includes several reviews, a field study, a public hearing, review by the Board of Supervisors, and approval by the Mayor (among other steps). According to a SFDPT representative, there are no exceptions to this process and there have been no precedents for bypassing it. The CCSF police cannot patrol the neighboring streets (or enforce permit parking in the neighborhood) because the streets are within City and County of San Francisco jurisdiction.

Mitigation Measures **Traffic-9c** and **Land Use-1b** in the Draft EIR have been revised to reflect the SFDPT process and to provide more detail on how CCSF could help the neighborhood to take action (See **Section 12.0, Revisions to the Draft EIR**).

Transportation Demand Management

This response addresses Comments Marks A-48, A-50, A-69; SF Environment D-5; SF Planning E-6

Summary of Comments

Mr. Marks notes that the Draft EIR mitigation measure for monitoring trip reduction does not establish an effectiveness target. He requests that the measure be modified to include a specific target for TDM trip reduction.

Mr. Marks wants to know the basis for the Master Plan assertion that a TDM program would be unlikely to reduce the vehicle rate by more than 15 to 25 percent, and the relationship of that estimate to the EIR's conclusions regarding implementation and effectiveness of a TDM program.

The San Francisco Department of the Environment suggests that several incentives be added to the CCSF TDM program, including bike access on BART and MUNI, lockers and bike parking at transit stations, and a monthly commuter pass or vanpool voucher from WageWorks. Mr. Marks suggests alternate language for the part of the program addressing transit passes.

The San Francisco Planning Department notes that the EIR does not establish a goal for the Transportation Demand Management Program, and states that the College should set a goal. The Department suggests a goal of at least 15 percent fewer trips than current levels.

Response

The focus of the EIR with respect to TDM is to identify those measures that CCSF should implement to encourage non-auto modes of travel and discourage auto trips. Bicycle access and BART and MUNI and lockers and bike parking at transit stations are an existing incentive. For example, the Balboa Park BART station has 12 bike lockers and riders are allowed to board BART trains with bikes except during certain peak times. These existing incentives have not been identified as a mitigation measure. In addition, CCSF already has two programs that allow employees to use pre-tax dollars to pay for transit costs (i.e., Commuter Check and WageWorks).

In response to Mr. Marks' comment regarding transit passes, Mitigation Measures **Traffic-9c** and **Air Quality-2a** have been revised (see **Section 12.0, Revisions to the Draft EIR**).

A 15 percent reduction in trips has been achieved at other colleges in California, but may be more difficult to achieve at the CCSF Main Campus, due to the substantial use of transit that already occurs and the travel patterns of community college students. However, the Draft EIR (Mitigation Measures **Traffic-9c**,

Air Quality-2a) has been revised to include a 15 percent reduction as the goal of the TDM program (see **Section 12.0, Revisions to the Draft EIR**). The EIR's conclusions regarding implementation and effectiveness arise from the facts that (1) implementation of all measures cannot be guaranteed (due to budget limitations and the involvement of other agencies) and (2) the actual effectiveness of the program is not known and cannot be determined at this time.

Use of PM Peak Hour

This response addresses Comments SF Planning E-9; Sunnyside G-1; Public Hearing H-4, H-24, H-28; Evans I-1

Summary of Comments

The San Francisco Planning Department notes that the use of the PM peak hour is "a standard in this type of analysis" but requests that the EIR explain the basis for the decision to use the PM peak hour for the analysis of impacts. The Sunnyside Neighborhood Association states that evening traffic is much worse later in the evening than during the PM time used for analysis in the EIR. They also state that the worst traffic is in the morning, and that the traffic counts should be redone for morning hours. These comments are echoed by Rita Evans in her letter. Ms. Levine notes that between 5:30 PM and 6:30 PM, the area around the CCSF campus is "a ghost town," and that the worst traffic problems are in the morning. Ms. Evans notes that traffic counts should have been taken in the mornings because there is a much greater impact then. Mr. Wilson feels that studying traffic in the afternoon would not indicate the problems with traffic in the area.

Response

As stated on p. 4.3-5 of the Draft EIR, "The choice of the PM peak period was in conformance with the City and County of San Francisco's Transportation Impact Analysis Guidelines for Environmental Review, October 2002; DKS Associates consulted with Planning Department staff regarding this approach to the traffic analysis," and staff concurred with the selection of the PM peak period.

In response to the commenters' concerns, additional AM and PM traffic counts were conducted around the campus at various locations, on Wednesday, March 10, 2004. Five roadway counts were conducted for a period of 24 hours, and three intersections were counted during the AM and the PM peak periods. The roadways and intersections surveyed were those closest to the campus, and conditions at these locations may not be representative of conditions elsewhere in the study area. For each location, the actual peak hour within the AM and PM study periods was identified.

The results (in summary and detailed form) are presented in **Appendix A** of this EIR. For the roadway counts, two locations had higher volumes in the AM peak hour, one location had higher volumes in the PM peak hour, and two locations had either the same volumes or too small a difference to be material.

The actual AM peak hours at these locations varied from 7:15-8:15 to 9:30-10:30. The PM peak hour at most of these locations coincided with the PM peak hour studied in the EIR (5:30 to 6:30).

For the intersection counts, all three locations had higher AM than PM peak volumes; the differences ranged from 6 to 13 percent. The actual AM peak hours were fairly consistent among the three locations (ranging from 7:15 through 8:30). The actual PM peak hours at two of the three locations were later than that studied in the EIR (5:45 to 6:45 PM); the actual peak hour at the other location was earlier (5:15 to 6:15 PM).

Despite these mixed results, the analysis of traffic impacts in the EIR adequately addresses the potential impacts of the Main Campus Master Plan. The reasons include (1) the fact that the 2003 traffic volumes used in the Draft EIR were higher than any of the AM or PM peak volumes counted in 2004; (2) a preliminary analysis that shows that the existing levels of service at the three intersections studied are the same or better than those reported in the Draft EIR; (3) the fact that the EIR used a conservative approach to project trips and assumed a lower percentage use of transit than what actually occurs; (4) the fact that, based on a review of class schedules, CCSF Main Campus classes are weighted more toward the evening than the morning hours and thus increases in traffic associated with the Master Plan project would have a greater impact on PM traffic rather than AM traffic; and (5) the fact that the EIR already identifies significant impacts to the neighborhood streets near the campus (Impacts **Land Use-1** and **Traffic-9**).

In response to the concerns of the commenters, a mitigation measure has been added to the EIR requiring CCSF to commit to a process to address existing and potential future congestion issues on the neighborhood roads adjacent to the campus. The process would include working with stakeholders (including, but not limited to, College neighbors and the City), development of a list of proposed improvements to present to the City for implementation, and CCSF contribution of its fair share of the cost of those improvements. The ideas presented by the commenters and others will be considered. See **Section 12.0, Revisions to the Draft EIR**.

OTHER ISSUES

City and County of San Francisco Jurisdiction

This response addresses Comments Marks A-9 through A-11; SF Planning E-1, E-3

Summary of Comments

Mr. Marks ask a number of questions regarding City and County of San Francisco jurisdiction, including what process the District would take to exempt itself from local regulations; whether any actions have been taken to date; what the definition of classroom uses is; and how these issues relate to the accuracy of the EIR. Mr. Marks also asks about the relevance of the City's decision to designate as landmarks two buildings related to other CCSF locations. In addition, Mr. Marks asks whether certain actions related to

the Master Plan require City approval (and should be described in the EIR), and he asks why the EIR contains no references to the Field Act or the State Historic Building Code.

The San Francisco Planning Department states that the Draft EIR “tends to misrepresent the jurisdictional relationship between City College and the City of San Francisco relating to the General Plan and the Planning Code.” The Planning Department states that the EIR should assume that the Master Plan is subject to the General Plan, Planning Code, and City Priority Policies. The Department also notes that the San Francisco Board of Supervisors will need to make findings for those Master Plan components that will require discretionary actions of the City.

Response

Under the doctrine of sovereign immunity, public schools are not subject to local regulation unless the Constitution says they are or the State Legislature has consented to such regulation. (*Hall v. City of Taft*, 47 Cal.2d 177, 182-83 (1956); *Laidlaw Waste Systems v. Bay Cities Services, Inc.*, 43 Cal.App.4th 630, 635 (1996)).

The Legislature has “consented” to Cities’ regulation of local agencies, (such as the College) for limited purposes. Specifically, local agencies must comply with a City’s building ordinances and zoning ordinances. (Government Code Section 53091). However, for classroom facilities, Government Code Section 53094 allows the governing board of a school district to exempt itself from a zoning ordinance by two-thirds vote. (Government Code Section 53094(b),(c)). School districts must also comply with City ordinances regulating drainage and road conditions, or requiring review or approval of grading plans relating to design and construction of on-site improvements that affect drainage, road conditions or grading. (Government Code Section 53097). For off-site improvements that affect drainage, road conditions, or grading, school districts must consider the City’s requirements and conditions relating to design and construction.

Thus, the College is generally not subject to City regulation, unless such regulation is a zoning or building ordinance, or regulates drainage or roads. For classroom facilities, the college can choose to exempt itself from zoning ordinance requirements by two-thirds vote. The question of whether a particular requirement is a zoning ordinance or building ordinance, and whether a particular College exemption is for a classroom or non-classroom facility must be determined on a case-by-case basis. Generally, courts have interpreted classroom facilities to include facilities directly used for or related to student instruction. (*City of Santa Cruz v. Santa Cruz City Schools Board of Education*, 210 Cal.App.3d 1(1989)).

Although the Master Plan is not necessarily subject to many of the City’s regulations, the Master Plan EIR generally analyzes the project’s consistency with City requirements in order to evaluate the Master Plan’s environmental impacts. Specifically, the Draft EIR includes an analysis of project consistency with relevant San Francisco General Plan policies, on pp. 4.1-5 through 4.1-11 and 4.1-18 through 4.1-20. The EIR also includes a comparison of the project with General Plan and Planning Code land use designations (4.1-5 and 4.1-20) and analyzes potential project conformance with Planning Code height and bulk

requirements (4.1-20 and 4.2-21). The EIR identifies relevant policies of the draft *Balboa Station Area Plan* on pp. 4.1-11 through 4.1-13; although the draft *Plan* does not have official status, the policies are cited and considered throughout the EIR. The Draft EIR also includes an analysis of project shadow impacts per Planning Code Section 295 (in Section 4.2, Visual Quality and Shadow). Where potential conflicts with policies and regulations would be related to physical impacts on the environment, they are discussed in the relevant impact sections of the EIR (see **Section 4.1**).

In response to San Francisco Planning Department comments, the EIR has been modified to include an analysis of Master Plan consistency with the City's Priority Policies (see **Section 12.0, Revisions to the Draft EIR**).

Article 10 of the San Francisco Planning Code provides for the designation of a building as a San Francisco landmark. The City and County of San Francisco can designate buildings on CCSF campuses or owned by CCSF as landmarks regardless of whether the College is subject any requirements related to Article 10. The EIR concludes that none of the buildings proposed for demolition under the Main Campus Master Plan are historic resources (p. 4.9-27).

The State Historic Building Code allows latitude in renovation/construction activities relating to historic buildings. The Code applies to the following: buildings listed on the National Register of Historic Places; buildings listed on the California Register of Historic Resources; California Registered State Historic Landmarks; points of historic interest; state-recorded and -evaluated local inventories; and city or county inventories of historic or architecturally significant sites landmarks or districts. None of the buildings affected by the CCSF Master Plan would be subject to the Historic Building Code.

The Draft EIR does not specifically reference the Field Act, which pertains to seismic safety. However, the EIR states that "the State has more stringent safety standards for public school buildings." (Draft EIR, p. 4.7-8) The EIR has been revised to include a reference to the Field Act (see **Section 12.0, Revisions to the Draft EIR**). The Draft EIR includes an analysis of seismic ground shaking impacts, on p. 4.7-10; and an analysis of seismic-related ground failure, on p. 4.7-11.

Construction Impacts

This response addresses Comments Marks A-16; Sunnyside G-10; Hearing H-39, H-40

Summary of Comments

Mr. Marks requested more information on the construction timetables for each Master Plan project. He referred to two statements in the EIR regarding the permanence of construction impacts and asked whether they were contradictory. Mr. Ramos expressed concern with the hours and duration of construction and asked if there is any flexibility in determining the hours of operation for construction. He also noted that the impact would be significant for up to 11 years. The Sunnyside Neighborhood Association expressed concern about construction on weekends and asked that it be limited to weekdays.

Response

Generally, construction of a building includes demolition (if structures are present), earthmoving and other site preparation activities, construction of the foundation and building exterior, and work on the building interior. The noise and traffic generated by construction activities vary over the construction process. For example, there are typically more construction truck trips during earthmoving (when dirt might be taken to or from a site) than during other parts of construction. Noise levels associated with initial earthmoving (and sometimes, foundation construction) are typically the highest; interior construction noise is usually inaudible outside the construction site. In addition, noise and traffic vary during each day of construction.

At this date, the construction schedule for a number of components of the Main Campus Master Plan is yet to be determined, including the Academic Facility (Joint Use), the Arts Center, the Advanced Technology Learning Center, and the Administration Building. Construction of the Community Health & Wellness Center is anticipated to begin in the late fall of 2004 and end in the summer of 2006. Construction on both the Student Health Center and the Child Development Center is projected to begin in January 2005 and end about one year later. Relocation of the Practice Field is expected to start in the spring of 2005 and end by the summer of 2005. Construction of a bookstore within Smith Hall (part of the proposed renovation/upgrade of the Student Services Center) is being considered to take place between the spring of 2005 and the spring of 2006. This preliminary schedule indicates that construction activity (on the buildings for which schedules are known) would overlap during 2005.

The planning "horizon" for the Main Campus Master Plan is the 2015-2016 school year, and it is likely that the remaining projects would be built sometime between 2006 and 2015. That does not mean that construction noise and traffic impacts would occur for 11 years; there would be long periods of time in which no construction would be under way. In addition, the construction noise heard off the campus would vary considerably by location.

The analysis of construction noise impacts in the Draft EIR states (p. 4.4-16): "Although construction noise would be periodic and temporary for each project and thus would occur intermittently over the Master Plan period, the number of projects and length of time involved would make the impact feel more 'permanent' (and thus more annoying and disruptive)." This approach is conservative, and attempts to recognize the potential disruption and annoyance that noise generated at multiple construction sites over a number of years might cause.

The discussion of significance criteria for construction traffic impacts in the Draft EIR states, "Construction-related impacts generally would not be considered significant due to their temporary and limited duration." These criteria are based on guidance from the City. The Draft EIR analysis of construction traffic impacts includes the following statement: "Truck movements would generally not occur during the AM or PM peak hour; in addition, construction workers would generally leave the site prior to the PM peak hour." (Draft EIR, p. 4.3-31)

Construction hours for the Main Campus Master Plan projects would generally be similar to those on projects elsewhere in the City. The College does not anticipate needing to use extended construction hours, but might need them occasionally to meet overall building construction budgets and deadlines. The College is proposing to comply with City noise ordinances (including the Police Code, which regulates construction work at night). Specifically, Mitigation Measure **Noise-1a** requires CCSF to comply with Department of Public Works permit requirements for nighttime work and to comply with the City's Noise Ordinance. Construction on the weekends would be allowed only in cases of emergencies; such construction would follow standard procedures, including acquisition of any and all necessary permits. The other Mitigation Measures identified to address construction noise require additional noise-reduction measures such as the use of noise-abatement devices and shutting off of idling equipment (see Mitigation Measures **Noise-1b** through **-1e**). These requirements would help to minimize the noise generated.

Future Use of Western Balboa Reservoir

The following discussion addresses Comments Sunnyside G-11; Hearing H-2

Summary of Comments

Chris Coghlan stated a desire to be able to use the west basin of the Balboa Reservoir, with a multi-use path that could be accessed from his neighborhood. The Sunnyside Neighborhood Association requested that the western reservoir be left as open space, with access via a promenade between Riordan High School and the proposed CCSF buildings.

Response

Currently, the San Francisco Public Utilities Commission (SFPUC) owns the northern half of the Reservoir (Northern Reservoir) and CCSF owns the southern half of the Reservoir (Southern Reservoir) (DEIR, pg. 3.0-3). A Memorandum of Understanding is in place and negotiations are in progress between CCSF and the SFPUC to exchange the eastern half of the Northern Reservoir for the western half of the Southern Reservoir (DEIR, pg. 3.0-14). This exchange would make the western portion of the Reservoir the property of SFPUC, not CCSF. Therefore, CCSF would not have the authority to determine future access to the West Reservoir. The Master Plan would provide a green area at the north end of the eastern half of the reservoir, between Riordan High School and the proposed CCSF buildings. This area could be used as a path from Phelan Avenue to the western half of the reservoir.

The Master Plan does recommend a direct vehicle access to the Balboa Reservoir parking lots from Ocean Avenue, through the Phelan Loop transit turnaround site at the intersection of Ocean Avenue and Lee Avenue. This improvement would involve the City and MUNI, and would be undertaken in coordination with redevelopment of the Phelan Loop area consistent with the draft *Balboa Station Area Plan*. The draft *Balboa Station Area Plan* has not been approved, and for the moment, future direct access to Ocean Avenue is still considered speculative. At the same time, one of the key strategies outlined in

the Balboa Park Station Area Plan (currently in draft form) is to realize the potential of the Reservoir (DEIR, pg. 4.1-12). To reach this end, the Plan includes two pertinent objectives: (1) Objective 1: Redevelop the Reservoir so that it becomes better connected with its surroundings, and (2) Objective 4: Develop the west basin of the reservoir for the greatest benefit of the City as a whole as well as for the surrounding neighborhoods. Please see the draft *Balboa Station Area Plan* for details on the proposed use of the west basin.

Mission Campus

This response addresses Comments Mission Merchants F-1; Public Hearing H-9, H-12

Summary of Comments

Mr. Lesser, representing the Mission Merchants Association, provides an analysis of the parking situation at the Mission Campus and concludes that the Mission Campus will cause a deficit of 646 parking spaces. He suggests several options for providing additional parking. Mr. Ventura states that the parking being provided at the Mission Campus is not adequate for the projected number of students, and suggests that the idea of above-ground parking be revisited.

Response

As indicated in the DEIR, the Mission Campus project has already been approved by CCSF and has been subject to environmental review (DEIR, pg. 3.0-23). Traffic, parking, and any comments about the parking situation in the area were addressed during that review. The Master Plan EIR considers the planned Mission Campus project to the extent that its impacts combine with those of the Main Campus Master Plan.

Wilbur Smith Associates, the traffic consultant for the Mission Campus environmental review, has considered these comments and has responded with a detailed memorandum, included in **Appendix C**. This memorandum demonstrates that the analysis and conclusions in the CCSF Mission Campus – Addendum to the Final Environmental Impact Report remain valid.

Noticing and Distribution

This response addresses Comments Marks A-14, A-80; Public Hearing H-43

Summary of Comments

Trustee Marks stated in his written comments that the distribution list for the Draft EIR and Notice of Availability was inadequate for a project of this scope, and asked why no civic organizations were included. He raised similar issues at the public hearing. He also asked whether the San Francisco Department of Public Health received a notice regarding the Draft EIR.

Response

Mr. Marks' desire for a broader distribution list is noted and understood. In anticipation and total agreement with the importance of a distribution appropriate for a plan of this magnitude, the distribution list was expanded far beyond what is normally required under CEQA. According to CEQA, public notice of a draft EIR must be sent to the county clerk, all "responsible" and "trustee" agencies, and any person or organization requesting a copy (then or previously). Public notice of a draft EIR must be issued in at least one of three ways.

The Notice of Availability of the CCSF Master Plan Draft EIR was posted with the San Francisco County Clerk. The Notice was also sent to the City and County of San Francisco (Planning Department, Planning Commission, and Board of Supervisors) as a responsible agency. The Notice was submitted to the State Clearinghouse at the Governor's Office of Planning and Research; the Clearinghouse distributed the Notice to the California Department of Transportation, the Department of Toxic Substances Control, and other state agencies. The Notice was also sent to all people who had requested a copy. Many of the people who received notices also received a copy of the Draft EIR. Public notice of the Draft EIR was published in the San Francisco Chronicle. In addition, a postcard notice of the public hearing on the Draft EIR was sent to all of the residents of three supervisor districts (over 42,000 people). Also, the entire Draft EIR was published on the CCSF web site, where it could be downloaded for review.

In addition to meeting and surpassing the requirements for noticing for the Draft EIR, CCSF conducted extensive public notification for the Notice of Preparation and the EIR scoping session. As stated in the Draft EIR, "The availability of the NOP was advertised through a direct mailing to more than 1,300 persons, as well as a postcard notice to residents of three supervisorial districts and a newspaper ad. [The postcard notices were sent to about 45,000 addresses, of which about 42,000 were residences.] In addition, the NOP was published on the College's web site." (Draft EIR, p. 1.0-2) The 1,300-person mailing list had been developed earlier by the San Francisco Planning Department as a mailing list for the draft Balboa Station Area Plan. A number of civic organizations received early notice of the EIR process and of the scoping meeting; a preliminary review of the mailing lists (not including the postcard notice) identifies about 90 civic organizations. At the EIR scoping session, a sheet was posted at the entrance for people to sign up to receive future notices and a copy of the EIR.

In response to concerns expressed by Mr. Marks at the public hearing, copies of the Notice of Availability, accompanied by an EIR on compact disk, were sent to several civic organizations. The list of organizations was not intended to be comprehensive, but rather was intended to target organizations that would likely have an interest in Master Plan environmental review.

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